



**SHELBY COUNTY COMMISSION
FEBRUARY 22, 2010
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, February 8, 2010. 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 FEBRUARY 8, 2010
RESOLUTION 10-02-22-01**

MOTION: Commissioner Acker - Motion to approve Minutes from February 8, 2010 as presented

SECOND: Commissioner Edwards

VOTE ON MOTION: 7 Yeas – Commissioner Acker, Commissioner Allison, Commissioner Dillard, Commissioner Edwards, Commissioner Hayes, Commissioner Parker, Commissioner Shepherd; 2 Nays – Commissioner Ellis, Commissioner Bearden

MOTION

CARRIED

**APPROVAL OF BILLS, REQUISITIONS, CHECK REGISTER
GOVERNMENTAL FUNDS AND PROPRIETARY FUNDS
RESOLUTION 10-02-22-02**

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

SECOND: Commissioner Bearden

VOTE ON MOTION: Unanimous

MOTION CARRIED

**BID AWARD
COPPER TUBING AND PIPE
RESOLUTION 10-02-22-03**

MOTION: Commissioner Hayes – Motion to approve Resolution 10-02-22-03 as presented

SECOND: Commissioner Acker

VOTE ON MOTION: Unanimous

MOTION CARRIED

RESOLUTION 10-02-22-03

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

HD Supply Waterworks	\$21,419.00
Vellano Brothers, Inc.	\$22,181.00
Consolidated Pipe	\$22,427.00
Ferguson Waterworks	\$25,656.77
Empire Pipe & Supply	\$26,200.00

Said bid is within the County Manager’s Office.

**WATER FITTINGS AND ACCESSORIES
RESOLUTION 10-02-22-04**

MOTION: Commissioner Hayes – Motion to approve Resolution 10-02-22-04 as presented
SECOND: Commissioner Edwards
VOTE ON MOTION: Unanimous **MOTION CARRIED**

RESOLUTION 10-02-22-04

BE IT RESOLVED, that the Shelby County Commission hereby awards the bid for Water Fittings and Accessories to the lowest responsive bidders Empire Pipe for Groups 1 and 2; and to HD Supply Waterworks for Groups 3 & 4 as follows:

Company	Group 1	Group 2	Group 3	Group 4
HD Supply Waterworks	\$112,906.71	\$22,166.65	\$22,017.05	\$115,757.09
Consolidate Pipe & Supply	\$125,323.05	\$33,011.25	\$26,216.78	\$115,941.05
Empire Pipe	\$108,088.55	\$18,698.75	\$24,285.60	\$138,442.33
Vellano Brothers	\$112,648.55	\$21,475.25	\$23,614.94	Incomplete –Left out items
Ferguson Waterworks	\$128,407.65	\$30,530.25	Incomplete – Left out items	\$133,310.86

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

**PLANNING AND ECONOMIC DEVELOPMENT
BUILDING CODE ADOPTION AND FEE SCHEDULE
RESOLUTION 10-02-22-05**

MOTION: Commissioner Hayes –Motion to approve Resolution 10-02-22-05 as presented
SECOND: Commissioner Acker
VOTE ON MOTION: 8 Yeas – Commissioner Acker, Commissioner Allison, Commissioner Bearden, Commissioner Ellis, Commissioner Dillard, Commissioner Edwards, Commissioner Hayes, Commissioner Shepherd; 1 Naye – Commissioner Parker **MOTION CARRIED**

RESOLUTION 10-02-22-05

RESOLVED, that the Shelby County Commission hereby amends Resolution 05-04-11-02 and the following sections are hereby recorded:

1. That Shelby County and the Shelby County Commission do hereby adopt by reference and provide for the enforcement of, separately and severally, each of the following construction codes, by reference as fully and completely as though they were copied herein fully:

National Electrical Code	2008 Edition
International Plumbing Code	2009 Edition
International Mechanical Code	2009 Edition

(with the following amendments)

Amend Section 507.2.1.1 to read as follows:

507.2.1.1 Operation. Type I hood systems shall be designed and installed to automatically activate the exhaust fan whenever cooking operations occur. The activation of the exhaust fan shall occur through an interlock with the cooking appliances, by means of heat sensors or by means other approved methods. A hood exhaust fan(s) shall continue to operate after the extinguishing system has been activated unless fan shutdown is required by a listed component of the ventilation system or by the design of the extinguishing system.

