



**SHELBY COUNTY COMMISSION  
JANUARY 8, 2018  
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 8:30 A.M., Monday, January 8, 2018. The meeting was called to order by Commissioner Parker. The invocation was given followed by the Pledge of Allegiance. Roll was called and the following members were present:

**PRESENT**

Commissioner Lindsey Allison  
Commissioner Elwyn Bearden  
Commissioner Tommy Edwards  
Commissioner Robbie Hayes  
Commissioner Kevin Morris  
Commissioner Jon Parker  
Commissioner Mike Vest  
Commissioner Ward Williams

**ABSENT**

Commissioner Rick Shepherd

**APPROVAL OF MINUTES OF DECEMBER 27, 2017  
RESOLUTION 18-01-08-01**

**MOTION:** Commissioner Bearden – Motion to approve the Minutes from December 27, 2017 as presented

**SECOND:** Commissioner Morris

**VOTE ON MOTION:** 7 Yeas – Commissioner Allison, Commissioner Bearden, Commissioner Hayes, Commissioner Morris, Commissioner Parker, Commissioner Vest and Commissioner Williams; 1 Abstained – Commissioner Edwards

**MOTION CARRIED**

**APPROVAL OF BILLS, REQUISITIONS, AND CHECK REGISTER  
GOVERNMENTAL FUNDS AND PROPRIETARY FUNDS**

**RESOLUTION 18-01-08-02**

**MOTION:** Commissioner Hayes – Motion to approve the Bills, Requisitions and Check Register for Government and Proprietary Funds

**SECOND:** Commissioner Morris

**VOTE ON MOTION:** Unanimous

**MOTION CARRIED**

**ROADS AND TRANSPORTATION**

**RIGHT-OF-WAY ACQUISITIONS/CONDEMNATIONS CR52 – CR-93**

**RESOLUTION 18-01-08-03**

**MOTION:** Commissioner Bearden – Motion to approve Resolution 18-01-08-03 as presented

**SECOND:** Commissioner Edwards

**VOTE ON MOTION:** Unanimous

**MOTION CARRIED**

**RESOLUTION No. 18-01-08-03**

**WHEREAS**, the Shelby County Commission (hereinafter “Commission”) has heretofore determined that the existing easements, rights-of-ways, highways, and intersection within Shelby County, Alabama located at the intersection of County Road No. 52 and County Road Number 93 are insufficient to provide for and allow the safe and convenient passage to the public and to the citizens of Shelby County and to others using the public highways within the county limits, and

**WHEREAS**, the acquisition of a permanent and perpetual easement in and to the hereinafter described property is needed in order to provide for the intersection improvements as shown in the plans and specification for Project Number ACAA59509-ATRP(013) and to provide adequate and safe public use of the existing public highway and highway system in Shelby County, and

**WHEREAS**, the Commission has and does hereby determine that it is in the best interest of the public health, safety, and welfare that a permanent and perpetual easement to, over, across, and on the hereinafter described property be obtained by Shelby County for public use as aforesaid from the owner or owners thereof by purchase or by the exercise of eminent domain:

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

1. That Shelby County, Alabama shall obtain by purchase or by the exercise of eminent domain, permanent and perpetual easements and temporary construction easements to, over, across, and on the real estate hereinafter described collectively on Exhibit “A” attached hereto, which said Exhibit “A” is adopted by reference and made a part and parcel hereof as fully as if set out herein.

2. The Temporary Construction Easements and the exclusive possession and use of the real property upon which the same are situated will be needed and used by the County until completion of the public improvement project described herein, not to exceed three years from the date of final acquisition of such Temporary Construction Easements; said Temporary

Construction Easements are needed and will be used for the purpose of accessing the work in progress on the pertinent public bridge and highway right-of-way project, providing a necessary work area for men, equipment, and supplies during the construction phase, to improve and redirect drainage, move and relocated driveway access for landowners to Shelby County Highway 52 and Shelby County Highway 93.

3. That the County Engineer and the County Attorney are authorized and directed to take such action and do such things as are reasonably necessary in order to acquire said properties and such real estate or interest therein deemed necessary, first by negotiation, and if negotiations are unsuccessful, by such legal actions as are necessary, and to do such other things as are deemed necessary or advisable in order to carry out and effectuate the terms and conditions hereof and to acquire such property and interest therein as they deem to be necessary and advisable and as recommended by engineers working for the County in connection therewith.

