



**SHELBY COUNTY COMMISSION
OCTOBER 10, 2016
MINUTES**

**STATE OF ALABAMA
COUNTY OF SHELBY**

The Shelby County Commission of Shelby County, Alabama, met at the Harrison Regional Library Building in the City of Columbiana, Alabama, at 8:30 A.M., Monday, October 10, 2016. The meeting was called to order by Commissioner Shepherd. The invocation was given followed by the Pledge of Allegiance. Roll was called and the following members were present:

PRESENT

Commissioner Dan Acker
Commissioner Elwyn Bearden
Commissioner Tommy Edwards
Commissioner Corley Ellis
Commissioner Robbie Hayes
Commissioner Jon Parker
Commissioner Rick Shepherd
Commissioner Mike Vest

ABSENT

Commissioner Lindsey Allison

**OPEN PUBLIC HEARING – CABLE FRANCHISE AGREEMENTS
RESOLUTION 16-10-10-01**

MOTION: Commissioner Ellis - Motion to open Public Hearing on Cable Franchise Agreements as presented

SECOND: Commissioner Hayes

VOTE ON MOTION: Unanimous

MOTION CARRIED

RESOLUTION 16-10-10-01

BE IT RESOLVED, that the Shelby County Commission hereby convenes a Public Hearing October 10, 2016 at the 8:30 a.m. Shelby County Commission Meeting to allow for comments concerning the Cable Franchise Agreements of Charter and Zito Alabama; and to allow for comments concerning the Public Benefit Agreement with AT&T Alabama which offers “IP-enabled Video Service.”

RESOLVED, the following individuals addressed the Commission during the public hearing:

Terry Stiles Harrison 4106 Lakeshore Dr, Birmingham, AL 35242
Robin Dickinson 1004 Dublin Way, Birmingham, AL 35242
Iris Jacobsen 1000 Dublin Way, Birmingham, AL 35242
Lee McVeigh 3 Squires Glenn Lane, Leeds, AL 35094
AT&T Terri Williams
AT&T Michael P. Harbin
Charter Robert L. Smith
Zito Clint Thomas

**CLOSE OF PUBLIC HEARING
RESOLUTION 16-10-10-02**

MOTION: Commissioner Ellis – Motion to close public hearing as presented
SECOND: Commissioner Hayes
VOTE ON MOTION: Unanimous **MOTION CARRIED**

RESOLUTION 16-10-10-02

BE IT RESOLVED, that the Shelby County Commission hereby closes the Public Hearing and proceeds with the applicable agenda.

**APPROVAL OF MINUTES FROM SEPTEMBER 26, 2016
RESOLUTION 16-10-10-03**

MOTION: Commissioner Acker - Motion to approve Minutes from September 26, 2016 as presented
SECOND: Commissioner Hayes
VOTE ON MOTION: 6 Yeas – Commissioner Acker, Commissioner Bearden, Commissioner Ellis, Commissioner Hayes, Commissioner Parker, Commissioner Shepherd; 2 Abstained – Commissioner Edwards and Commissioner Vest **MOTION CARRIED**

**APPROVAL OF BILLS, REQUISITIONS, CHECK REGISTER
GOVERNMENTAL FUNDS AND PROPRIETARY FUNDS
RESOLUTION 16-10-10-04**

MOTION: Commissioner Hayes - Motion to approve the Bills, requisitions and check register for Government and Proprietary Funds as presented
SECOND: Commissioner Ellis
VOTE ON MOTION: Unanimous **MOTION CARRIED**

**BUDGET, FINANCE & LEGAL
AWARD BID – CHIPPING OF WOOD WASTE
RESOLUTION 16-10-10-05**

MOTION: Commissioner Hayes – Motion to approve Resolution 16-10-10-05 as presented
SECOND: Commissioner Edwards
VOTE ON MOTION: Unanimous **MOTION CARRIED**

RESOLUTION 16-10-10-05

BE IT RESOLVED, the Shelby County Commission hereby awards the bid for Wood Waste Chipping to the only responsive bidder, Con-Site Services as follows:

	Landfill Chipping	Storm Debris Chipping
Con-Site Services	\$1.72 per cubic yard	\$1.89 per cubic yard

Said eBid #2016-8-10856 is located within the County Manager’s Office.

**FAA/ALDOT AIREPORT IMPROVEMENT FUNDING
APPLICATION AUTHORIZATION
RESOLUTION 16-10-10-07**

MOTION: Commissioner Hayes – Motion to approve Resolution 16-10-10-07 as presented

SECOND: Commissioner Acker

VOTE ON MOTION: Unanimous

MOTION CARRIED

RESOLUTION 16-10-10-07

WHEREAS, the Shelby County Commission is authorized to make an application for airport improvement funding assistance from both the Federal Aviation Administration and the State of Alabama Department of Transportation, for the purpose of undertaking a project to make improvements at the Shelby County Airport. Proposed improvements include the design and construction of a 12 unit T-Hangar located at the North Apron of the Airport.

WHEREAS, the application be submitted for and on behalf of the Shelby County Commission by its Manager who is authorized by this resolution to sign the application and any related forms or documents on behalf of the Shelby County Commission.

WHEREAS, the Shelby County Commission is authorized to enter into airport improvement funding agreements with the Federal Aviation Administration and the State of Alabama, acting by and through the Alabama Department of Transportation, for the purpose of undertaking a project to make improvements at the Shelby County Airport, with partial funding provided by the Federal Aviation Administration and the State of Alabama.

WHEREAS, the agreements be executed in the name of the Shelby County Commission for and on behalf of the Shelby County Commission by its Manager.

WHEREAS, the agreements be attested by the Administrative Assistant to the County Manager and the seal of the Shelby County Commission affixed thereto.

