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The Marshall County Commission met in regular session on Wednesday, March 9, 2022 at 10:00am in the Marshall County Commission Chambers.

PRESENT:

James Hutcheson, Chairman
Ashleigh Bubbett, County Administrator
Ronny Shumate, District 1 Commissioner
James R. Watson, District 2 Commissioner
Lee Sims, District 3 Commissioner
Joey Baker, District 4 Commissioner
Bob Pirando, County Engineer
Karen Young, Administrative Assistant
Norma Parker, Commission Clerk
Clint Maze, County Attorney

PRESENTATIONS: John Kvach with Singing River Trail a Native American Heritage Trail approached the Marshall County Commission requesting help funding a 70-mile trail that will run through parts of Marshall County.

CONSENT AGENDA

A motion was made by Commissioner Shumate, duly seconded by Commissioner Watson, and all members voting affirmatively and so carried to approve the consent agenda presented as read by Chairman Hutcheson. The consent agenda includes the minutes from the February 23, 2022 meeting and the claims docket for February 22, 2022 – March 9, 2022 for \$872,189.92.

DISCUSS 2022 COUNTY LEGISLATIVE REPORT

District #2 Commissioner Rick Watson read aloud the 2022 Legislature report.

MCPALS – ANNOUNCE WHITE GOODS PICKUP AND DUMPSTER FOR DISTRICT 2 ON MARCH 21

DISTRICT 1 – APPROVE TO EARMARK UP TO \$1 MILLION OUT OF THE COMMISSION'S RAINY-DAY FUND FOR THE DECEMBER 30, 2021 WASHOUT ON UNION GROVE ROAD

A motion was made by Commissioner Shumate, duly seconded by Commissioner Watson, and all members voting affirmatively and so carried to approve to earmark up to \$1 Million out of the Commission's Rainy-Day Fund for the December 30, 2021 washout on Union Grove Road.

DISTRICT 2 – APPROVE PAYMENT REQUEST TO ALLEN LAND SURVEYING, LLC; \$600

A motion was made by Commissioner Watson, duly seconded by Commissioner Shumate, and all members voting affirmatively and so carried to approve payment request to Allen Land Surveying, LLC for \$600.

COUNTYWIDE – APPROVE THE SALE OF (2) 1998 FREIGHTLINERS AND PURCHASE (1) NEW ONE

A motion was made by Commissioner Sims, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to approve the sale of (2) 1998 Freightliners (FA#9544 and FA#10663) and purchase (1) new one.

COUNTYWIDE – APPROVE TO ADVERTISE THE BID FOR BITUMINOUS SURFACE TREATMENT (COMPLETE-IN-PLACE)

A motion was made by Commissioner Watson, duly seconded by Commissioner Sims, and all members voting affirmatively and so carried to advertise the bid for Bituminous Surface Treatment (Complete-In-Place).

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PROBATE – APPROVE TO BID THE PUBLICATION OF POLLING LIST IN NEWSPAPER

A motion was made by Commissioner Shumate, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to approve to bid the Publication of Polling List in newspaper.

PROBATE – APPROVE THE ZOOM ANNUAL FEE AND EQUIPMENT FOR THE COURTROOM TO BE PURCHASED WITH THE CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS – REVENUE REPLACEMENT: \$1,447.91

A motion was made by Commissioner Sims, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to approve the Zoom Annual Fee and Equipment for the courtroom to be purchased with the Coronavirus State and Local Fiscal Recovery Funds for \$1,447.91.

PROBATE – APPROVE TO PURCHASE (8) EXPRESS POLL UNITS WITH PREMIER STANDS \$1,215 EACH, (8) DYMO450 TURBO PRINTERS \$130 EACH AND (10) TP LINK ROUTERS \$50 EACH; \$1,260 EQUIPMENT REPLACEMENT FUND AND \$10,000 GENERAL FUND FUND BALANCE

A motion was made by Commissioner Baker, duly seconded by Commissioner Sims, and all members voting affirmatively and so carried to approve to purchase (8) Express Poll units with premier stands \$1,215 each, (8) Dymo450 Turbo printers \$130 each and (10) TP Link Routers \$50 each; \$1,260 Equipment Replacement Fund and \$10,000 to be paid from the General Fund fund balance.

