



**SHELBY COUNTY COMMISSION
MARCH 12, 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, March 12, 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 Rick Shepherd
Commissioner Mike Vest
Commissioner Ward Williams

ABSENT

**APPROVAL OF MINUTES OF FEBRUARY 26, 2018
RESOLUTION 18-03-12-01**

MOTION: Commissioner Shepherd – Motion to approve the Minutes from February 26, 2018 as presented

SECOND: Commissioner Williams

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

MOTION CARRIED

**APPROVAL OF BILLS, REQUISITIONS, AND CHECK REGISTER
GOVERNMENTAL FUNDS AND PROPRIETARY FUNDS
RESOLUTION 18-03-12-02**

MOTION: Commissioner Shepherd – Motion to approve the Bills, Requisitions and Check Register for Government and Proprietary Funds
SECOND: Commissioner Edwards
VOTE ON MOTION: Unanimous **MOTION CARRIED**

**HEALTH AND HUMAN RESOURCES
BOARD OF EQUALIZATION BOARD APPOINTMENT TERMS
RESOLUTION 18-03-12-03**

MOTION: Commissioner Bearden – Motion to approve Resolution 18-03-12-03 as presented
SECOND: Commissioner Parker
VOTE ON MOTION: Unanimous **MOTION CARRIED**

RESOLUTION 18-03-12-03

BE IT RESOLVED, that the Shelby County Commission hereby records that Mr. John A. Jones, previously appointed to the Shelby County Board of Equalization effective on November 13, 2017, was appointed to a new term expiring on June 1, 2021.

BE IT FURTHER RESOLVED, Mr. Jim Martin was appointed February 26, 2018. His term is effective February 26, 2018 and fulfills the unexpired term of Jim Latham. Mr. Martin's term expires on June 1, 2019.

**BUDGET, FINANCE & LEGAL
PRESSURE SEALED CHECK FORMS
RESOLUTION 18-03-12-04**

MOTION: Commissioner Allison – Motion to approve Resolution 18-03-12-04 as presented
SECOND: Commissioner Shepherd
VOTE ON MOTION: Unanimous **MOTION CARRIED**

RESOLUTION 18-03-12-04

BE IT RESOLVED, that the Shelby County Commission hereby award the bid for Pressure Sealed Check Forms to the lowest responsive bidder, Walker Group as follows:

Form Type Summary	Dept	Order Quantity	Maridan Corp		Forms Plus		Walker Group	
			Cost/M	Total	Cost/M	Total	Cost/M	Total
8.5X11 Pressure Sealed Green Stock Checks	License	24,000	\$96.63	\$23,191.20	\$92.85	\$22,284.00	\$42.50	\$10,200.00
8.5x 11 Pressure Sealed Blue Stock Checks	License	4,000	\$373.73	\$14,949.20	\$92.85	\$3,714.00	\$42.50	\$1,700.00
8.5X11 Pressure Sealed Tan Stock Checks	License	2,000	\$691.02	\$13,820.40	\$92.85	\$1,857.00	\$42.50	\$850.00
TOTAL COST :				\$51,960.80		\$27,855.00		\$12,750.00

Said eBid #2018-2-10942 is located in the County Manager’s Office.

**BRAKE SERVICES – BID
RESOLUTION 18-03-12-05**

MOTION: Commissioner Allison – Motion to approve Resolution 18-03-12-05 as presented

SECOND: Commissioner Edwards

VOTE ON MOTION: Unanimous

MOTION CARRIED

RESOLUTION 18-03-12-05

BE IT RESOLVED, that the Shelby County Commission hereby records that no bids were received for Automotive Brake Services. Therefore, purchases will be made as outlined within the State of Alabama Bid Law.

Said eBid #2018-2-10945 is located in the County Manager’s Office.

**MOTION TO CONVENE AN EXECUTED SESSION
RESOLUTION 18-03-12-06
8:42 A.M.**

MOTION: Commissioner Allison – Motion to approve Resolution 18-03-12-06 as presented

SECOND: Commissioner Shepherd

ROLL CALL VOTE: Commissioner Allison – Yes, Commissioner Bearden-Yes, Commissioner Edwards-Yes, Commissioner Hayes-Yes, Commissioner Morris-Yes, Commissioner Parker-Yes, Commissioner Shepherd-Yes, Commissioner Vest-Yes, Commissioner Williams-Yes

MOTION CARRIED

RESOLUTION 18-03-12-06

The County Attorney and County Manager hereby request that the County Commission convene an executive session for the following: Legal briefing and associated legal actions pursuant to Section 7 (a) (3) of Act 2005-40.