Amend Section 508.1 to read as follows:

508.1 Makeup air: Makeup air shall be supplied during the operation of commercial kitchen exhaust systems that are provided for commercial cooking appliances. The amount of makeup air supplied to the building from all sources shall be approximately equal to the amount of exhaust air for all exhaust systems for the building. The makeup air shall not reduce the effectiveness of the exhaust system. Makeup air shall be provided by gravity or mechanical means or both. Mechanical makeup air systems shall be automatically controlled to start and operate simultaneously with the exhaust system. Makeup air intake opening locations shall comply with Section 401.4.

Exception: When its fire-extinguishing system discharges, makeup air mechanically supplied to a hood shall be shut off.

International Fuel Gas Code	2009 Edition
International Fire Code	2009 Edition
International Residential Code with Appendix G	2009 Edition

(with the following amendments)

Amend Section R302.6 to read as follows:

R302.6 Dwelling/garage fire separation. The garage shall be separated as required by Table R302.6.

Exception. Dwelling/garage fire separation is not required when a heat alarm and a smoke alarm are installed in the garage area and interconnected with the other required smoke alarms.

Amend Sections R313.2 and R313.2.1 to read as follows:

R313.2 One- and two-family dwellings automatic fire systems. An automatic residential fire sprinkler system may be installed in one- and two- family dwellings.

R313.2.1 Design and installation. Automatic residential fire sprinkler systems, where installed, shall be designed and installed in accordance with Section P2904 or NFPA 13D.

Delete Chapters 34 through 43 and substitute the following:

CHAPTER 34 GENERAL REQUIREMENTS

SECTION E3401 GENERAL

E3401.2 Scope. Electrical installations, systems, equipment and components shall comply with the applicable provisions of the currently adopted edition of NFPA 70, National Electrical Code and the Supplemental Provisions of the Shelby County Electrical Code.

International Building Code with Appendices C, E, H, I 2009 Edition
(with the following amendments)

Amend Section 406.5.1 to read as follows:

406.5.1 Construction. Motor fuel-dispensing facilities shall be constructed in accordance with the International Fire Code; Sections 406.5.1 through 406.5.3; and NFPA 30A, Code for Motor Fuel Dispensing Facilities and Repair Garages.

Amend Section 406.6.1 to read as follows:

406.6.1 General. Repair garages shall be constructed in accordance with the International Fire Code; Sections 406.6.1 through 406.6.6; and NFPA 30A, Code for Motor Fuel Dispensing Facilities and Repair Garages. This occupancy shall not include motor fuel-dispensing facilities, as regulated in Section 406.5.

Amend Section 412.1 to read as follows:

412.1 General. Aircraft-related occupancies shall comply with Sections 412.1 through 412.7; the International Fire Code; and NFPA 409, Standard for Aircraft Hangars.

4. Be it further resolved and ordained that the Shelby County Commission does hereby prescribe and exact fees and charges to be paid for inspection and other administrative services and for the issuance of building permits as shown in the Supplemental Administrative Provisions attached hereto as Exhibit "A".

Amend Exhibit A to read as shown in the attachment.

10. It is anticipated that each of the above entitled codes will be updated on approximately three year cycles hereafter. The above designated codes are the most recent current update of each of said codes, but this Commission does hereby adopt by reference any and all future updates and amendments to each of said codes, separately and severally, with heretofore adopted amendments, on January 1 of the year following the year the same may be published and promulgated by the official publisher and agencies responsible for the publishing of the current year codes above referred to.

All other sections of Resolution 05-04-11-02 are to remain with no amendments.

Amend Exhibit A to read as follows:

DEVELOPMENT SERVICES FEE SCHEDULE

Inspection Services Application and Fee Schedule

These fees are applicable to each of the codes (Building and Residential Code Section A108; Fuel Gas, Mechanical, and Plumbing Code Section 106; and Electrical Code Section A-106.3).