PROBATE – APPROVE 20-YEAR LEASE AGREEMENT BEGINNING JANUARY 1, 2022 WITH THE CITY OF BOAZ FOR THE SATELLITE TAG OFFICE LOCATED AT 99 RAILROAD AVENUE, BOAZ

A motion was made by Commissioner Sims, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to approve a 20-year lease agreement beginning January 1, 2022 with the City of Boaz for the Satellite Tag Office located at 99 Railroad Avenue, Boaz.

APPROVE TO AWARD BID FOR SUPPLEMENTAL FOOD PROGRAM FOR MARSHALL COUNTY CHRISTIAN SERVICES, INC. PURCHASED WITH CDBG-CV GRANT FUNDS; NO MATCH REQUIRED

A motion was made by Commissioner Shumate, duly seconded by Commissioner Sims, and all members voting affirmatively and so carried award Bid #47-21 to Warehouse Discount Grocery in Arab, AL in amount of \$1,518.28 per month as recommended by the County Engineer.

APPROVE TO REBID FOR (2) MOBILITY SPECIALTY VANS (HANDICAP ACCESSIBLE) TO BE PURCHASED WITH CDBG- CV GRANTS FOR MARSHALL MEDICAL CENTER; NO MATCH REQUIRED.

A motion was made by Commissioner Sims, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to approve to rebid for (2) Mobility Specialty Vans (Handicap Accessible) to be purchased with CDBG- CV Grants for Marshall Medical Center, no match required. The bid will be for two new 2022 or newer Mobility Specialty Vans (Handicap Accessible) or two used 2019 Mobility Specialty Vans (Handicap Accessible) with less than 50,000 miles.

APPROVE TO REBID FOR (1) 15 PASSENGER VAN TO BE PURCHASED WITH CDBG- CV GRANTS FOR MARSHALL COUNTY HOMELESS MINISTRIES, NO MATCH REQUIRED

A motion was made by Commissioner Shumate, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to approve to rebid for (1) 15 Passenger Van to be purchased with CDBG- CV Grants for Marshall County Homeless Ministries, no match required. The bid will be for one new 2022 or newer 15 Passenger Van or one used 2019 or newer 15 Passenger Van with less than 50,000 miles.

APPROVE TO REBID FOR (1) CREW CAB TRUCK TO BE PURCHASED WITH CDBG-CV GRANT FOR DOMESTIC VIOLENCE CRISIS SERVICES, NO MATCH REQUIRED

A motion was made by Commissioner Sims, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to approve to rebid for (1) Crew Cab Truck to be purchased with

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CDBG-CV Grant for Domestic Violence Crisis Services, no match required. The bid will be for one new 2022 or newer Crew Cab Truck or one used 2019 or newer Crew Cab Truck with less than 50,000 miles.

APPROVE TO REBID FOR (2) MINI VANS VEHICLES TO BE PURCHASED WITH CDBG- CV GRANTS FOR MOUNTAIN LAKES BEHAVIORAL HEALTHCARE, NO MATCH REQUIRED

A motion was made by Commissioner Baker, duly seconded by Commissioner Sims, and all members voting affirmatively and so carried to approve to rebid for (2) Mini Vans vehicles to be purchased with CDBG- CV Grants for Mountain Lakes Behavioral Healthcare, no match required. The bid will be for two new 2022 or Mini Vans or two used 2019 Mini Vans with less than 50,000 miles.

PARK – APPROVE TO INCREASE BUDGET IN PARK FUND; \$7,000 PARK FUND FUND BALANCE

A motion was made by Commissioner Shumate, duly seconded by Commissioner Sims, and all members voting affirmatively and so carried to approve to increase budget in park fund; \$7,000 Park Fund fund balance.

ANIMAL CONTROL – APPROVE TO PURCHASE LAPTOP; EQUIPMENT REPLACEMENT FUND NOT TO EXCEED \$1,500

A motion was made by Commissioner Baker, duly seconded by Commissioner Sims, and all members voting affirmatively and so carried to approve to purchase laptop from Equipment Replacement Fund not to exceed \$1,500.