The County Commission may take action concerning these matters and therefore the Commission meeting will be reconvened at the conclusion of the executive session.

Bent Owens, County Attorney stated on the record that the executive session is applicable to planned legal discussion and the associated application within the Alabama Open Meetings Act.

**MOTION TO RECONVENE COMMISSION MEETING
RESOLUTION 18-03-12-07
9:25 A.M.**

MOTION: Commissioner Allison – Motion to reconvene as presented

SECOND: Commissioner Shepherd

VOTE ON MOTION: Unanimous

MOTION CARRIED

RESOLUTION 18-03-12-07

BE IT RESOLVED, that the County Commission meeting is hereby reconvened from the Executive Session at 9:25 A.M.

**MOTION TO WAIVE THE RULES TO
ADD AN ACTION ITEM TO THE AGENDA – OPIOID LITIGATION
RESOLUTION 18-03-12-08**

MOTION: Commissioner Allison – Motion to waive the rules to add an action item to the agenda pertaining to the filing of litigation applicable to Shelby County’s Opioid Crisis.

SECOND: Commissioner Vest

VOTE ON MOTION: Unanimous

MOTION CARRIED

**BUDGET, FINANCE & LEGAL
OPIOID LITIGATION
RESOLUTION 18-03-12-08**

MOTION: Commissioner Allison – Motion to approve Resolution 18-03-12-08 as presented

SECOND: Commissioner Edwards

VOTE ON MOTION: Unanimous

MOTION CARRIED

RESOLUTION 18-03-12-08

WHEREAS, the Shelby County Commission has increasingly been made aware of Alabama and Shelby County’s opioid crisis affecting many Shelby County citizens and thousands of others throughout the State of Alabama, including many deaths due to accidental and intentional over consumption of opioids and addiction disorders impacting thousands of individuals and families, and;

WHEREAS, the County Commission wishes to attempt to protect its citizens as much as is reasonably possible from deceptive and unfair marketing practices and the illegal and inappropriate selling and distribution of opioids which are ravaging the citizens of Shelby County and burdening Shelby County with increasing monetary and societal costs, thus fueling a growing crisis in Shelby County and in the State of Alabama, and;

WHEREAS, Shelby County's opioid crisis is being at least partially fueled by pharmaceutical manufacturing companies, distributors of opioids and others engaged in the illegal and improper marketing of opioids to our citizens, and;

WHEREAS, The Shelby County Commission wishes to bring legal action in an effort to protect its citizens from deceptive and unfair marketing practices in the selling and prescribing of opioids, and to modify the behavior of the manufacturers and those distributing opioids illegally and recover a portion of the increasing monetary expenditures being made by Shelby County as it reacts to the ever growing opioid crisis and attempts to heal the broken lives of those left in its wake:

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

1. That the Shelby County Commission employ Beasley, Allen, Crow, Methvin, Portis and Miles P.C. and Ellis, Head, Owens and Justice (hereinafter "Attorneys") to pursue potential claims for damages against the manufacturers and distributors of opioids related to loses suffered by Shelby County, Alabama and its citizens as a result of the improper and or illegal manufacture, distribution, marketing and selling of opioids.
2. That the employment of said Attorneys will be based on the basis of the attorneys' fee being calculated at the rate of 27.5% of the net recovery after reimbursement of expenses incurred in pursuing such litigation, with the specific agreement that attorneys will not ask Shelby County for expense money during the handling of the litigation and that all case costs and expenses will be advanced by Attorneys with costs and expenses to be billed to Shelby County only if there is a financial recovery in favor of Shelby County by lawsuit or settlement.
3. That pursuant to General Law of the State of Alabama and Act 2001-451 and the resulting amendment to the Constitution of Alabama of 1901, the Shelby County Commission desires to impact and improve public health and safety, public health services and the associated education, prevention and treatment programs serving children and adults in Shelby County; Local efforts are required to combat opioid misuse, overdoses, deaths and associated crime; Public health and public safety services are necessary and are being implemented by Shelby County and others for justice-involved individuals and non-justice involved individuals and families impacted by the abuses associated with opioid consumption.
4. That the County Manager is authorized and directed to enter into an agreement with Attorneys in accord with the specified provisions contained in this resolution and take any actions necessary concerning this matter.

MOTION TO ADJOURN
RESOLUTION 18-03-12-09

MOTION: Commissioner Bearden – There being no further business to come before the Commission, move to adjourn this 12th day of March, 2018 at 9:29 A.M.

SECOND: Commissioner Vest

VOTE ON MOTION: Unanimous

MOTION CARRIED