



**SHELBY COUNTY COMMISSION
NOVEMBER 24, 2008
MINUTES**

**STATE OF ALABAMA
COUNTY OF SHELBY**

The Shelby County Commission of Shelby County, Alabama, met at the County Administration Building in the City of Columbiana, Alabama, at 6:00 P. M., Monday, November 24, 2008. The meeting was called to order by Commissioner Lindsey Allison. The invocation was given followed by the Pledge of Allegiance. Roll was called and the following members were present:

PRESENT

Commissioner Dan Acker
Commissioner Lindsey Allison
Commissioner Joel Bearden
Commissioner Larry Dillard
Commissioner Tommy Edwards
Commissioner Corley Ellis
Commissioner Robbie Hayes
Commissioner Jon Parker
Commissioner Rick Shepherd

ABSENT

**APPROVAL OF MINUTES FROM NOVEMBER 12, 2008
RESOLUTION 08-11-24-01**

MOTION: Commissioner Acker - Motion to approve Minutes from November 12, 2008 as presented

SECOND: Commissioner Ellis

VOTE ON MOTION: Unanimous

MOTION CARRIED

**APPROVAL OF BILLS, REQUISITIONS, CHECK REGISTER
GOVERNMENTAL FUNDS AND PROPRIETARY FUNDS
RESOLUTION 08-11-24-02**

MOTION: Commissioner Edwards - Motion to approve the Bills, requisitions and check register for Government and Proprietary Funds as presented

SECOND: Commissioner Hayes
VOTE ON MOTION: Unanimous

MOTION CARRIED

MOTION TO WAIVE RULES

RESOLUTION 08-11-24-03

MOTION: Commissioner Acker – Motion to waive rules to bring up item not on the agenda

SECOND: Commissioner Dillard

VOTE ON MOTION: Unanimous

MOTION CARRIED

MOTION TO HONOR BARBARA NASH

RESOLUTION 08-11-24-03

MOTION: Commissioner Dillard – Motion to approve Resolution 08-11-24-03 as presented

SECOND: Commissioner Parker

VOTE ON MOTION: Unanimous

MOTION CARRIED

RESOLUTION 08-11-24-03

WHEREAS, Shelby County Commission recognizes Barbara Nash upon her retirement from the Retired Senior Volunteer Program of Shelby County, this 24th day of November, 2008 after 18 years of service.

WHEREAS, during her time of service, Barbara Nash has assisted hundreds of Shelby County retired volunteers with connectivity to rewarding volunteer opportunities, which not only benefit the volunteer, but also contribute greatly to the community.

WHEREAS, In her years with RSVP, Barbara Nash has played a significant role in nominating Shelby County seniors for numerous humanitarian awards, Alabama Hall of Fame appointments and seats on the Silver haired Legislature.

THEREFORE, BE IT RESOLVED that appreciation and gratitude be extended to Mrs. Barbara Nash for her 18 incomparable years of invaluable and unselfish service to the senior community of Shelby County and that it further commend her for her hard work and dedication in performing her duties and recognizing her volunteers; and

BE IT FURTHER RESOLVED, that an official copy of this resolution be prepared for Barbara Nash as an expression of highest esteem and warmest regards.

RECORD AND AWARD BIDS

ZERO TURN LAW TRACTORS

RESTROOM SUPPLY PRODUCTS

CONCRETE

RESOLUTION 08-11-24-04A

RESOLUTION 08-11-24-04B

RESOLUTION 08-11-24-04C

MOTION: Commissioner Bearden – Motion to approve Resolution 08-11-24-04A-C as presented

SECOND: Commissioner Acker

VOTE ON MOTION: Unanimous

MOTION CARRIED

RESOLUTION 08-11-24-04A

BE IT RESOLVED, that the Shelby County Commission hereby awards the bid for the Zero Turn Lawn Tractor to the lowest responsive bidder, Capital Tractor Inc. as follows:

| | |
|-----------------------|--------|
| Capital Tractor Inc. | 11,100 |
| Southside New Holland | 11,113 |
| Trigreen Equipment | 11,250 |
| Working Man Rentals | 11,919 |
| Cahaba Tractor Co. | 11,646 |
| Ga Rurf & Tractor | 13,856 |
| Volvo Rents | 15,416 |

Said bid is located within the County Manager’s Office.