APPROVE RESOLUTION FOR DESIGNATION OF A PROGRAM DIRECTOR FOR PROJECTS FUNDED WITH THE COUNTY’S AMERICAN RESCUE PLAN ACT FISCAL RECOVERY FUNDS

A motion was made by Commissioner Sims, duly seconded by Commissioner Shumate, and all members voting affirmatively and so carried to approve Resolution for Designation of a Program Director for Projects funded with the County’s American Rescue Plan Act Fiscal Recovery Funds.

RESOLUTION

WHEREAS, Marshall County, Alabama (the "County") has received American Rescue Plan Act fiscal recovery funds ("ARPA funds") and is charged with ensuring that such funds are administered in accordance with state and federal law; and

WHEREAS, federal requirements governing the management and administration of ARPA funds require the designation of an individual responsible for the administration of ARPA funded projects (hereafter, "Program Director"); and

WHEREAS the Marshall County Commission (the "Commission") has determined that it would be appropriate to designate a County employee as the Program Director for projects funded with ARPA Funds. NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION as follows:

1. The County hereby appoints the County Administrator to act as the Program Director for the administration of ARPA funded projects authorized by resolution of the Commission and in accordance with the policies and procedures for project administration adopted by the Commission.
2. The County Administrator shall serve as the Program Director for all ARPA funded projects, unless another individual is later designated as the Program Director for ARPA funded projects or for a specific ARPA funded project.
3. IN WITNESS WHEREOF, the Marshall County Commission has caused this Resolution to be executed in its name and on its behalf by its Chairman on the 9th day of March, 2022.

S/James Hutcheson
Chairman, Marshall County Commission

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EMA- APPROVE TO PURCHASE GATOR AND SNOW PLOW FOR \$9,764; \$1764 FROM EQUIPMENT REPLACEMENT FUND AND \$8,000 FROM GENERAL FUND FUND BALANCE

A motion was made by Commissioner Sims, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to approve to purchase gator and snow plow \$9,764 to be paid from \$1,764 Equipment Replacement Fund and \$8,000 General Fund fund balance.

APPROVE TO ACCEPT EMPG GRANTS TOTALING \$55,986 TO HELP FUND OPERATIONS OF EMA; 50 % MATCH FROM EMA BUDGET

A motion was made by Commissioner Baker, duly seconded by Commissioner Sims, and all members voting affirmatively and so carried to approve to accept EMPG Grants totaling \$55,986 to help fund operations of EMA; 50 % match from EMA budget.

APPROVE 911 BOARD APPOINTMENT; BOARD APPOINTMENT EXPIRES APRIL 1, 2022; THREE-YEAR TERM

A motion was made by Commissioner Sims, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to re-appoint Ricky Petty to the 911 Board. Term will expire April 1, 2025.

APPROVE RESOLUTION RELATED TO MARSHALL COUNTY SOLID WASTE AUTHORITY TO APPOINT A NEW MEMBER TO BEGIN MARCH 9, 2022.

A motion was made by Commissioner Baker, duly seconded by Commissioner Sims, and all members voting affirmatively and so carried to approve resolution related to Marshall County Solid Waste Authority to appoint a new member to begin March 9, 2022. A two-week application period will also open to fill two remaining positions.

RESOLUTION NO.

WHEREAS, the County Commission (the "Commission") of Marshall County, Alabama (the "County") has heretofore on November 13, 1995 adopted a Resolution authorizing the incorporation of the Marshall County Solid Waste Disposal Authority (the "Authority") under the provisions of Chapter 89A, Title 11, Code of Alabama 1975, as amended (the "Act"); and

WHEREAS, the form of Certificate of Incorporation of the Authority (the "Certificate of Incorporation") was approved in the aforesaid Resolution and was duly filed in the Office of the Judge of Probate of Marshall County on November 22, 1995, whereupon the Authority came into existence; and