**RIGHT-OF-WAY ACQUISITIONS/CONDEMNATIONS CR52  
RESOLUTION 18-01-08-04**

**MOTION:** Commissioner Bearden – Motion to approve Resolution 18-01-08-04 as presented

**SECOND:** Commissioner Vest

**VOTE ON MOTION:** Unanimous

**MOTION CARRIED**

**RESOLUTION No. 18-01-08-04**

**WHEREAS**, the Shelby County Commission (hereinafter “Commission”) has heretofore determined that the existing easements, rights-of-ways, highways, and bridges within Shelby County, Alabama located at and crossing the Cahaba River on County Road No. 52 are insufficient to provide for and allow the safe and convenient passage to the public and to the citizens of Shelby County and to others using the public highways within the county limits, and

**WHEREAS**, the acquisition of a permanent and perpetual easement in and to the hereinafter described property is needed in order to provide for the replacement of the existing bridge and construction of a new bridge over the Cahaba River on County Road 52 in the city limits of Helena, Alabama, Structure No. O-CO0052-59-00009X-00, BIN 002380, and to provide adequate and safe public use of the existing public highway and highway system in Shelby County, and

**WHEREAS**, the Commission has and does hereby determine that it is in the best interest of the public health, safety, and welfare that a permanent and perpetual easement to, over, across, and on the hereinafter described property be obtained by Shelby County for public use as aforesaid from the owner or owners thereof by purchase or by the exercise of eminent domain:

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

1. That Shelby County, Alabama shall obtain by purchase or by the exercise of eminent domain, permanent and perpetual easements and temporary construction easements to, over, across, and on the real estate hereinafter described collectively on Exhibit “A”

attached hereto, which said Exhibit "A" is adopted by reference and made a part and parcel hereof as fully as if set out herein.

2. The Temporary Construction Easements and the exclusive possession and use of the real property upon which the same are situated will be needed and used by the County until completion of the public improvement project described herein, not to exceed three years from the date of final acquisition of such Temporary Construction Easements; said Temporary Construction Easements are needed and will be used for the purpose of accessing the work in progress on the pertinent public bridge and highway right-of-way project, providing a necessary work area for men, equipment, and supplies during the construction phase, to improve and redirect drainage, move and relocated driveway access for landowners to Shelby County Highway 52.

3. That the County Engineer and the County Attorney are authorized and directed to take such action and do such things as are reasonably necessary in order to acquire said properties and such real estate or interest therein deemed necessary, first by negotiation, and if negotiations are unsuccessful, by such legal actions as are necessary, and to do such other things as are deemed necessary or advisable in order to carry out and effectuate the terms and conditions hereof and to acquire such property and interest therein as they deem to be necessary and advisable and as recommended by engineers working for the County in connection therewith.

**GENERAL SERVICES  
SHELBY COUNTY 200<sup>TH</sup> ANNIVERSARY  
RESOLUTION 18-01-08-05**

**MOTION:** Commissioner Bearden – Motion to approve Resolution 18-01-08-05 as presented  
**SECOND:** Commissioner Hayes  
**VOTE ON MOTION:** Unanimous

**MOTION CARRIED**

**RESOLUTION 18-01-08-05**

**WHEREAS**, the United States Congress created the Alabama Territory from the eastern half of the Mississippi Territory on March 3, 1817; and,  
**WHEREAS**, Shelby County, Alabama was established on February 7, 1818 and was named for the Revolutionary War hero and the first Governor of Kentucky, Issac Shelby; and,  
**WHEREAS**, by 1819, the growth of cities, towns, and communities in the Alabama Territory ensured that the population sufficiently achieved the required number of inhabitants by Congress to qualify for Statehood; and the United States Congress and President James Monroe approved Statehood for the Alabama Territory on December 14, 1819 making it the nation's twenty-second state; and,  
**WHEREAS**, beginning in 1820 the first County seat was located in Shelbyville within the city limits of Pelham; and the county seat of Shelby County was moved to Columbiana in 1826 where it remains today; and,  
**WHEREAS**, the Shelby County Commission recognizes 2018 as the Bicentennial year for the County as a unique opportunity to celebrate and uplift the County during this historic time; and,

**WHEREAS**, Shelby County cities and communities are encouraged to acknowledge and celebrate the Bicentennial during 2018 to educate our residents and visitors on all our County has to offer and to promote lasting initiatives while celebrating our 200<sup>th</sup> year; and,  
**NOW, THEREFORE**, be it hereby proclaimed that 2018 is the year of Shelby County's Bicentennial.

**MOTION TO ADJOURN  
RESOLUTION 18-01-08-06**

**MOTION:** Commissioner Parker – There being no further business to come before the Commission, move to adjourn this 8th day of January 8, 2019 at 8:46 A.M.

**SECOND:** Commissioner Hayes

**VOTE ON MOTION:** Unanimous

**MOTION CARRIED**