



**SHELBY COUNTY COMMISSION
OCTOBER 24, 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 6:00 P.M., Monday, October 24, 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 Lindsey Allison
Commissioner Elwyn Bearden
Commissioner Tommy Edwards
Commissioner Robbie Hayes
Commissioner Jon Parker
Commissioner Rick Shepherd
Commissioner Mike Vest

ABSENT

**APPROVAL OF BILLS, REQUISITIONS, CHECK REGISTER
GOVERNMENTAL FUNDS AND PROPRIETARY FUNDS
RESOLUTION 16-10-24-01**

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

SECOND: Commissioner Edwards

VOTE ON MOTION: Unanimous

MOTION CARRIED

**APPROVAL OF MINUTES FROM OCTOBER 10, 2016
RESOLUTION 16-10-24-02**

MOTION: Commissioner Parker - Motion to approve Minutes from September 26, 2016 as presented

SECOND: Commissioner Acker

VOTE ON MOTION: Unanimous

MOTION CARRIED

COUNTY COMMISSION CHAIRMAN AND VICE CHAIRMAN FY 2016-17

RESOLUTION 16-10-24-03

MOTION: Commissioner Allison – Motion to approve Resolution 16-10-24-03 as presented

SECOND: Commissioner Edwards

VOTE ON MOTION: Unanimous

MOTION CARRIED

RESOLUTION 16-10-24-03

BE IT RESOLVED, that the Shelby County Commission hereby appoints Commissioner Jon Parker to serve as Chairman and Commissioner Robbie Hayes to serve as Vice-Chairman effective November 16, 2016.

**BUDGET FINANCE AND LEGAL
RECORD BID – AIR COOLED CHILLER
RESOLUTION 16-10-24-04**

MOTION: Commissioner Hayes – Motion to approve Resolution 16-10-24-04 as presented

SECOND: Commissioner Allison

VOTE ON MOTION: Unanimous

MOTION CARRIED

RESOLUTION 16-10-24-04

BE IT RESOLVED, that the Shelby County Commission hereby records the bid award for an Air Chilled Cooler. Said bid was awarded by the County Manager to the lowest responsive bidder, Carrier Corporation, Inc. as follows:

Carrier Corporation, Inc.	\$64,877.00
Technology International, Inc.	\$68,376.00

Said eBid #2016-9-10857 is located within the County Manager’s Office.

**BID AWARD – BERMUDA SOD
RESOLUTION 16-10-24-05**

MOTION: Commissioner Hayes – Motion to approve Resolution 16-10-24-05 as presented

SECOND: Commissioner Acker

VOTE ON MOTION: Unanimous

MOTION CARRIED

RESOLUTION 16-10-24-05

BE IT RESOLVED, that the Shelby County Commission hereby records that only one bid for Sod was received. Therefore, purchases shall be made as outlined by the State of Alabama Bid Law.

Said eBid #2016-9-10858 is located within the County Manager’s Office.

**RESOLUTION SUPPORTING ALABAMA CONSTITUTION AMENDMENTS 3 & 4
RESOLUTION 16-10-24-06**

MOTION: Commissioner Hayes – Motion to approve Resolution 16-10-24-06 as presented

SECOND: Commissioner Acker

VOTE ON MOTION: Unanimous

MOTION CARRIED

RESOLUTION 16-10-24-06

IN SUPPORT OF PROPOSED CONSTITUTIONAL AMENDMENTS 3 AND 4

WHEREAS, the Alabama Constitutional Revision Commission was created by the Alabama Legislature in 2011 to complete a full review of the 1901 Alabama Constitution and propose a series of revisions to the document, which were completed in 2014, and;

WHEREAS, during the 2015 Regular Session of the Alabama Legislature, county leaders from all 67 Alabama counties came together to actively pursue passage of two proposed constitutional amendments that were borne from the recommendations of the Alabama Constitutional Revision Commission—both of which would allow county governments to operate more efficiently in service to the citizens of Alabama, and;

WHEREAS, the Shelby County Commission hereby declares its support for the following proposed constitutional amendments to appear on the November 2016 ballot:

- **Proposed Amendment #3**, which was passed during the 2015 Regular Session of the Alabama Legislature as Act 2015-44 to make it more difficult to force a statewide vote on those local constitutional amendments that would only impact the citizens of Shelby County, and which also includes provisions to prevent statewide voters from overruling the will of the people of Shelby County should a local constitutional amendment impacting this county be subject to statewide referendum, and;
- **Proposed Amendment #4**, which was passed during the 2015 Regular Session of the Alabama Legislature as Act 2015-220 to allow county commissions to carry out *limited* management and administrative activities in the specified areas of county personnel programs, community programs for litter-free roadways and public property, public transportation, the operation of county offices, and emergency assistance programs; and which also includes a provision allowing citizen input into any proposed programs, policies, or procedures, and *strictly prohibits the levying of any taxes or fees*, and;

WHEREAS, ratification of these proposed constitutional amendments would greatly improve the operation of county government in Shelby County by 1) making it harder for voters outside of the county to undermine the voice of local citizens on local issues, and 2) ensuring that county commissions across the state can take management and administrative action on those critical issues that impact the day-to-day quality of life for the residents of this great state, and;

NOW, THEREFORE, BE IT RESOLVED BY THE SHELBY COUNTY COMMISSION that it does hereby urge all registered voters of Shelby County to vote in favor of the constitutional amendments proposed by Acts 2015-44 and 2015-220, which will appear on the November 2016 General Election Ballot as Amendments 3 and 4, respectively.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Governor, the Lieutenant Governor, the Speaker of the House of Representatives, and the chairs of the Senate and House Rules Committee.