On all buildings, structures or alterations requiring a building permit, a fee for each building permit shall be paid as required at the time of filing application, in accordance with the following schedule:

1. A \$25.00 Administrative fee shall apply for substantial changes to a building permit plus an additional permit fee based on the valuation of the additional work being performed.
2. Where the valuation does not exceed \$100.00, there shall be no fee.
3. For a valuation over \$100.00 the permit fee shall be \$6.50 per thousand or fraction thereof with a minimum permit fee of \$50.00.
4. For all permit applications, an application fee of \$100.00 is charged for each permit application at the time the permit application is submitted for review. When the permit is issued, the \$100.00 application fee is applied to the permit fee. If a permit is not issued, the application fee is not refunded.
5. For the moving of buildings or structures the fee shall be \$100.00.
6. For the demolition of buildings or structures the fee shall be \$50.00.
7. Temporary tents for Assemblies the fee shall be \$50.00.
8. Erection of signs the permit fee shall be \$6.50 per thousand or fraction thereof of the valuation of the sign with a minimum permit fee of \$50.00.
9. For the issuance of any Certificate of Completion, the fee shall be \$15.00.
10. Coal Bed Methane Gas Wells: \$400 per well including owner installed electrical equipment, transmission lines and accessory equipment.
11. Permitting of projects lying within the corporate limits of any city, the fee shall be \$6.50 per thousand or fraction thereof with a minimum permit fee of \$50.00. The City shall receive \$2.50 per thousand of the total fee for any permit issued exceeding \$50.00.
12. A nonrefundable fee of \$50.00 shall accompany a Board of Adjustments and Appeals application.
13. The application for a journeyman or master electrician certification examination shall be accompanied by a fee of \$80.00, this amends Sections A-109.6 and A-109.7 of the Electrical Code Administrative Provisions.

**ROADS AND TRANSPORTATION
 PLANING, RESURFACING AND PERMANENT TRAFFIC STRIPE ALONG
 SR 53 (US-231) FROM SR25
 RESOLUITON 10-02-22-06**

MOTION: Commissioner Shepherd – Motion to approve Resolution 10-02-22-06 as presented
SECOND: Commissioner Ellis
VOTE ON MOTION: Unanimous **MOTION CARRIED**

RESOLUTION 10-02-22-06

WHEREAS, the County of Shelby, Alabama (hereinafter at times referred to as County) is desirous of having certain improvements made on State Route 53 (US 231) within the Limits of Shelby County, in accordance with plans prepared by the Alabama Department of Transportation and designated as Project No. STPAA-0053(548) Planing, Resurfacing and Permanent Traffic Stripe along SR-53 (US-231) from SR-25 and SR53 to the St. Clair County Line.

WHEREAS, the Alabama Department of Transportation is now or may later be desirous of receiving Federal Aid for improvement of said highway; and

WHEREAS, the Federal Highway Administration, an agency of the United Sates of American will not participate in any funding for the construction of said project until and unless the County will agree to certain requirements of the Federal Highway Administration. The County for the purpose of complying with requirements of the Federal Highway Administration in regard to its funding of improvements of the type and kind in this agreement provided for, does hereby pass and adopt the following resolution:

BE IT RESOLVED, by the Commission of Shelby County, that the plans of said project including alignment, profile, grades, typical sections and paving layouts as submitted to this County and which are now on file in the office of the

Administrative Assistant to the County Manager are hereby approved and that the location of said project as staked out by the Alabama Department of Transportation and as shown by said plans referred to are hereby approved and the Alabama Department of Transportation, in cooperation with the Federal Highway Administration, is hereby authorized to proceed with the grading, draining, paving and otherwise improving and construction of said project in accordance with said plans.

The County by and through its Commission hereby grants to the Alabama Department of Transportation the full use of and access to the dedicated widths of any existing streets for the construction of said project and hereby agrees to permit and allow the Alabama Department of Transportation to close and barricade the said project and intersecting streets for as long as necessary while the said project is being graded, drained, paved, and otherwise improved, and hereby agrees that the use of any street or highway for parking within an interchange area will not at any time be permitted.