RESOLUTION 08-11-24-04B

BE IT RESOLVED, that the Shelby County Commission hereby awards the bid for Restroom Supply Products to the only responsive bidder, Budget Janitorial Supply in the amount of \$38.50 per case of the Liquid Hand Soap.

Said bid is located within the County Manager’s Office.

RESOLUTION 08-11-24-04C

BE IT RESOLVED, that the Shelby County Commission hereby records that one bid was received for Concrete – Various Mixtures. Therefore, purchases shall be made as allowed pursuant to the State of Alabama Bid Law.

Said bid is located within the County Manager’s Office.

**ANNUAL FINANCIAL REPORT FY 2007-2008
RESOLUTION 08-11-24-05**

MOTION: Commissioner Bearden – Motion to approve Resolution 08-11-24-05 as presented
SECOND: Commissioner Shepherd
VOTE ON MOTION: Unanimous **MOTION CARRIED**

RESOLUTION 08-11-24-05

BE IT RESOLVED, that the Shelby County Commission hereby approves and records the Annual Financial Report for the period October 1, 2007 through September 30, 2008. The attached annual financial reports are hereby recorded as part of this resolution and shall be published pursuant to the applicable laws of the State of Alabama

**BUDGET, FINANCE & LEGAL
ALABAMA POWER COMPANY – WILSONVILLE GASTON PLANT
RESOLUTION 08-11-24-06**

MOTION: Commissioner Bearden – Motion to approve Resolution 08-11-24-06 as presented-
There was no public comment
SECOND: Commissioner Acker
VOTE ON MOTION: Unanimous **MOTION CARRIED**

RESOLUTION 08-11-24-06

BE IT RESOLVED BY THE SHELBY COUNTY COMMISSION (the "Commission") as follows:

Section 1. The Commission has found and determined as follows:

(a) The Industrial Development Board of the Town of Wilsonville, Alabama, a public corporation and instrumentality of the State of Alabama (the "Board"), proposes to issue its Revenue Bonds (Alabama Power Company Gaston Plant Project), Series 2008, in an aggregate principal amount not to exceed \$50,000,000 (the "Bonds"), at the request of Alabama Power Company, an Alabama corporation (the "Company"), to provide for a portion of the costs of the acquisition, construction and installation of certain environmental control devices or facilities (the "Project") for the Company's Gaston Steam Plant located on Highway 25 less than 1 mile from the Town of Wilsonville in Shelby County, Alabama;

(b) The Internal Revenue Code of 1986, as amended (the "Code") provides that, as a condition to tax-exemption of certain private activity bonds such as the Bonds, such bonds must be approved by certain elected officials or the elected legislative body of certain governmental units prior to issuance thereof;

(c) The Commission is informed that the Bonds will be limited obligations of the Board, payable solely from the purchase price payments and the revenues and receipts to be derived by the Board from the sale of the Project pursuant to an Installment Sale Agreement between the Board and the Company. The Bonds will not be general obligations of the Board and will not constitute a debt, liability or obligation of the State of Alabama,

Shelby County or the Town of Wilsonville;

(d) The Commission is further informed that a public hearing concerning the proposed issuance of the Bonds was conducted by the Board on November 24, 2008 pursuant to notice published in *The Birmingham News*, a newspaper of general circulation in Shelby County and that members of the public were given an opportunity to ask questions and provide comments with respect to the Bonds and the Project.