WHEREAS, the Certificate of Incorporation provides, in Article *Seven* thereof, that the members of the Board of Directors of the Authority (the "Board") shall be appointed by the Commission; and

WHEREAS, Circulus Arab, LLC (the "Company"), a company doing business in the City of Arab, Alabama, at a site which is located within the County, has requested that the Authority take certain actions for the benefit of the Company; and

WHEREAS, two (2) of the original Board members are willing to continue serving in such capacities and to take the actions requested by the Company, but a third member of the Board is required under the Act in order for the Authority to convene a meeting and take the actions requested by the Company; and

WHEREAS, the County Commission has now considered the appointment of Matthew Arnold, who is a duly qualified elector of the County, as the third member of the Board of Directors of the Authority;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSION OF MARSHALL COUNTY, ALABAMA, as follows:

1. The County Commission hereby appoints the following individual as the third member of the Board of Directors of the Authority effective as of the date of adoption of this Resolution, being March 9, 2022:

Matthew Arnold
115 O'Neal Lane
Guntersville, AL 35976

2. The term of the aforesaid Director shall begin on March 9, 2022 and shall end, subject to re appointment at the discretion of the County Commission on March 9, 2028, in accordance with the provisions of the Certificate of Incorporation and the Act.

APPROVE RESOLUTION ALLOCATING AMERICAN RESCUE PLAN ACT FUNDS REGARDING THE PURCHASE OF P25 RADIOS FOR VOLUNTEER FIRE DEPARTMENTS AND RESCUE SQUADS

A motion was made by Commissioner Baker, duly seconded by Commissioner Shumate, and all members voting affirmatively and so carried to approve allocating American Rescue Plan Act Funds regarding the purchase of P25 Radios for volunteer fire departments and rescue squads.

REVENUE COMMISSION – APPROVE THE PROFESSIONAL SERVICES AGREEMENT FOR AERIAL PHOTOGRAPHY; \$120,210.09 MAPPING AND APPRAISAL BUDGET

A motion was made by Commissioner Watson, duly seconded by Commissioner Shumate, and all members voting affirmatively and so carried to approve the Professional Services Agreement for aerial photography; \$120,210.09 Mapping and Appraisal Budget.

APPROVE THE STRYKER LUCAS3 CHEST COMPRESSION SYSTEM LEND- LEASE AGREEMENT BETWEEN MARSHALL COUNTY COMMISSION AND THE VOLUNTEER FIRE DEPARTMENTS

A motion was made by Commissioner Sims, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried approve the Stryker LUCAS3 Chest Compression System Lend- Lease Agreement between Marshall County Commission and the Volunteer Fire Departments.

APPROVE THE SELL, TRADE OR SCRAP OF FIXED ASSETS

A motion was made by Commissioner Sims, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to approve the sell, trade or scrap of fixed assets.

	<u>FA#</u>	<u>DESCRIPTION</u>	<u>DEPARTMENT</u>	<u>REASON</u>
SCRAP	10990	Trailer for generator	District 4	Item is obsolete, broken or worn out
TRANSFER	10151	Utility Trailer	EMA - Animal Control	Item is no longer needed in department
SELL	10999	Gator Mule	EMA	Item is no longer needed in department
	11033	Snow Plow	EMA	Item is no longer needed in department
		Trade Show and Fold display lot	EMA	Item is no longer needed in department
		Portable Sink	EMA	Item is no longer needed in department

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JAIL – APPROVE CHANGE ORDER FOR JAIL RENOVATIONS UP TO \$100,000 FOR JAIL ELEVATOR REPAIRS.

A motion was made by Commissioner Sims, duly seconded by Commissioner Baker, and all members voting affirmatively and so carried to approve change order for jail renovations up to \$100,000 for jail elevator repairs. This will repair the hydraulic jack.

There being no further business a motion was made by Commissioner Shumate, duly seconded by Commissioner Baker and so carried to adjourn.

MEETING ADJOURNED

James Hutcheson, Chairman

Ronny Shumate, District 1 Commissioner

James R. Watson, District 2 Commissioner

Lee Sims, District 3 Commissioner

Joey Baker, District 4 Commissioner