IN WITNESS WHEREOF, the Shelby County Commission has caused this Resolution to be executed in its name on this the 24th day of October, 2016.

RESOLUTION SUPPORTING ALABAMA CONSTITUTION AMENDMENT 14
RESOLUTION 16-10-24-07

MOTION: Commissioner Hayes – Motion to approve Resolution 16-10-25-07 as presented

SECOND: Commissioner Edwards
VOTE ON MOTION: Unanimous

MOTION CARRIED

**RESOLUTION 16-10-24-07
IN SUPPORT OF
PROPOSED CONSTITUTIONAL AMENDMENT 14**

WHEREAS, the Shelby County Commission routinely partners with its State Legislators in Montgomery to pass local legislation for the benefit of the citizens residing in Shelby County, and;

WHEREAS, the Shelby County Commission has supported the passage and enactment of countless local bills that have contributed to a higher quality of life for the residents of Shelby County by providing much needed support for critical public services including, but not limited to, local school systems, volunteer firefighter departments, county sheriffs' offices, workforce development programs, community health organizations, and many more, and;

WHEREAS, a technical issue related to a routine procedural vote in the House of Representatives stands to threaten the execution of thousands of local laws, which would have detrimental and long-term consequences for the citizens of Shelby County and the millions of other Alabamians residing all across this great state, and;

WHEREAS, Act 2016-430 passed during the 2016 Regular Session of the Alabama Legislature proposes a constitutional amendment to ratify and confirm the validity of the procedural vote in question, thereby approving any and all local laws passed by the Alabama Legislature in accordance to the rules of the House or Senate in place at the time of the vote, and;

WHEREAS, ratification of this proposed constitutional amendment would safeguard the communities of Shelby County by preserving the local laws that support the vitally important public services and institutions that the children, senior citizens, small business owners, and hard-working residents of Shelby County have come to utilize on a daily basis, and;

WHEREFORE, BE IT HEREBY RESOLVED BY THE SHELBY COUNTY COMMISSION that it does hereby urge all registered voters of Shelby County to vote in favor of the constitutional amendment proposed by Act 2016-430, which will appear on the November 2016 General Election Ballot as Amendment 14.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Governor, the Lieutenant Governor, the Speaker of the House of Representatives, and the chairs of the Senate and House Rules Committee.

IN WITNESS WHEREOF, the Shelby County Commission has caused this Resolution to be executed in its name on this the 24th day of October, 2016.

**ROADS AND TRANSPORTATION
SADDLE RIDGE DRIVE – VACATION
RESOLUTION 16-10-24-08**

MOTION: Commissioner Hayes – Motion to approve Resolution 16-10-24-08 as presented
SECOND: Commissioner Edwards
VOTE ON MOTION: Unanimous

MOTION CARRIED

SHELBY COUNTY, ALABAMA COMMISSION

RESOLUTION # 16-10-24-08

WHEREAS, **Adam B. Schober, Crystal J. Schober, Dennis Polley and Lori Estes Polley** are the owners of all the property abutting on or adjacent to the following described property and the public road, street, highway or right-of-way over and across said property that is proposed to be vacated, situated in Shelby County, Alabama:

That certain road located in Shelby County, Alabama known as "Saddle Ridge Drive" (hereinafter "Road"). Said Road extends westward from its beginning at Hughes Road over and across property owned by the Petitioners to the point wherein said Road ends in a cul-de-sac. Said Road is approximately 2,100 feet in length and lies in its entirety within the property boundaries owned by the Petitioners.

WHEREAS, the above owners are desirous of vacating said tract of land described above and the public road, street, highway or right-of-way 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 tract of land and the public road, street, highway or right-of-way over and across said property, and all public rights and easements therein, convenient and reasonable means of ingress and egress to and from the property will be afforded to all other property owners owning property in or near the tract of land embraced in said map, plat or survey by the remaining streets, avenues, or highways dedicated by said map, plat, or survey.

NOW THEREFORE, Be It Resolved the County Commission of Shelby County, Alabama, that they do hereby assent to the said **Adam B. Schober, Crystal J. Schober, Dennis Polley and Lori Estes Polley** vacating said tract of land and the public road, street, highway or right-of-way 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 said area vacated hereby.

MOTION TO ADJOURN RESOLUTION 16-10-10-10

MOTION: Commissioner Hayes – There being no further business to come before the Commission, move to adjourn this 24TH day of October, 2016 at 6:49 p.m.

SECOND: Commissioner Acker

VOTE ON MOTION: Unanimous

MOTION CARRIED

COMMISSIONER DAN ACKER

Daniel M. Acker

COMMISSIONER LINDSEY ALLISON

Lindsey Allison

COMMISSIONER ELWYN BEARDEN

Elwyn Bearden

COMMISSIONER TOMMY EDWARDS

Tommy Edwards

COMMISSIONER CORLEY ELLIS

Corley Ellis

COMMISSIONER ROBBIE HAYES

Robbie Hayes

COMMISSIONER JON PARKER

Jon Parker

COMMISSIONER RICK SHEPHERD

Rick Shepherd

COMMISSIONER MIKE VEST