



**SHELBY COUNTY COMMISSION
JUNE 22, 2009
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, June 22, 2009. 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 Tommy Edwards
Commissioner Corley Ellis
Commissioner Robbie Hayes
Commissioner Rick Shepherd

ABSENT

Commissioner Larry Dillard
Commissioner Jon Parker

**APPROVAL OF MINUTES FROM JUNE 8, 2009
RESOLUTION 09-06-22-01**

MOTION: Commissioner Acker - Motion to approve Minutes from June 8, 2009 as presented

SECOND: Commissioner Edwards

VOTE ON MOTION: Unanimous

MOTION CARRIED

**APPROVAL OF BILLS, REQUISITIONS, CHECK REGISTER
GOVERNMENTAL FUNDS AND PROPRIETARY FUNDS
RESOLUTION 09-06-22-02**

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

SECOND: Commissioner Shepherd

VOTE ON MOTION: Unanimous

MOTION CARRIED

**BUDGET, FINANCE & LEGAL
RECORD AND AWARD BIDS**

**HYDROGEN PEROXIDE
COPPER TUBING AND PVC PIPE
REINFORCED CONCRETE PIPE
ARCH CONCRETE PIPE**

**RESOLUTION 09-06-22-03A
RESOLUTION 09-06-22-03B
RESOLUTION 09-06-22-03C
RESOLUTION 09-06-22-03D**

MOTION: Commissioner Bearden – Motion to approve Resolutions 09-06-22-03A-D as presented

SECOND: Commissioner Edwards

VOTE ON MOTION: Unanimous

MOTION CARRIED

RESOLUTION 09-06-22-03A

BE IT RESOLVED, that the Shelby County Commission hereby awards the bid for Hydrogen Peroxide to the only responsive bidder, Brenntag Mid-South, Inc. in the amount of \$.294 per pound.

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

RESOLUTION 09-06-22-03B

BE IT RESOLVED, that the Shelby County Commission hereby awards the bid for Copper Tubing and PVC Pipe to the lowest responsive bidder, Empire Pipe as follows:

Empire Pipe	\$15,511
HD Waterworks Supply	\$16,525
Consolidated Pipe	\$17,101

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

RESOLUTION 09-06-22-03C

BE IT RESOLVED, that the Shelby County Commission hereby awards the bid for Reinforced Concrete Pipe to the lowest responsive bidder for each item as attached. Foley Products Company, Hanson Pipe and Precast, and Sherman Dixie Concrete are the vendors stated.

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

RESOLUTION 09-06-22-03D

BE IT RESOLVED, that the Shelby County Commission hereby awards the bid for Arch Concrete Pipe to the lowest responsive bidder for each item as attached. Foley Products Company, Hanson Pipe and Precast, and Sherman Dixie Concrete are the vendors stated.

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

**CHARTER COMMUNICATION FRANCHISE AGREEMENT EXTENSION
RESOLUTION 09-06-22-04**

MOTION: Commissioner Bearden – Motion to approve Resolution 09-06-22-04 as presented

SECOND: Commissioner Ellis

VOTE ON MOTION: Unanimous

MOTION CARRIED

RESOLUTION 09-06-22-04

BE IT RESOLVED, that the Shelby County Commission hereby approves the Charter Communications Franchise Extension Agreement as attached. The County Commission Chairperson is hereby authorized to execute the agreement.

**STERRETT VANDIVER WATER SYSTEM –CDBG GRANT
RESOLUTION 09-06-22-05**

MOTION: Commissioner Bearden – Motion to approve Resolution 09-06-08-06 as presented

SECOND: Commissioner Shepherd

VOTE ON MOTION: Unanimous

MOTION CARRIED

RESOLUTION 09-06-22-05

WHEREAS, the Alabama Community Development Block Grant Program has been established to assist local governments in meeting community development and housing needs consistent with the objectives as set forth in Title I of the Housing and Community Development Act of 1974, as amended; and

WHEREAS, the Shelby County Commission through previous resolutions: 05-06-13-07; 06-03-27-04; 08-04-28-08 have sponsored the submission of this grant application three prior years;

