



**SHELBY COUNTY COMMISSION
MARCH 8, 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 8:30A. M., Monday, March 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 22, 2010
RESOLUTION 10-03-08-01**

MOTION: Commissioner Edwards - Motion to approve Minutes from February 22, 2010 as presented

SECOND: Commissioner Acker

VOTE ON MOTION: Unanimous

MOTION CARRIED

**APPROVAL OF BILLS, REQUISITIONS, CHECK REGISTER
GOVERNMENTAL FUNDS AND PROPRIETARY FUNDS
RESOLUTION 10-03-08-02**

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

**BUDGET, FINANCE & LEGAL
SAFE HAVENS GRANT RESOLUTION
RESOLUTION 10-03-08-03**

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

SECOND: Commissioner Ellis

VOTE ON MOTION: Unanimous

MOTION CARRIED

RESOLUTION 10-03-08-03

WHEREAS, the U.S. Department of Justice, Office on Violence Against Women have grant funds available for the establishment of a supervised visitation and safe exchange program of children in situations involving domestic violence, sexual assault, dating violence, stalking and child abuse. The supervised visitation and exchange services provide parents who may present a risk to their children or to another parent the opportunity to have parent-child contact monitored by an appropriate third party;

WHEREAS, the Shelby County Commission wishes to make grant application to the U.S. Department of Justice, Office on Violence Against Women to establish a Supervised visitation and exchange center through the Safe Havens: Supervised Visitation and Safe Exchange Grant Program;

WHEREAS, the Shelby County Commission will apply for and maintain the grant, contract with Family Connection Inc., to establish the visitation and exchange program. The County will establish community working groups with our domestic violence and sexual assault community, the Court System, Law Enforcement, District Attorney's Office along with other support and social services agencies to support the supervised visitation and exchange effort;

WHEREAS, the Safe Havens: Supervised Visitation and Safe Exchange Grant Program will provide up to \$400,000.00 dollars for a three-year (36 months) development project; with not grant match required ;

WHEREAS, BE IT RESOLVED, that the County Manager and Manager of Community Services are hereby directed to submit application and administrate the program on behalf of Shelby County.

This signature shall denote that this is a certified copy of Resolution 10-03-08-03 approved at the Shelby County Commission meeting on March 8, 2010.

**ROADS AND TRANSPORTATION
COUNTY ROAD 87 – US 31 ALDOT FUNDING AGREEMENT
RESOLUTION 10-03-08-04**

MOTION: Commissioner Shepherd – Motion to approve Resolution 10-03-08-04 as presented

SECOND: Commissioner Edwards

VOTE ON MOTION: Unanimous

MOTION CARRIED

RESOLUTION 10-03-08-04

BE IT RESOLVED, by the County Commission of Shelby County, Alabama, that the County enter into an agreement with the State of Alabama; acting by and through the Alabama Department of Transportation for:

Widening, resurfacing and traffic signal installation on CR87 and US 31. Length -0.378 miles. Proj #ST-059-003-006, SCP 59-761-09. CPMS Ref #100054475;

Which agreement is before this Commission, and that the agreement be executed in the name of the County, by the Chairman of the Commission for and on its behalf and that it be attested by the Administrative Assistant to the County Manager and the seal of the County affixed hereto.

BE IT FURTHER RESOLVED, that upon the completion of the execution of the agreement by all parties, that a copy of such agreement be kept of record by the Administrative Assistant to the County Manager.

Passed, adopted and approved this 8th day of March, 2010.

Administrative Assistant to the
County Manager

Chairperson, County Commission

I, the undersigned qualified and acting Administrative Assistant to the County Manager of Shelby County, Alabama do hereby certify that the above foregoing is a true copy of a resolution lawfully passed and adopted by the County Commission of the County named therein, at a regular meeting of such Commission held on the 8th day of March, 2010, and that such resolution is of record in the Minute Book of Shelby County.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the County of this 8th day of March, 2010.