Section 2. After allowing all individuals present at the regular meeting of the Commission on November 24, 2008, to express their views and opinions, orally or in writing, and after due consideration thereof, the Commission does hereby approve the issuance and sale by the Board of the Bonds in an aggregate principal amount not to exceed \$50,000,000. The Commission hereby approves the use of the proceeds of the Bonds to finance the acquisition, construction and installation of the Project. The Commission acknowledges that the Company is the owner and operator of the Project.

Section 3. The Commission's approval is given pursuant to and solely for the purposes of, the provisions of 147(f) of the Internal Revenue Code of 1986, as amended. Such consent and approval of the issuance of the Bonds by the Board should not be construed as expressing any view whatsoever as to the financial feasibility of the project or the ability of the Company to make the payments under the proposed agreement between the Board and the Company during the term thereof. This resolution shall never be taken to impose any liability of any kind whatsoever upon the Commission or its members, either individually or in their capacity as members of the Commission, or upon Shelby County, Alabama.

**ADJOURNMENT
RESOLUTION 08-11-24-07**

MOTION: Commissioner Hayes – There being no further business to come before the Commission, move to adjourn this 24th day of November, 2008 at 6:51 P.M.

SECOND: Commissioner Parker

VOTE ON MOTION: Unanimous

MOTION CARRIED

READ & APPROVED:



COMMISSIONER DAN ACKER



COMMISSIONER LINDSEY ALLISON

COMMISSIONER JOEL BEARDEN



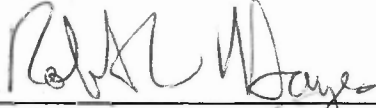
COMMISSIONER LARRY DILLARD



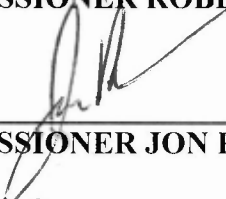
COMMISSIONER TOMMY EDWARDS



COMMISSIONER CORLEY ELLIS



COMMISSIONER ROBBIE HAYES



COMMISSIONER JON PARKER



COMMISSIONER RICK SHEPHERD

**SHELBY COUNTY COMMISSION
ANNUAL FINANCIAL REPORT
COMBINED STATEMENT OF REVENUE, EXPENDITURES AND CHANGES IN FUND BALANCES
FOR THE PERIOD OCTOBER 1, 2007 THROUGH SEPTEMBER 30, 2008**