WHEREAS, the SHELBY COUNTY COMMISSION proposes to apply for Community Development Block Grant County Funds on behalf of the STERRETT-VANDIVER WATER SYSTEM for the purpose of upgrading its water system. Water system upgrades will include: installing a 3.5 mile line between New London Water System and the Sterrett-Vandiver Water System. Additionally a telemetry for monitoring and controlling the sources of water will be installed. The water system and the upgrades to it principally benefit low and moderate income residents; and

WHEREAS, the STERRETT-VANDIVER WATER SYSTEM BOARD has appropriately documented its commitment to provide all local matching funds as required to successfully complete the proposed project; and

WHEREAS, under the terms and provisions of Title I of the Housing and Community Development Act of 1974, as amended, the SHELBY COUNTY COMMISSION, as a grant recipient, is required to designate and appoint a Financial Officer to perform certain duties in the administration of said grant.

WHEREAS, a Public Hearing was held on Tuesday, June 17, 2009 at 7:00 p.m.

NOW, THEREFORE, BE IT RESOLVED by the SHELBY COUNTY COMMISSION, as follows:

THAT, Lindsey Allison, Chairperson is hereby authorized to execute and submit an application with appropriate assurances to the State of Alabama, Department of Economic and Community Affairs, Office of Community and Economic Develop Programs, requesting Fiscal Year 2009 Community Development Block Grant Funds in the amount of \$ 400,000.00 for the purpose of carrying out the proposed project and approve any actions necessary for the administration of said project, and

THAT, the SHELBY COUNTY COMMISSION irrevocably commits to provide a local cash match of \$40,000.00 in the event that the County's grant application is approved; and

THAT, Butch Burbage, CPA – Finance Manager is hereby designated and appointed as Financial Officer under the terms and pursuant to the provisions of Title I of the Housing and Community Development Act of 1974, as amended, and is directed and empowered to make necessary assurances and to perform on behalf of SHELBY COUNTY COMMISSION, those acts and assume such duties as are consistent with said position. Said local matching funds shall be provided to the County by the Sterrett-Vandiver Water System. The County Manager is directed to take any other actions necessary for the administration of said grant and project.

ADOPTED BY Shelby County on the 22nd day of June, 2009.

**PUBLIC SAFETY, COURTS & ELECTION
911 BOARD APPOINTMENT – OLIVER
RESOLUTION 09-06-22-06**

MOTION: Commissioner Acker – Motion to approve Resolution 09-06-22-06 as presented

SECOND: Commissioner Edwards

VOTE ON MOTION: Unanimous

MOTION CARRIED

RESOLUTION 09-06-22-06

BE IT RESOLVED, that the Shelby County Commission hereby appoints Chief Stanley Oliver to the E-911 Board to serve as the law enforcement agency representative. Chief Oliver's term will expire June 13, 2010.

**ADJOURNMENT
RESOLUTION 09-06-22-07**

MOTION: Commissioner Ellis – There being no further business to come before the Commission, move to adjourn this 22ND day of June, 2009 at 6:25 P.M.

SECOND: Commissioner Hayes

VOTE ON MOTION: Unanimous

MOTION CARRIED

READ & APPROVED:

