



**SHELBY COUNTY COMMISSION
APRIL 23, 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 6:00 P.M., Monday, April 23, 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 APRIL 9, 2018
RESOLUTION 18-04-23-01**

MOTION: Commissioner Shepherd – Motion to approve the Minutes from April 9, 2018 as presented

SECOND: Commissioner Edwards

VOTE ON MOTION: Unanimous

MOTION CARRIED

**APPROVAL OF BILLS, REQUISITIONS, AND CHECK REGISTER
GOVERNMENTAL FUNDS AND PROPRIETARY FUNDS
RESOLUTION 18-04-23-02**

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

SECOND: Commissioner Shepherd

VOTE ON MOTION: Unanimous

MOTION CARRIED

BUDGET, FINANCE & LEGAL

BID AWARD – TECHNOLOGY CATALOG B

RESOLUTION 18-04-23-03

MOTION: Commissioner Allison – Motion to approve Resolution 18-04-23-03 as presented

SECOND: Commissioner Hayes

VOTE ON MOTION: Unanimous

MOTION CARRIED

RESOLUTION 18-04-23-03

BE IT RESOLVED, the Shelby County Commission hereby awards the bid for Technology B items including Computers, Televisions, Monitors and other equipment to the only responsive bidder Dell Marketing, L.P. as attached.

Said eBid #2018-2-10948 is located within the County Manager's Office.

BANK SIGNATURE DESIGNATION

RESOLUTION 18-04-23-04

MOTION: Commissioner Allison – Motion to approve Resolution 18-04-23-04 as presented

SECOND: Commissioner Edwards

VOTE ON MOTION: Unanimous

MOTION CARRIED

RESOLUTION 18-04-23-04

WHEREAS, in conducting the day-to-day cash disbursement functions of County business, County funds are routinely disbursed through both Electronic Funds Transfers (ETF) and through the preparation and issuance of checks payable through the local financial institutions charged with the safe keeping of such funds; and

WHEREAS, each financial institution charged with the custody of such funds requires a signature authorization form to be signed by the respective Shelby County Commission appointee designated to authorize the disbursement of such funds; and

WHEREAS, these signature authorization forms have to be routinely updated for any changes in Shelby County Commission Officers and/or the various management staff so designated to handle these functions on behalf of the Shelby County Commission; and

WHEREAS, these updates generally require a formal resolution by the Shelby County Commission to authorize these changes;

NOW THEREFORE, BE IT RESOLVED, that the Shelby County Commission hereby approves and authorizes the respective individuals in the following positions as the designated signatures for this purpose:

Commission Chairperson
Commission Vice-Chairperson
County Manager
County Chief Financial Officer
County Controller

**EXCESS PROPERTY TAX 2018
RESOLUTION 18-04-23-05**

MOTION: Commissioner Allison – Motion to approve Resolution 18-04-23-05 as presented

SECOND: Commissioner Edwards

VOTE ON MOTION: Unanimous

MOTION CARRIED

RESOLUTION 18-04-23-05

WHEREAS, certain sales of real property in Shelby County, Alabama, for the payment of taxes have resulted in an excess over and above the amount of the decree of sale, and costs and expenses subsequently accruing, and such excess has not been called for within three years after such sales by the person or persons entitled to receive the same; and

WHEREAS, the Shelby County Property Tax Commissioner has paid such excess funds into the county treasury; and

WHEREAS, the Shelby County Property Tax Commissioner has reported to the County Commission the cases in which such excess was paid, together with a description of the lands sold, when sold, and the amount of such excess;

NOW, THEREFORE, BE IT RESOLVED, AND ORDERED BY THE SHELBY COUNTY COMMISSION, PURSUANT TO §40-10-28, CODE OF ALABAMA 1975, AS FOLLOWS:

1. That Exhibit A, which is incorporated herein and made a part hereof, is a list of cases in which an excess was paid at tax sales, as set forth above, together with a description of the lands sold, and the amount of such excess and funds associated with the cases transferred prior to this date along with interest.

2. That the county treasurer is ordered to place the excess money described on the attached Exhibit A to the credit of the general fund of Shelby County, Alabama and make a record on his books of the same, and such excess shall thereafter be treated as part of the general fund of the county.

3. That at any time within 10 years after such excess has been passed to the credit of the general fund of the county, the County Commission may on proof by any person that he is the rightful owner of such excess order the payment thereof to such owner to his heir or legal representative, but it not so ordered and paid within such time, the same shall become the property of the county.