WHEREAS, the authority of the Shelby County Commission to enter into contracts with the Federal Aviation Administration and the State of Alabama has been reviewed by the Shelby County Commission’s attorney, and in his/her opinion, the Shelby County Commission is duly authorized to commit the Shelby County Commission to agreements with the Federal Aviation Administration and the Alabama Department of Transportation.

BE IT RESOLVED, that the Shelby County Commission hereby affirms that the local matching share of funds in the amounts required for the agreements has been officially approved, placed into the budget of the airport and is available for expenditure upon execution of the Federal Aviation Administration and the State

of Alabama's funding agreements and the start of the project.

**LEGAL COUNSEL REPRESENTATION FOR PROPERTY TAX
CASES APPEALED TO THE CIRCUIT COURT
RESOLUTION 16-10-10-08**

MOTION: Commissioner Hayes – Motion to approve Resolution 16-10-10-08 as presented

SECOND: Commissioner Acker

VOTE ON MOTION: 7 Yeas- Commissioner Acker, Commissioner Bearden, Commissioner Edwards, Commissioner Hayes, Commissioner Parker, Commissioner Vest, Commissioner Shepherd; 1 Abstained – Commissioner Ellis **MOTION CARRIED**

RESOLUTION 16-10-10-08

WHEREAS, pursuant to Act No. 2016-127, adopted by the Alabama Legislature, effective October 1, 2016, the Shelby County Commission is responsible for securing legal counsel to represent the State and Shelby County in all property tax cases appealed to the circuit court in Shelby County, and

WHEREAS, in consultation with Donald Armstrong, the Shelby County Property Tax Commissioner, the County Commission has agreed to employ Frank C. Ellis, Jr., William R. Justice, and the firm of Ellis, Head, Owen & Justice of Columbiana, Alabama, as legal counsel to handle property tax appeals.

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

1. Frank C. Ellis, Jr., J. Bentley Owens, III, William R. Justice, and the firm of Ellis, Head, Owen & Justice of Columbiana, Alabama, are employed as legal counsel to handle property tax appeals and to represent the State of Alabama, Shelby County, and the Shelby County Board of Equalization in such appeals.

2. All expenses incurred by the County Commission in complying with this resolution and with Act No. 2016-127 shall be paid from the Reappraisal Budget of the Shelby County Property Tax Commissioner.

**ROADS AND TRANSPORTATION
RIGHT-OF-WAY ACQUISITIONS
RESOLUTION 16-10-10-09**

MOTION: Commissioner Vest – Motion to approve Resolution 16-10-10-09 as presented

SECOND: Commissioner Ellis

VOTE ON MOTION: Unanimous **MOTION CARRIED**

RESOLUTION 16-10-10-09

BE IT RESOLVED, that the Shelby County Commission hereby approves and accepts right-of-way acquisitions for Project No. ACBRAA55499-ATRP(006) [SCP-59-820-12], being better known as the Bridge Replacement and Approaches on County Road 264 at Buck Creek in Alabaster, Alabama, Length 0.548 miles.

DONATIONS
City of Alabaster

PURCHASES

City of Alabaster Board of Education
Julia L. Roy

CONDEMNATIONS
Alabaster Holdings, LLC

Done at the regular session of the Commission of Shelby County, this day of October 10, 2016.

**GENERAL SERVICES
MAYOR THEOANGELO "THEO" PERKINS PROCLAMATION
RESOLUTION 16-10-10-06**

MOTION: Commissioner Bearden – Motion to approve Resolution 16-10-10-06 as presented

SECOND: Commissioner Acker

VOTE ON MOTION: Unanimous

MOTION CARRIED

RESOLUTION 16-10-10-06

WHEREAS, Mayor Theoangelo "Theo" Perkins has served with untiring effort and excellence during his twenty plus years of public service to the Town of Harpersville, consistently exhibiting unselfishness in giving of his time and talents above and beyond that required; and

WHEREAS, his public service included being elected as the first African-American Mayor in Shelby County; and

WHEREAS, Mayor Perkins has also served as the Superintendent for the Harpersville Water System; and

WHEREAS, it is proper to recognize Mayor Perkins years of service to the Town of Harpersville and Shelby County and his personal actions towards enhancing the quality, diversity, and accessibility of services to the citizens; and now therefore

BE IT RESOLVED AND ENTERED UPON THE RECORD OF THE SHELBY COUNTY COMMISSION that the Shelby County Commission does hereby recognize and express public appreciation for Mayor Theo Perkins public service to the Town of Harpersville and Shelby County.

**MOTION TO ADJOURN
RESOLUTION 16-10-10-10**

MOTION: Commissioner Bearden – There being no further business to come before the Commission, move to adjourn this 10TH day of October, 2016 at 9:14 A.M.

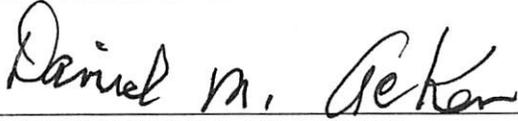
SECOND: Commissioner Ellis

VOTE ON MOTION:

Unanimous

MOTION CARRIED

READ & APPROVED:



COMMISSIONER DAN ACKER



COMMISSIONER LINDSEY ALLISON

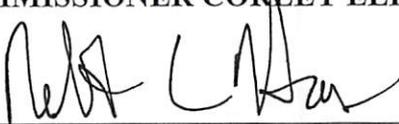


COMMISSIONER ELWYN BEARDEN

COMMISSIONER TOMMY EDWARDS



COMMISSIONER CORLEY ELLIS



COMMISSIONER ROBBIE HAYES



COMMISSIONER JON PARKER



COMMISSIONER RICK SHEPHERD



COMMISSIONER MIKE VEST