| | GENERAL FUND | SPECIAL REVENUES | CAPITAL PROJECTS | DEBT SERVICE | TRUST & AGENCY | TOTAL |
|---|----------------------|----------------------|----------------------|------------------|----------------------|----------------------|
| REVENUES | | | | | | |
| TAXES | 35,617,187.40 | 8,532,630.04 | 0.00 | 0.00 | 0.00 | 44,149,817.44 |
| LICENSES & PERMITS | 1,221,427.62 | 0.00 | 0.00 | 0.00 | 0.00 | 1,221,427.62 |
| INTERGOVERNMENTAL | 2,031,257.49 | 7,070,870.33 | 0.00 | 0.00 | 162,632.13 | 9,264,759.95 |
| CHARGES FOR SERVICES | 13,408,533.92 | 0.00 | 0.00 | 0.00 | 311,764.24 | 13,720,298.16 |
| MISCELLANEOUS REVENUE | 1,743,289.29 | 380,797.55 | 691,222.86 | 40,104.88 | 12,090,399.66 | 14,945,814.24 |
| | | | | | | 0.00 |
| TOTAL REVENUE | 54,021,695.72 | 15,984,297.92 | 691,222.86 | 40,104.88 | 12,564,796.03 | 83,302,117.41 |
| EXPENDITURES | | | | | | |
| GENERAL GOVERNMENT | 17,581,594.68 | 1,036,950.56 | 979,793.81 | 0.00 | 12,133,591.47 | 31,731,930.52 |
| PUBLIC SAFETY | 25,674,329.88 | 442,132.22 | 98,499.88 | 0.00 | 0.00 | 26,214,961.98 |
| HIGHWAYS & ROADS | 801,673.97 | 8,069,396.45 | 0.00 | 0.00 | 0.00 | 8,871,070.42 |
| HEALTH | 566,878.20 | 0.00 | 0.00 | 0.00 | 0.00 | 566,878.20 |
| WELFARE | 1,075,387.61 | 133,216.22 | 0.00 | 0.00 | 0.00 | 1,208,603.83 |
| CULTURAL & RECREATION | 1,838,446.39 | 219,940.77 | 0.00 | 0.00 | 0.00 | 2,058,387.16 |
| EDUCATION | 125,000.00 | 0.00 | 0.00 | 0.00 | 0.00 | 125,000.00 |
| DEBT SERVICE FEES | 6,077.50 | 0.00 | 0.00 | 0.00 | 0.00 | 6,077.50 |
| TOTAL CURRENT EXPEND. | 47,669,388.23 | 9,901,636.22 | 1,078,293.69 | 0.00 | 12,133,591.47 | 70,782,909.61 |
| CAPITAL OUTLAY | 6,762,881.03 | 4,937,334.73 | 7,642,635.58 | 0.00 | 17,998.01 | 19,360,849.35 |
| DEBT SERVICE - PRINCIPLE | 48,249.67 | 37,471.12 | 0.00 | 0.00 | 66,490.85 | 152,211.64 |
| DEBT SERVICE - INTEREST | 342.23 | 56,222.10 | 0.00 | 0.00 | 14,111.67 | 70,676.00 |
| OTHER OUTLAY | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| TOTAL EXPENDITURES | 54,480,861.16 | 14,932,664.17 | 8,720,929.27 | 0.00 | 12,232,192.00 | 90,366,646.60 |
| EXCESS OF REVENUES | | | | | | |
| OVER/UNDER EXPEND. | -459,165.44 | 1,051,633.75 | -8,029,706.41 | 40,104.88 | 332,604.03 | -7,064,529.19 |
| ALL FUNDS | | | | | | |
| OTHER FINANCING SOURCES | | | | | | |
| TRANSFERS IN | 276,898.74 | 8,065,489.20 | 1,723,300.00 | 0.00 | 205,964.25 | 10,271,652.19 |
| TRANSFERS OUT | -1,915,789.20 | -8,299,898.74 | 0.00 | 0.00 | -55,964.25 | -10,271,652.19 |
| OTHER FINANCING | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| TOTAL | -1,638,890.46 | -234,409.54 | 1,723,300.00 | 0.00 | 150,000.00 | 0.00 |
| EXCESS OF REVENUES & OTHER SOURCES-OVER/ UNDER EXP. & OTHER USES | | | | | | |
| | -2,138,160.78 | 817,224.21 | -6,306,406.41 | 40,104.88 | 482,604.03 | -7,064,529.19 |
| BEGINNING FUND BALANCE | 23,960,519.18 | 8,472,083.12 | 3,368,487.95 | 48,036.50 | 8,538,574.27 | 44,387,701.02 |
| ADJUSTMENTS | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| TOTAL FUND BALANCE | 21,822,358.40 | 9,289,307.33 | -2,937,918.46 | 88,141.38 | 9,021,178.30 | 37,323,171.83 |

**SHELBY COUNTY COMMISSION
ANNUAL FINANCIAL REPORT
COMBINED STATEMENT OF REVENUE, EXPENDITURES AND CHANGES IN FUND BALANCES
FOR THE PERIOD OCTOBER 1, 2007 THROUGH SEPTEMBER 30, 2008**