Daniel M. Acker

COMMISSIONER DAN ACKER

Lindsey Allison

COMMISSIONER LINDSEY ALLISON

Joel Bearden

COMMISSIONER JOEL BEARDEN

Larry Dillard

COMMISSIONER LARRY DILLARD

Tommy Edwards

COMMISSIONER TOMMY EDWARDS

Corley Ellis

COMMISSIONER CORLEY ELLIS

Robbie Hayes

COMMISSIONER ROBBIE HAYES

Jon Parker

COMMISSIONER JON PARKER

COMMISSIONER RICK SHEPHERD

2009 Bid - Round Pipe

ITEM NO	Size	Type	Class	Foley	Hanson	Sherman Dixie
				PRICE Per LF	PRICE Per LF	PRICE Per LF
1	12"	Tongue & Groove - Plain	3	NO BID	NO BID	\$ 7.65
2	12"	Tongue & Groove - Plain	3	NO BID	NO BID	\$ 7.65
3	12"	Tongue & Groove - Reinforced Concrete	3	NO BID	\$ 10.50	\$ 7.65
4	15"	Tongue & Groove - Plain	3	NO BID	NO BID	\$ 8.55
5	15"	Tongue & Groove - Plain	3	NO BID	NO BID	\$ 8.55
6	15"	Tongue & Groove - Reinforced Concrete	3	\$ 9.53	\$ 10.16	\$ 8.55
7	15"	Tongue & Groove - No Bell	3	NO BID	NO BID	\$ 8.55
8	18"	Reinforced Concrete	3	\$ 11.56	\$ 10.92	\$ 10.05
9	18"	Tongue & Groove - No Bell	3	NO BID	NO BID	\$ 10.05
10	24"	Reinforced Concrete	3	\$ 17.19	\$ 17.16	\$ 15.83
11	24"	Tongue & Groove - No Bell	3	NO BID	NO BID	\$ 15.83
12	30"	Reinforced Concrete	3	\$ 24.69	\$ 24.96	\$ 22.03
13	36"	Reinforced Concrete	3	\$ 32.34	\$ 34.06	\$ 31.43
14	42"	Reinforced Concrete	3	\$ 41.56	\$ 44.61	\$ 41.08
15	48"	Reinforced Concrete	3	\$ 52.50	\$ 55.61	\$ 52.05
16	54"	Reinforced Concrete	3	\$ 65.47	\$ 67.65	\$ 64.05
17	60"	Reinforced Concrete	3	\$ 79.69	\$ 82.49	\$ 77.70
18	66"	Reinforced Concrete	3	\$ 108.71	\$ 108.44	\$ 92.55
19	72"	Reinforced Concrete	3	\$ 114.56	\$ 115.86	\$ 108.68
20	78"	Reinforced Concrete	3	\$ 177.80	NO BID	NO BID
21	84"	Reinforced Concrete	3	\$ 188.48	\$ 226.10	\$ 144.53

Bid Prices shall be F.O.B. by vendor to any job site in Shelby County, Alabama.
 Bid Prices shall include environmental fees, fuel charges, and all other fees.
 Bid Prices shall be good for a period of one year from the time of award.

All bidders on State Certified Concrete shall be required to be currently listed
 on The Alabama Department of Transportation's Qualified Prodcuts List No. I-8.
 Failure to be listed shall result in immediate disqualification of the bidder
 until certification to the list is re-established.

FRANCHISE EXTENSION AGREEMENT

WHEREAS, Charter Communications, L.L.C. d/b/a Charter Communications ("Charter") currently hold a cable franchise with Shelby County ("Franchising Authority"), granted by an approved agreement signed by the Chairman, Shelby County Commission, August 27, 1984.

WHEREAS, Charter's Franchise with the Franchising Authority is scheduled to expire on August 27, 2009; and

WHEREAS, Charter and the Franchising Authority have not yet begun informal negotiations in accordance with Section 626(h) of Title VI of the Communications Act of 1934, as amended; and

WHEREAS, the parties continue to reserve all rights under the formal procedures of Section 626 of Title VI of the Communications Act of 1934, as amended, and do not waive any rights related thereto; and

WHEREAS, the amount of time required to conclude negotiations and allow for public review will extend beyond the expiration date; and

WHEREAS, it is in the public interest to extend the current franchise for an additional period of time so that cable service to the public will not be interrupted.

NOW, THEREFORE, the Franchise of Charter shall be extended for six-month intervals until informal negotiations begin at a designated time determined by both parties in the future; either party may cancel the extension with ninety (90) days written notice to the other party and this Extension shall not constitute a waiver of the Franchising Authority's or Charter's legal rights respecting the Franchise. Charter shall not be required to send another request for renewal of its Franchise under Section 626 as a result of this Extension.

APPROVED this _____ day of _____, 2009.

Shelby County

By: _____

Name/Title: _____

ACCEPTED this _____ day of _____, 2009

Charter Communications

By: _____

Name/Title: _____