Administrative Assistant to the County Manager

**VACATION OF RIGHT-OF-WAY
CR 52 TO DEBUYS & SAIIA
RESOLUTION 10-03-08-05**

MOTION: Commissioner Shepherd – Motion to approve Resolution 03-08-05 as presented

SECOND: Commissioner Edwards

VOTE ON MOTION: Unanimous

MOTION CARRIED

RESOLUTION 10-03-08-05

WHEREAS, Shelby County is in the process of acquiring needed right-of-way for public road purposes on County Road 52 in the City of Pelham, Alabama; and

WHEREAS, two of the parcels to be acquired are owned by Saiia Highway 52, LLC (1/2 interest), John F. De Buys, Jr. (3/8 interest), and Thomas H. De Buys (1/8 interest); and

WHEREAS, Shelby County has agreed to pay to Saiia Highway 52, LLC, John F. De Buys, Jr., and Thomas H. De Buys the appraised value based on Shelby County's appraisal for the portion of the right-of-way being acquired by Shelby County and, in addition, as a part of the consideration therefor, convey the right-of-way described hereinafter as "vacated right-of-way" by quitclaim deed to Saiia Highway 52, LLC, John F. De Buys, Jr., and Thomas H. De Buys for the consideration specified herein; and

WHEREAS, the Shelby County Commission does hereby determine that the property to be quitclaimed by Shelby County is no longer needed for public road purposes by Shelby County and is being quitclaimed to Saiia Highway 52, LLC, John F. De Buys, Jr., and Thomas H. De Buys on an equal value per square foot basis (as established by County's appraisal) with the property being conveyed by Saiia Highway 52, LLC, John F. De Buys, Jr., and Thomas H. De Buys to Shelby County;

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

FOLLOWS:

1. That the right-of-way shown on Exhibit "A" as "vacated right-of-way," which is described on page 1 of Exhibit "A", shall be conveyed to Saiia Highway 52, LLC, John F. De Buys, Jr., and Thomas H. De Buys upon the conveyance by Saiia Highway 52, LLC, John F. De Buys, Jr., and Thomas H. De Buys of the right-of-way to be acquired by Shelby County on County Road 11, which said latter conveyance is to be in fee simple.
2. That the County Manager is hereby authorized and directed to execute the quitclaim deed shown on Exhibit "B" hereto upon the receipt by Shelby County of a conveyance of fee simple right-of-way to Shelby County of the parcel to be acquired from Saiia Highway 52, LLC, John F. De Buys, Jr., and Thomas H. De Buys, all for the monetary consideration stated hereinabove.

**NORFOLK SOUTHERN
ALDOT COUNTY ROAD DETOURS
RESOLUTION 10-03-08-06**

MOTION: Commissioner Shepherd – Motion to approve Resolution 10-03-08-06 as presented
SECOND: Commissioner Edwards
VOTE ON MOTION: Unanimous

MOTION CARRIED

RESOLUTION 10-03-08-06

WHEREAS, Norfolk Southern Railway Company, hereinafter called "Railway", desires to make improvements to two at-grade railroad crossings, one on State Highway 25 between Columbiana and Wilsonville and the other on U.S. 31 in Calera, that they, along with the Alabama Department of Transportation, hereinafter called "ALDOT", have requested that they be allowed to use Shelby County Highway 30 between State Highway 25 and State Highway 145 and use Shelby County 63 and Shelby County 16 between U.S. 31 and State Highway 25 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, March 13 and Sunday, March 14, 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 Highways 30, 16 and 63 as detour routes while the repairs take place as specified above.

**ENVIRONMENTAL & NATURAL RESOURCES
LITTLE WAXI WATER AUTHORITY
RESOLUTION 10-03-08-07**

MOTION: Commissioner Shepherd – Motion to approve Resolution as presented
SECOND: Commissioner Acker

MOTION TO TABLE ITEM TO NEXT MEETING

MOTION: Commissioner Shepherd
SECOND: Commissioner Acker
VOTE ON MOTION: Unanimous

MOTION CARRIED

RESOLUTION 10-03-08-_____

BE IT RESOLVED, that the Shelby Commission hereby appoints Ms. Mitzi Matzke to fill the remainder of Ms. Helen Brand's term. Ms. Brand passed away in February.

