



**SHELBY COUNTY COMMISSION
OCTOBER 27, 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, October 27, 2008. The meeting was called to order by Commissioner Joel Bearden. 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 Ted Crockett
Commissioner Earl Cunningham
Commissioner Larry Dillard
Commissioner Corley Ellis
Commissioner Robbie Hayes
Commissioner Jon Parker

ABSENT

**APPROVAL OF MINUTES FROM OCTOBER 13, 2008
RESOLUTION 08-10-27-02**

MOTION: Commissioner Cunningham - Motion to approve Minutes from October 13, 2008 as presented

SECOND: Commissioner Crockett

VOTE ON MOTION: Unanimous

MOTION CARRIED

**APPROVAL OF BILLS, REQUISITIONS, CHECK REGISTER
GOVERNMENTAL FUNDS AND PROPRIETARY FUNDS
RESOLUTION 08-10-27-01**

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

SECOND: Commissioner Acker

VOTE ON MOTION: Unanimous

MOTION CARRIED

**CHAIRMANSHIP FY 2008-09
RESOLUTION 08-10-27-03**

MOTION: Commissioner Bearden – Motion to approve Resolution 08-10-27-03 as presented

SECOND: Commissioner Cunningham

VOTE ON MOTION: Unanimous

MOTION CARRIED

RESOLUTION 08-10-27-03

BE IT RESOLVED, that the Shelby County Commission hereby appoints Commissioner Lindsey Allison to serve as Chairperson effective November 12, 2008.

**BUDGET, FINANCE & LEGAL
DRUG TASK FORCE GRANT FUNDING
RESOLUTION 08-10-27-04**

MOTION: Commissioner Allison – Motion to approve Resolution 08-10-27-04 as presented

SECOND: Commissioner Cunningham

VOTE ON MOTION: Unanimous

MOTION CARRIED

RESOLUTION 08-10-27-04

WHEREAS, the State of Alabama, under the Omnibus Crime Control and Safe Streets Act of 1968, P.L. 90-351, as amended, through the Alabama Law Enforcement Planning Division is offering financial aid to combat rising crime, aid in crime prevention investigation and detection; and

WHEREAS, the Shelby County Commission in conjunction with the Shelby County Sheriff's Office has established a program known as the Shelby County Drug Enforcement Task Force to accomplish these goals within Shelby County; and

WHEREAS, the Shelby County Commission is of the opinion that it would be beneficial to make application for such assistance in the amount of \$259,232.00 representing fifty percent (50%) of the total cost of \$518,464.00 for said project for the grant year beginning January, 2009 through December, 2009; and

WHEREAS, the Shelby County Commission agrees to be accountable for providing the remaining cash match of \$259,232.00 towards the total cost of said project and has provided said funding in the adopted budget for Fiscal Year 2008-2009,

NOW THEREFORE, BE IT RESOLVED that the Shelby County Commission hereby authorizes an application be made to the Alabama Law Enforcement Planning Division for said financial assistance and directs the County Manager, or his designee, to complete and forward said application to the Alabama Law Enforcement Planning Division as required under their regulation and

procedures.

**RESOLUTION HONORING MAYOR BOBBY HAYES
RESOLUTION 08-10-27-05**

MOTION: Commissioner Hayes – Motion to approve Resolution 08-10-27-05 as presented

SECOND: Commissioner Allison

VOTE ON MOTION: Unanimous

MOTION CARRIED

Resolution 08-10-27-05

**RESOLUTION COMMENDING
MAYOR BOBBY HAYES
FOR HIS DISTINGUISHED PUBLIC SERVICE
TO THE CITY OF PELHAM, ALABAMA**

Whereas, Mayor Bobby Hayes is retiring after twenty-four (24) years of outstanding public service as Mayor of the City of Pelham, where he is now concluding his sixth consecutive term as Mayor, having been first elected to such position in 1984; and

Whereas, prior to becoming Mayor of the City of Pelham, Mayor Hayes was Field Commander of the Tactical Operations Unit of the Birmingham Police Department where he was one of the most highly decorated officers, having many times intentionally placed himself in harm's way in order to protect the public which he served; and