PLANNING AND ECONOMIC DEVELOPMENT

**ALCOHOL BEVERAGE LICENSE
ALDI'S 72
RESOLUTION 18-04-23-06**

MOTION: Commissioner Allison – Motion to approve Resolution 18-04-23-05 as presented
SECOND: Commissioner Edwards
VOTE ON MOTION: Unanimous **MOTION CARRIED**

**RESOLUTION 18-04-23-06
CASE NO. A18-004 ALDI 72**

WHEREAS, Mr. Troy Marshall representing ALDI, Inc., has submitted the attached documentation in support of a new application request for a 050-Retail Beer (Off Premises Only) license and a 070-Retail Table Wine (Off Premises Only) license for the retail sale of alcoholic beverages at a grocery store, ALDI 72, located at 4639 Hwy 280 Birmingham, AL 35242; and,

WHEREAS, ALDI 72 is situated in an unincorporated, zoned area of Shelby County and is subject to the *Zoning Ordinance of Shelby County*; and

WHEREAS, the property is zoned B-2, General Business in which such operations are permitted uses; and,

NOW, THEREFORE, BE IT RESOLVED, that *Case No. A18-004*, a new application submitted by Mr. Troy Marshall representing ALDI, Inc., in support of a new application request for a 050-Retail Beer (Off Premises Only) license and a 070-Retail Table Wine (Off Premises Only) license for the retail sale of alcoholic beverages at a grocery store is hereby approved.

**ROADS AND TRANSPORTATION
ROAD UTILITY EASEMENT VACATION- DUNNAVANT SQUARE
RESOLUTION 18-04-23-07**

MOTION: Commissioner Shepherd – Motion to approve Resolution 18-04-23-07 as presented
SECOND: Commissioner Vest
VOTE ON MOTION: Unanimous **MOTION CARRIED**

RESOLUTION 18-04-23-07

WHEREAS, Dunnavant Commercial, LLC, an Alabama Limited Liability Company, the owner of all the property abutting or in any way served by the following described property and the 30 foot utility easement(s) situated thereon and proposed to be vacated:

Utility Easements to be vacated, located on Lots C1, C3, C4 and C5 of Dunnavant Square Commercial Subdivision as recorded in Map Book 48 Page 79 in the Office of the Judge of Probate in Shelby County, Alabama and being more particularly described as follows:

LOT C1

Commence at the NE corner of Lot C1 of Dunnavant Square Commercial Subdivision as recorded in Map Book 48 Page 79 in the Office of the Judge of Probate in Shelby

County, Alabama; thence S 0°25'55" W along the westerly right-of-way of Dunnivant Valley Road for a distance of 20.14 feet to the POINT OF BEGINNING; thence S 00°25'55" W along said right-of-way a distance of 224.64 feet to a point; thence N 89°34'05" W leaving said right-of-way a distance of 30.00 feet to a point; thence N 00°25'55" E a distance of 224.15 feet to a point; thence N 89°29'12" E a distance of 30.00 feet to the POINT OF BEGINNING.

LOT C3 AND C4

Commence at the SE corner of Lot C3 and the NE corner of Lot C4 of Dunnivant Square Commercial Subdivision as recorded in Map Book 48 Page 79 in the Office of the Judge of Probate in Shelby County, Alabama; thence N 80°47'54" E along the south line of Lot C3 and the north line of Lot C4 a distance of 13.54 feet to the POINT OF BEGINNING; thence S 04°24'21" W a distance of 126.72 feet to a point; thence S 11°45'20" W a distance of 113.64 feet to a point on the westerly right-of-way of Dunnivant Valley Road; thence S 81°24'43" W along said right-of-way a distance of 12.32 feet to a point of non-tangent curve to the left having a central angle of 06°18'03" and a radius of 2462.71 feet, said curve subtended by a chord bearing N 06°22'34" E and a chord distance of 270.69 feet; thence leaving said right-of-way and along the arc of said curve a distance of 270.83 feet to a point; thence S 87°08'29" E a distance of 17.24 feet to a point; thence S 04°24'21" W a distance of 28.80 feet to the POINT OF BEGINNING.

LOT C5

BEGIN at the SE corner of Lot C5 of Dunnivant Square Commercial Subdivision as recorded in Map Book 48 Page 79 in the Office of the Judge of Probate in Shelby County, Alabama thence S 89°42'35" W along the south line of Lot C5 a distance of 32.05 feet to a point of non-tangent curve to the left having a central angle of 06°00'07" and a radius of 2462.71 feet, said curve subtended by a chord bearing N 17°25'14" E and a chord distance of 257.87 feet; thence along the arc of said curve a distance of 257.98 feet to a point; thence S 08°40'58" W a distance of 87.83 feet to a point; thence S 20°03'29" E a distance of 32.84 feet to a point of non-tangent curve to the right having a central angle of 03°06'35" and a radius of 2492.71 feet, said curve subtended by a chord bearing S 18°36'22" W and a chord distance of 135.28 feet; thence along the arc of said curve a distance of 135.29 feet to the POINT OF BEGINNING.

WHEREAS, the above Owner is desirous of vacating said utility easement(s) described above and requests that the assent of the County Commission of Shelby County, Alabama be given as required by law in such cases;

NOW THEREFORE, Be It Resolved by the County Commission of Shelby County, Alabama that they do hereby assent to said Owner, **Dunnivant Commercial, LLC**, an Alabama Limited Liability Company, vacating said utility easement(s) as described above and that the above described property be and the same is hereby vacated.

**MOTION TO ADJOURN
RESOLUTION 18-04-23-08**

MOTION: Commissioner Shepherd – There being no further business to come before the Commission, move to adjourn this 23RD day of April, 2018 at 6:20 P.M.

SECOND: Commissioner Vest

VOTE ON MOTION: Unanimous

MOTION CARRIED