



**SHELBY COUNTY COMMISSION
JANUARY 14, 2019
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 14, 2019. 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 Rick Shepherd
Commissioner Mike Vest
Commissioner Ward Williams

ABSENT

**APPROVAL OF MINUTES OF DECEMBER 26, 2018
RESOLUTION 19-01-14-01**

MOTION: Commissioner Shepherd—Motion to approve the Minutes from December 26, 2018 as presented

SECOND: Commissioner Williams

VOTE ON MOTION: 8 Yeas – Commissioner Allison, Commissioner Parker, Commissioner Shepherd, Commissioner Bearden, Commissioner Hayes, Commissioner Morris, Commissioner Vest, Commissioner Williams; 1 Abstention – Commissioner Edwards

MOTION CARRIED

**APPROVAL OF BILLS, REQUISITIONS, AND CHECK REGISTER
GOVERNMENTAL FUNDS AND PROPRIETARY FUNDS
RESOLUTION 19-01-14-02**

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

SECOND: Commissioner Hayes

VOTE ON MOTION: Unanimous

MOTION CARRIED

**BUDGET, FINANCE & LEGAL
RECORD BID AWARD –
OAK MOUNTAIN STATE PARK UTILITY LINE RELOCATION
ON JOHN FINDLAY DRIVE
RESOLUTION 19-01-14-03**

MOTION: Commissioner Allison – Motion to approve Resolution 19-01-14-03 as presented

SECOND: Commissioner Hayes

VOTE ON MOTION: Unanimous

MOTION CARRIED

RESOLUTION 2019-01-14-03

BE IT RESOLVED, that the Shelby County Commission hereby records the administrative bid award made by the County Manager of the base bid and all alternatives in the amount of \$288,443.95 for the Oak Mountain State Park Utility Line Relocation on John Findlay Drive to the lowest responsive bidder, Singleton Excavating, Inc. as follows:

BIDDER	BASE BID	ALTERNATE 1	TOTAL BASE BID & ALTERNATE
Singleton Excavating, Inc.	\$286,609.95	\$1,834.00	\$288,443.95
Byrd Contractors, Inc.	\$413,384.40	\$12,600.00	\$425,984.40
Startley General Contractors, Inc.	\$423,850.01	\$6,000.00	\$429,850.01
Takco, Inc.	\$464,728.90	\$22,435.97	\$487,164.87
Willoughby Contracting Co., Inc.	\$483,360.00	\$15,000.00	\$498,360.00
Jet-Pep, Inc.	\$513,410.02	\$12,000.00	\$525,410.02
Gillespie Construction, LLC	\$657,030.00	\$25,000.00	\$682,030.00

Said purpose of relocating the existing water line from its current location underneath John Findlay Drive in Oak Mountain State park is to prevent road damage, reducing existing leaks and preventing conflict with planned road construction activities, and all project design and construction expenses will be reimbursed to Shelby County by the Alabama Department of Conservation and Natural Resources (DCNR), as agreed upon in the Memorandum of Agreement executed on March 12, 2018 between the County and DCNR.

EBid #2018-12-10997 is located within the County Manager's Office.

**ROADS AND TRANSPORTATION
ALDOT CONTRACT – RESURFACING, PLANING, STRIPING, LEVELING
AND PATCHING ON SR-25 FROM CR-73 TO SR-3 (US-31)
RESOLUTION 19-01-14-04**

MOTION: Commissioner Edwards – Motion to approve Resolution 19-01-14-04 as presented
SECOND: Commissioner Hayes
VOTE ON MOTION: Unanimous **MOTION CARRIED**

RESOLUTION 19-01-14-04

WHEREAS, the County of Shelby, Alabama (hereinafter at times referred to as County) is desirous of having certain improvements made on State Route 25 within the Limits Shelby County, in accordance with plans prepared by the Alabama Department of Transportation and designated as Project No. STPAA-0025(553) Resurfacing, Planing, Striping, Leveling and Patching on SR-25 from CR-73 to SR-3(US-31) (Including Railroad Crossings of Norfolk Southern.

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 States of America 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 County of Shelby, 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 grading, draining, paving and otherwise improving and constructing 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 This project does not require permanent barricade or relation of any intersecting streets.

Please refer to: Project Notes	(Sheets 2J-2L)
Please refer to: Traffic Signal Plan Notes	(Sheet 2M)
Please refer to: General Traffic Control Plan Notes	(Sheets 2N-2O)
Please refer to: Traffic Control Plan	(Sheets 6-12)

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.

**HARRISON REGIONAL LIBRARY BOARD APPOINTMENT
RESOLUTION 19-01-28-07**

MOTION: Commissioner Bearden – Motion to approve Resolution 19-01-28-07 as presented
SECOND: Commissioner Vest
VOTE ON MOTION: Unanimous **MOTION CARRIED**

RESOLUTION 19-01-28-07

BE IT RESOLVED, that the Shelby County Commission hereby appoints Tyrus Kidd to the Harrison Regional Library Board.

EXECUTIVE SESSION AND ADJOURNMENT

RESOLUTION 19-01-28-08

MOTION: Commissioner Allison – Motion to go into Executive Session to discuss potential legal actions as recommended by the County Manager and County Attorney
SECOND: Commissioner Hayes

ROLL CALL VOTE ON MOTION:

Commissioner Allison – Yea
Commissioner Bearden – Yea
Commissioner Hayes – Yea
Commissioner Morris - Yea
Commissioner Parker-Yea
Commissioner Shepherd-Yea
Commissioner Vest-Yea
Commissioner Williams-Yea

RESOLUTION 19-01-28-08

The County Manager and County Attorney hereby request that the County Commission convene an executive session for the following purpose: Potential Litigation. This action is applicable to Act 2005-40 and Title 36. The County Commission will not be asked to take action concerning these matters and therefore the Commission meeting will be adjourned at the conclusion of the executive sessions. Butch Ellis, County Attorney stated on the record that the executive sessions comply with the application of the Open Meetings Act.

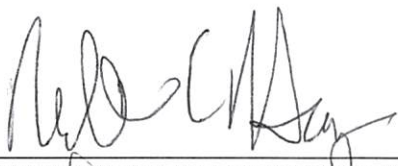
READ & APPROVED:

COMMISSIONER LINDSEY ALLISON



COMMISSIONER ELWYN BEARDEN

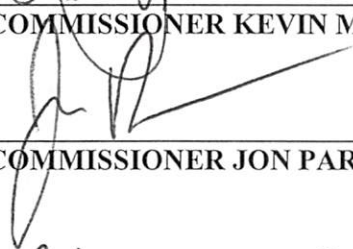
COMMISSIONER TOMMY EDWARDS



COMMISSIONER ROBBIE HAYES



COMMISSIONER KEVIN MORRIS

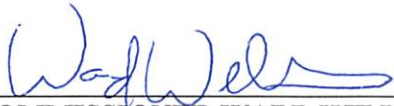


COMMISSIONER JON PARKER



COMMISSIONER RICK SHEPHERD

COMMISSIONER MIKE VEST



COMMISSIONER WARD WILLIAMS