**HEALTH AND HUMAN RESOURCES
THE ARC – DEVELOPMENTAL DISABILITIES AWARENESS MONTH
RESOLUTION 10-03-08-08**

MOTION; Commissioner Parker – Motion to approve Resolution 10-03-08-08 as presented
SECOND: Commissioner Acker
VOTE ON MOTION: Unanimous

MOTION CARRIED

**RESOLUTON 10-03-08-08
THE ARC
IN RECOGNITION**

WHEREAS, intellectual and development disabilities are conditions which affect more than 7 million Americans and more than 121,000 Alabamians and their families; and

WHEREAS, public awareness and education enhance a community's understanding of the issues affecting children and adults with intellectual and developmental disabilities; and

WHEREAS, children and adults with intellectual and developmental disabilities can be vital and vibrant members of our communities, improving the quality of life for all of us; and

WHEREAS, the month of March has been designated National Developmental Disabilities Awareness Month, with more than 100,000 members and 850 chapters of The Arc of the United States and more than 4,600 members and 29 local chapters of The Arc of Alabama undertaking public awareness, educational, and fundraising initiatives; and

WHEREAS, The Arc of the United States is the largest national volunteer-based membership organization and The Arc of Alabama is the largest state volunteer-based membership organization working to include all children and adults with intellectual and developmental disabilities in every community;

NOW, THEREFORE, we, the Shelby County Commission hereby proclaim March, 2010 as

DEVELOPMENTAL DISABILITIES AWARENESS MONTH

In Shelby County, Alabama and urge that the citizens of Shelby County give full support of efforts towards enabling all children and adults with cognitive, intellectual and developmental disabilities to live full and productive lives of inclusion in our communities

GENERAL SERVICES

**NATIONAL COUNTY GOVERNMENT MONTH – APRIL 2010
RESOLUTION 10-03-08-09**

MOTION: Commissioner Parker – Motion to approve Resolution 10-03-08-09 as presented
SECOND: Commissioner Shepherd
VOTE ON MOTION: Unanimous **MOTION CARRIED**

NATIONAL COUNTY GOVERNMENT MONTH

WHEREAS, Alabama's 67 counties provide a variety of essential public services to communities and take seriously their responsibility to protect and enhance the health, safety and welfare of our citizens in sensible and cost-effective ways; and

WHEREAS, many of Alabama's local government initiatives directly touch the lives of Alabama's citizens on a daily basis, but many residents do not realize the impact of many local government programs; and

WHEREAS, the Shelby County Commission has a duty to find and provide value-added services to all its local residents; and

WHEREAS, the Shelby County Commission provides not only essential services to its residents, but also programs such as road-and-bridge programs for the safety of our motorists; litter control for the beautification of our county; economic programs for the growth of our community; education and welfare programs for elderly citizens; drug awareness and prevention programs for the health of our citizens; and parks and recreation programs for the enjoyment of our citizens; and

WHEREAS, National County Government Month has been celebrated since 1991 to raise public awareness and understanding about the roles and responsibilities of the nation's counties to meet the needs of the community; and

BE IT RESOLVED, that the Shelby County Commission declare April as County Government Month in Shelby County; and

BE IT FURTHER RESOLVED, that a copy of this resolution be spread in the minutes of the March 8, 2010, meeting of the Shelby County Commission, and be immediately forwarded to the Association of County Commissions of Alabama.

IN WITNESS WHEREOF, the Shelby County Commission has caused this Resolution to be executed in its name and on behalf by its Chairperson on this 8th day of March, 2010.

Chairperson, Shelby County Commission

**ADJOURNMENT
RESOLUTION 10-03-08-10**

MOTION: Commissioner Edwards – There being no further business to come before the Commission, move to adjourn this 8th day of March 2010 at 9:09 A.M.
SECOND: Commissioner Shepherd

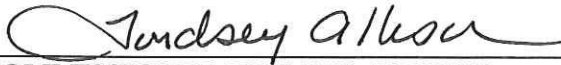
VOTE ON MOTION: Unanimous

MOTION CARRIED

READ & APPROVED:



COMMISSIONER DAN ACKER



COMMISSIONER LINDSEY ALLISON

COMMISSIONER JOEL BEARDEN



COMMISSIONER LARRY DILLARD



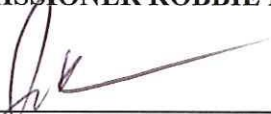
COMMISSIONER TOMMY EDWARDS



COMMISSIONER CORLEY ELLIS



COMMISSIONER ROBBIE HAYES



COMMISSIONER JON PARKER



COMMISSIONER RICK SHEPHERD