The County hereby further agrees to adopt or pass such legally effective ordinances and/or laws as will permanently barricade and/or relocate certain intersection streets as required by the State and to permanently deny or limit access at certain locations as required by the State along said improvements, all of which are more specifically stated as follows:

N/A

Please refer to: Project Notes and Traffic Control Notes

(Sheets 2B-2K)

Please refer to: Traffic Control Plan

(Sheets 6-11)

BE IT FURTHER RESOLVED, by the County Commission, that for and in consideration of the Alabama Department of Transportation in cooperation with the Federal Highway Administration, constructing said highway and routing traffic along the same through the County over said project, such County hereby agrees with the Alabama Department of Transportation and for the benefit of the Federal Highway Administration, that on the above mentioned project the County will not in the future permit encroachments upon the right of way; nor will it pass any ordinances or laws fixing a speed limit contrary to those limits provided for in Title 32, Chapter 5, Code of Alabama 1975, as amended, and other laws of Alabama; nor will it permit other than parallel parking in areas where parking is permitted; nor will it allow the placing of any informational, regulatory, or warning signs, signals, median crossover, curb and pavement or other markings, and traffic signals without written approval of the Alabama Department of Transportation and the Federal Highway Administration, of the location, form and character of such installations. The traffic control devices and signs installed during construction, and those installed after completion of this project shall be in accordance with the latest edition of the National Manual on Uniform Traffic Control Devices and accepted standards adopted by the Alabama Department of Transportation of the State of Alabama and by the Federal Highway Administration. The County further agrees that subsequent traffic control devices deemed necessary by it in keeping with applicable statutes, rules and regulations to promote the safe and efficient utilization of the highway under the authority of Title 32, Chapter 5, Code of Alabama 1975, and all other applicable laws of Alabama, shall be subject to and must have the approval of the Alabama Department of Transportation of the State of Alabama and of the Federal Highway Administration, prior to installation and the County further agrees that it will enforce traffic and control the same under the provisions of Title 32, Chapter 5, Code of Alabama 1975, and other applicable laws of Alabama.

BE IT FURTHER RESOLVED, by this County Commission:

1. That the County agrees to perform all maintenance on crossroads, service drives, or relocated roads that are not designated Federal or State highways that are in the jurisdiction of the County.
2. That the County agrees to perform all maintenance on any existing road which has been replaced by a new road; or, if the existing road is not used, the County has the option of vacating the same.
3. That the County agrees to perform all maintenance on interchanges to the theoretical crossing of the denied access line.
4. That the County agrees to perform all maintenance on grade separations along the roadway to the end of the bridge, or the denied access fence, whichever the case.

It is understood and agreed that no changes in this Resolution or Agreement shall in the future be made without having obtained the prior approval of the Federal Highway Administration.

**NORFOLK SOUTHERN RAILWAY COMPANY – CR-42 DETOUR
RESOLUTION 10-02-22-07**

MOTION: Commissioner Shepherd – Motion to approve Resolution 10-02-22-08 as presented

SECOND: Commissioner Ellis
VOTE ON MOTION: Unanimous

MOTION CARRIED

RESOLUTION 10-02-22-07

WHEREAS, Norfolk Southern Railway Company, hereinafter called "Railway", desires to make improvements to two at-grade railroad crossings on State Highway 25 between Columbiana and Calera and that they, along with the Alabama Department of Transportation, hereinafter called "ALDOT", have requested that they be allowed to use Shelby County Highway 42 between State Highway 25 and State Highway 70 as a detour route while these two crossings are closed for upgrade, and

WHEREAS, the Railway has submitted a detour plan to the Office of the County Engineer, and said detour plan conforms to the latest edition of the Manual on Uniform Traffic Control Devices(MUTCD), and

WHEREAS, the Railway will make these repairs on Saturday, February 27 and Sunday, February 28, and that they will place signs one week in advance notifying the public of these closings.

NOW, THEREFORE BE IT RESOLVED BY THE SHELBY COUNTY COMMISSION AS FOLLOWS:

The Shelby County Commission hereby authorizes the Railway and ALDOT to use County Highway 42 as a detour while the repairs take place as specified above.

ADJOURNMENT
RESOLUTION 10-02-22-08

MOTION: Commissioner Ellsi – There being no further business to come before the Commission, move to adjourn this 22ND day of February 2010 at 6:30 P.M.

SECOND: Commissioner Hayes

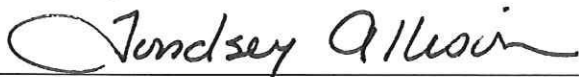
VOTE ON MOTION: Unanimous

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