| BONDS AND WARRANTS PAYABLE SEPTEMBER 30, 2008 | | | | | |
|---|--|------------------|------------|-----------|----------------------------|
| | INT. RATE | PAYMENT DATES | ISSUE DATE | FINAL | BALANCE |
| GENERAL OBLIGATION WARRANTS | | | | | |
| SERIES 2004-DWSRF-BL | 3.05% | 8/15/2007 | 12/15/2004 | 8/15/2026 | 21,180,000 |
| SERIES 2005-DWSRF-BL | 3.44% | 8/15/2008 | 10/1/2005 | 8/15/2027 | 25,325,000 |
| SERIES 2007-DWSRF-DL | 3.50% | 8/15/2010 | 11/28/2007 | 8/15/2029 | 16,370,000 |
| <p>ON DECEMBER 15, 2004 THE COUNTY ENTERED INTO AN AGREEMENT WITH THE DRINKING WATER STATE REVOLVING FUND (DWSRF) LOAN PROGRAM TO OBTAIN FUNDING FOR THE CONSTRUCTION OF A WATER PLANT. ON OCTOBER 1, 2005 THE COUNTY ENTERED INTO AN AGREEMENT WITH THE DWSRF FOR A SECOND OBLIGATION FOR THE SAME PURPOSE. ON NOVEMBER 28, 2007 THE COUNTY ENTERED INTO AN AGREEMENT WITH THE DWSRF FOR A THIRD OBLIGATION FOR THE SAME PURPOSE. THE PROGRAM ALLOWS FOR A THREE YEAR INTEREST DEFERRAL DURING CONSTRUCTION. THE BALANCE NOTED HEREIN IS THE TOTAL LOAN AMOUNT INCLUDING DEFERRED INTEREST. THE FIRST PAYMENT ON THE LOANS ARE DUE ON AUGUST 15, 2007, AUGUST 15 2008 AND AUGUST 15 2010 RESPECTIVELY.</p> | | | | | |
| | | | | | |
| CAPITAL LEASES - ALL FUNDS | PRINCIPAL INDEBTEDNESS AS OF 9/30/2008 | | | | 0.00 |
| NOTES PAYABLE INDEX FEE FUND | PRINCIPAL INDEBTEDNESS AS OF 9/30/2008 | | | | 288,173.07 |
| NOTES PAYABLE GENERAL FUND | PRINCIPAL INDEBTEDNESS AS OF 9/30/2008 | | | | <u>1,602,148.01</u> |
| TOTAL CAPITAL LEASES & NOTES PAYABLE | | | | | <u>1,890,321.08</u> |
| | | | | | |
| DEFEASED WARRANTS | | | | | |
| <p>ON MARCH 15, 2001, SHELBY COUNTY ENTERED INTO AN ESCROW AGREEMENT WITH OUR TRUSTEE WHEREBY FUNDS WERE PLACED IN AN IRREVOCABLE TRUST SUFFICIENT TO DEFEASE ALL REMAINING PRINCIPLE AND INTEREST OUTSTANDING FOR THE SERIES 1992-A, THE SERIES 1992-B, THE SERIES 1996, AND THE SERIES 1994-A WARRANTS.</p> | | | | | |
| <p>THIS FINANCIAL INFORMATION MEETS THE REQUIREMENTS OF CODE OF ALABAMA 1975.</p> | | | | | |
| <p>THE FOREGOING IS A REPORT OF THE RECEIPTS AND DISBURSEMENTS OF SHELBY COUNTY UNDER THE CONTROL OF THE SHELBY COUNTY COMMISSION FOR THE PERIOD OCTOBER 1, 2007 THROUGH SEPTEMBER 30, 2008. IT IS ORDERED THAT THE SAME BE FILED, RECORDED AND PUBLISHED. THE DETAILED STATEMENT IS ON FILE IN THE SHELBY COUNTY COMMISSION OFFICE LOCATED AT 200 WEST COLLEGE STREET, COLUMBIANA, ALABAMA.</p> | | | | | |
| <p>I, LINDSEY ALLISON, CHAIRPERSON OF THE SHELBY COUNTY COMMISSION, SHELBY COUNTY, ALABAMA, HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE FOREGOING REPORT OF SAID COMMISSION IS TRUE AND CORRECT OF THE MONIES COMING INTO SAID COMMISSION AND ALL EXPENDITURES BY SAID COMMISSION FROM OCTOBER 1, 2007 THROUGH SEPTEMBER 30, 2008.</p> | | | | | |
| | | | | | |
| <p>LINDSEY ALLISON, CHAIRPERSON SHELBY COUNTY COMMISSION SHELBY COUNTY, ALABAMA</p> | | | | | |