Whereas, Mayor Hayes has exhibited strong and progressive leadership on behalf of the City of Pelham and its citizens; and

Whereas, under his leadership, the City of Pelham completed a public sewer system and constructed a new sewer plant, increased and improved its drinking water supply and storage facilities, expanded and renovated the public library, constructed the Pelham Civic Complex, the Pelham Tennis Center, and Pelham Racquet Club, constructed the Ballantrae Golf Club, four new fire stations offering first-class fire protection to the citizens of Pelham, constructed the Pelham Senior Center, expanded and improved the police department, adding traffic units, tactical operations units, school resource officers, and placed computers in all City of Pelham patrol cars, constructed a new Public Safety Building for use of the Pelham Police Department and Municipal Court, constructed a new City Garage and a new Utility and Water Works Building, substantially expanded the City of Pelham park system to include Fun-Go-Holler Park, Carroll Park, and Mallard Point Park, provided leadership for the annexation of Oak Mountain State Park into the city limits of the City of Pelham, developed community-building activities, established Pelham Pride Day, Pelham Ambassador Program, and Pelham Jubilee; and

Whereas, most notable among his achievements has been his strong and heartfelt support of all Pelham public schools in Academics, Athletics, and Arts; and

Whereas, many of the innovative project undertakings of Mayor Hayes have vastly enhanced the quality of life, health, safety, and welfare of Pelham citizens; and

Whereas, Mayor Hayes is active on numerous boards and committees at both the local and state levels, was elected Vice President of the Alabama League of Municipalities in 2004 and was elected President of the Alabama League of Municipalities in 2005; and

Whereas, Mayor Hayes is, beyond all else, a devoted family man, husband, father, and grandfather, having married his beloved wife, Judy, and they, together, are the proud parents of three outstanding children and nine wonderful, cherished, and much-loved grandchildren; and

Whereas, Mayor Hayes' innovative and progressive leadership has helped the City of Pelham become what it is today – A Community Leading The Way For Shelby County – and has earned him widespread respect for his public commitment and vision; now, therefore:

BE IT RESOLVED BY THE SHELBY COUNTY COMMISSION that Mayor Bobby Hayes is hereby commended and thanked for his exceptional record of professional achievement and his long and distinguished record of public service, and it is further ordered and directed that Mayor Hayes shall receive a copy of this Resolution as further evidence of the admiration and appreciation of all of Shelby County, along with best wishes for good health and happiness for him and for Judy during these years of well-deserved retirement.

**RESOLUTION HONORING MAYOR GEORGE ROY
RESOLUTION 08-10-27-06**

MOTION: Commissioner Parker – Motion to approve Resolution 08-10-27-06 as presented

SECOND: Commissioner Allison

VOTE ON MOTION: Unanimous

MOTION CARRIED

Resolution 08-10-27-06

**RESOLUTION COMMENDING
MAYOR GEORGE WILLIAM ROY
FOR HIS DISTINGUISHED PUBLIC SERVICE
TO THE CITY OF CALERA, ALABAMA**

Whereas, highest commendation and heartiest congratulations are hereby extended to Mayor George William Roy for his long and distinguished service for more than thirty (30) years as Mayor of the City of Calera in Shelby County, Alabama; and

Whereas, George William Roy was born and reared in Shelby County, Alabama, attending the public school system at Calera High School, graduating in 1948; and

Whereas, George William Roy served his country with honor, distinction, and patriotism as a Seaman, South Pacific, in the United States Navy from 1945 to 1946; and

Whereas, during Mayor Roy's tenure, quality City services were a hallmark of his administration, including the City's financial commitment and support to public education, the construction of a new public library, a new City Hall, a new City of Calera Community Center, a new Senior Center, the Akridge Arboretum, construction of a new public park which, in recognition of his service, is named the "George Roy Park," expansion of the existing Oliver Park, establishment of the North Industrial Park, the South Industrial Park, establishment of a municipal household garbage collection system, establishment of a water plant for the treatment of potable drinking water for the citizens of Calera, establishment of Full-Time Departments in Planning and Zoning, Building Inspections, Mapping, and Engineering for the City of Calera, construction of a modern sewer wastewater treatment plant and collection system, establishment of a Full-Time Fire Department and construction of three new and modern fire stations, and otherwise the construction and improvement of the infrastructure of the City in numerous other ways; and