**TALLADEGA/SHELBY FILTRATION PLANT
STATEMENT OF REVENUES, EXPENSES, AND
CHANGES IN NET ASSETS
FOR THE YEAR ENDED SEPTEMBER 30, 2008**

| | |
|---|---------------------|
| Operating Revenues: | |
| Water Sales-Shelby | 1,640,255.61 |
| Water Sales-Talladega | 233,868.15 |
| Total Operating Revenues | <u>1,874,123.76</u> |
| Plant: | |
| Operations and Maintenance | 707,226.17 |
| Architectural & Engineering | 4,545.80 |
| Utilities | 485,053.17 |
| Insurance | 57,462.24 |
| Repairs and Maintenance | 125,946.14 |
| Supplies | 685,746.50 |
| Office Supplies | 11,771.36 |
| Depreciation | 147,644.42 |
| Other | 18,794.74 |
| Total Plant Expenses | <u>2,244,190.54</u> |
| Operating Income (Loss) | <u>(370,066.78)</u> |
| Nonoperating Revenues (Expenses): | |
| Interest Earned | 5,433.01 |
| Gain (Loss) on Sale of Assets | |
| Miscellaneous Revenue | |
| Total Nonoperating Revenues (Expenses) | <u>5,433.01</u> |
| Net Income (Loss) | <u>(364,633.77)</u> |
| Change in Net Assets | <u>(364,633.77)</u> |
| Total Net Assets - Beginning of Year | <u>2,830,530.85</u> |
| Total Net Assets - End of Year | <u>2,465,897.08</u> |

**SHELBY COUNTY WATER AND ENVIRONMENTAL SERVICES
 COMBINED STATEMENT OF REVENUES, EXPENSES, AND CHANGES
 IN NET ASSETS--PROPRIETARY FUNDS
 FOR THE YEAR ENDED SEPTEMBER 30, 2008**

| | LANDFILL | WATER |
|--|----------------------|----------------------|
| Operating Revenues: | | |
| Charges for Services | 3,763,659.55 | 6,868,906.41 |
| Total Operating Revenues | <u>3,763,659.55</u> | <u>6,868,906.41</u> |
| Operating Expenses: | | |
| Personnel | 1,369,881.30 | 1,627,611.69 |
| Professional Fees | 80,759.16 | 280,287.14 |
| Depreciation & Amortization | 951,949.21 | 1,462,949.76 |
| Other | 1,083,381.82 | 3,022,396.69 |
| Total Operating Expenses | <u>3,485,971.49</u> | <u>6,393,245.28</u> |
| Operating Income | <u>277,688.06</u> | <u>475,661.13</u> |
| Nonoperating Revenues (Expenses): | | |
| Interest Earned | 529,557.72 | 726,968.31 |
| Interest Expense | | (739,448.87) |
| Community Services | (1,000.00) | |
| Gain (Loss) on Sale of Assets | - | (5,837.20) |
| Total Nonoperating Revenues (Expenses) | <u>528,557.72</u> | <u>(18,317.76)</u> |
| Net Income Before Contributions and Transfers | 806,245.78 | 457,343.37 |
| Capital Contributions | | 10,292,695.05 |
| Change in Net Assets | 806,245.78 | 10,750,038.42 |
| Total Net Assets - Beginning of Year | 22,073,201.62 | 54,340,985.86 |
| Adjustment | | |
| Total Net Assets - End of Year | <u>22,879,447.40</u> | <u>65,091,024.28</u> |