Whereas, Mayor Roy served on the City Council of the City of Calera from 1960 to 1965, the Calera Park and Recreation Board from 1960 to 1965, the Calera Fire Department from 1960 to 1965, served as Trustee of Calera High School from 1969 to 1976, served as Mayor of the City of Calera from 1965 to 1968, 1972 to 1980, and from 1984 to the current time; and

Whereas, Mayor Roy enjoyed an outstanding business career with Trinity Industries, Inc., in Dallas, Texas, from 1948 to 1993, where he served in the Construction Maintenance Division as Maintenance Supervisor and General Manager, and from which position he retired in 1993 to remain a consultant with the firm; and

Whereas, Mayor Roy served in law enforcement as a part-time Deputy Sheriff with the Shelby County Sheriff's Department from 1950 to 1952; and

Whereas, Mayor Roy is now and has been for more than fifty (50) years an active member of the Calera United Methodist Church where he has served on the Committee of Finance, the Council on Ministries, the Nominating Committee, and Chairman of the Administrative Board; and

Whereas, Mayor Roy has been a member of the Veterans of Foreign Wars, served as President of the Shelby County Mayor's Association, and was a founding member of that body, was a charter member, member of the Board of Directors, and Club President of Buxahatchee Country Club, served as Vice President of Alabama Natural Gas Association, is the former President and member of the Calera Civitan Club, an original incorporator of the Shelby County Committee of 100, member of the National League of Cities, Committee on Transportation, Infrastructure, and Services, a member of Leadership Shelby County, member of the Steering Committee of Alabama Technology Transfer Center from 1999 to present, member of the Alabama League of Municipalities from 1976 to present, where he served as Chairman and Vice Chairman of the Committee on Transportation, Public Safety and Communication, member of the Committee on State and Federal Legislation, member of the Executive Committee, member of the Board of Municipal Workers Compensation Fund, Inc., and was selected and served as President of the Alabama League of Municipalities from 2002 to 2003; and

Whereas, Mayor Roy was awarded the Distinguished Service Award in 1993 by the Alabama League of Municipalities and was awarded recognition as the Public Servant of the Year on May 9, 2001, by Leadership Shelby County; and

Whereas, Mayor Roy married his loving and supportive wife, Elizabeth Tomlin, in June of 1948, and she complemented him as an extraordinary First Lady who actively and effectively supported the community and honored him with five children, twelve grandchildren, and eleven great-grandchildren; now, therefore:

BE IT RESOLVED BY THE SHELBY COUNTY COMMISSION that Mayor George William Roy is commended and thanked for a long and distinguished record of unselfish public service, and it is further directed that he receive a copy of this Resolution as evidence of our appreciation and admiration with sincere best wishes for continued good health and happiness in all future endeavors.

**ROAD AND TRANSPORTATION
LAND/ROAD VACATION
RESOLUTION 08-10-27-07**

MOTION: Commissioner Crockett – Motion to approve Resolution 08-10-27-07 as presented

SECOND: Commissioner Hayes

VOTE ON MOTION: Unanimous

MOTION CARRIED

**RESOLUTION OF THE
COUNTY COMMISSION OF SHELBY COUNTY, ALABAMA
RESOLUTION # 08-10-27-07**

WHEREAS, A. Philip Cook, Jr. is the sole owner of all the property abutting on or adjacent to the following property and the public road, right of way, street, or highway over and across said property that is proposed to be vacated, situated in Shelby County, Alabama:

PARCEL D:

A parcel of land situated in the North half of Section 30, Township 18 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Northwest corner of said quarter-quarter and run South 89 degrees 51 minutes 03 seconds East along the North line of said quarter-quarter for a distance of 915.93 feet; thence leaving said North line, run South 00 degrees 08 minutes 57 seconds West for a distance of 393.25 feet to the POINT OF BEGINNING of a centerline of a 30 foot right of way, lying 15 feet adjacent to, abutting and parallel to said centerline; thence run North 83 degrees 21 minutes 36 seconds East for a distance of 84.03 feet to the end of said centerline herein described. Less and except any portion lying within Cahaba Beach Road right of way.

PARCEL E:

A parcel of land situated in the North half of Section 30, Township 18 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Northwest corner of said quarter-quarter and run South 89 degrees 51 minutes 03 seconds East along the North line of said quarter-quarter for a distance of 915.93 feet; thence leaving said North line, run South 00 degrees 08 minutes 57 seconds West for a distance of 393.25 feet

to the
POINT OF BEGINNING of a centerline of a 30 foot right of way, lying 15 feet adjacent to, abutting and parallel to said centerline; thence run North 83 degrees 21 minutes 36 seconds East for a distance of 84.03 feet to the POINT OF BEGINNING of a centerline of a 30 foot right of way, lying 15 feet adjacent to, abutting and parallel to said centerline; thence run along last described course for a distance of 113.44 feet; thence run South 47 degrees 38 minutes 24 seconds East for a distance of 430.56 feet to the end of said centerline herein described. Less and except any portion lying within Swann Drive right of way.

WHEREAS, the above owner is desirous of vacating said tracts of land described above and the public road, right of way, street, or highway over and across said property and requests that the assent of the County Commission of Shelby County, Alabama be given as required by law in such cases; subject, however, to all existing rights of way or easements for public utilities and to all utility facilities presently situated in said vacated area;

That after vacation of the above described tracts of land and the public roads, rights of way, streets, or highways over and across said property, and all public rights and easements therein, convenient means of ingress and egress to and from the property will be afforded to all other property owners owning property in or near the tracts of land embraced in said map, plat or survey by the remaining roads, rights of way, streets, or highways as dedicated. Vacation of said roads, rights of way, streets, or highways as requested shall and will not deprive other property owners of such right as they may have to convenient and reasonable means of ingress and egress to and from their property. Vacation of said roads, rights of way, streets, or highways as requested is in the interest of the public. No evidence of the road is visible on the ground and it appears to have been abandoned, if it had ever been opened in the past.

NOW THEREFORE, Be It Resolved the County Commission of Shelby County, Alabama, that they do hereby assent to the said A. Philip Cook, Jr. vacating said tracts of land and the public roads, rights of way, streets, or highways over and across said property as described above and that the above described property be and the same is hereby vacated and annulled and all public rights and easements therein divested of the property; subject, however, to all existing rights of way or easements for public utilities and to all utility facilities presently situated in the area vacated hereby.

**HEALTH AND HUMAN RESOURCES
SHELBY COUNTY COMMUNITY HEALTH FOUNDATION APPOINTMENT
RESOLUTION 08-10-27-08**

MOTION: Commissioner Acker – Motion to approve Resolution 08-10-27-08 as presented

SECOND: Commissioner Cunningham

VOTE ON MOTION: Unanimous

MOTION CARRIED

RESOLUTION 08-10-27-08

BE IT RESOLVED, that the Shelby County Commission hereby appoints Mr. David Yeager to the Shelby County Community Health Foundation Board replacing Ms. Dee Woodham.

ADJOURNMENT

RESOLUTION 08-10-27-09


MOTION: Commissioner Hayes – There being no further business to come before the Commission, move to adjourn this 27th day of October, 2008 at 7:07 P.M.

SECOND: Commissioner Crockett

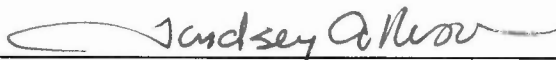
VOTE ON MOTION: Unanimous

MOTION CARRIED

READ & APPROVED:



COMMISSIONER DAN ACKER

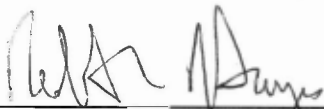


COMMISSIONER LINDSEY ALLISON



COMMISSIONER JOEL BEARDEN

COMMISSIONER LARRY DILLARD



COMMISSIONER ROBBIE HAYES

COMMISSIONER JON PARKER



COMMISSIONER CORLEY ELLIS