

MORGAN COUNTY COMMISSION MEETING

The Morgan County Commission of Morgan County, Alabama, convened in a rescheduled meeting on Tuesday, August 16, 2022, at 9 a.m. in the Conference Room of the Commission in the Morgan County Commission Office, Morgan County Courthouse, Decatur, Alabama. The following members were present: Chairman Ray Long; Commissioners Jeff Clark, Randy Vest, Don Stisher, and Greg Abercrombie. Also present: Greg Bodley, County Engineer; David Langston, County Attorney; Julie Reeves, Chief Administrative Officer; Jessica Smith, Deputy Chief Administrative Officer; Sheryl Marsh, Communications Director; Laura Vest, Business Services Coordinator. Absent: None. Mrs. Reeves and Mrs. Vest acted as clerks of the Meeting. Mr. Vest offered the prayer and the Pledge of Allegiance. Mrs. Reeves called roll and stated that a quorum was present. The Chairman declared the Meeting open for the transaction of business.

VISITORS

Michael Wetzal, Decatur Daily
Heather McIngvale, Morgan County Sheriff's Office

AGENDA

The Agenda for the meeting of Tuesday, August 16, 2022, had been presented to the Commission for review.

After due consideration, it is therefore ordered by the Commission on motion of Mr. Don Stisher, seconded by Mr. Greg Abercrombie, and unanimously carried that there being no further additions or corrections to the above listed agenda; it is hereby approved.

MINUTES

The Minutes of the meeting held on Tuesday, August 9, 2022, had been presented via email to the Commission for review.

After due consideration, it is therefore ordered by the Commission on motion of Mr. Randy Vest, seconded by Mr. Jeff Clark, and unanimously carried that there being no further additions or corrections to the above referenced Minutes; they are hereby approved.

OLD BUSINESS:

ADOPT RESOLUTION AUTHORIZING THE CHAIRMAN TO ACCEPT BID FROM LYNN LAYTON FORD AS THE LOWEST RESPONSIVE BIDDER MEETING SPECIFICATIONS FOR (1) 2022 SUV FOR COUNTY COMMISSION IN THE AMOUNT OF \$41,840.

Mr. Jeff Clark, member of the Commission, offered the following resolution and moved for its adoption. Upon the same being duly seconded by Mr. Randy Vest, it was put to a vote and unanimously adopted to wit:

RESOLUTION 22-495

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby authorize the Chairman to accept bid from Lynn Layton Ford as the lowest responsive bidder meeting specifications for (1) 2022 SUV for County Commission in the amount of \$41,840, this the 16th day of August 2022.

ADOPT RESOLUTION AUTHORIZING THE CHAIRMAN TO ACCEPT BID FROM LYNN LAYTON FORD AS THE LOWEST RESPONSIVE BIDDER MEETING SPECIFICATIONS FOR (1) 2022 SUV FOR PROBATE JUDGE GREG CAIN IN THE AMOUNT OF \$48,285.

Mr. Greg Abercrombie, member of the Commission, offered the following resolution and moved for its adoption. Upon the same being duly seconded by Mr. Don Stisher, it was put to a vote and unanimously adopted to wit:

RESOLUTION 22-496

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby authorize the Chairman to accept bid from Lynn Layton Ford as the lowest responsive bidder meeting specifications for (1) 2022 SUV for Probate Judge Greg Cain in the amount of \$48,285, this the 16th day of August 2022.

ADOPT RESOLUTION RESCINDING RESOLUTION 22-494 SCHEDULING SPECIAL MEETING OF AUGUST 31, 2022.

Mr. Don Stisher, member of the Commission, offered the following resolution and moved for its adoption. Upon the same being duly seconded by Mr. Greg Abercrombie, it was put to a vote and unanimously adopted to wit:

RESOLUTION 22-497

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby rescind Resolution 22-494 scheduling special meeting of August 31, 2022, this the 16th day of August 2022.

NEW BUSINESS:

ADOPT RESOLUTION ADOPTING A POLICY FOR THE INVESTMENT OF AMERICAN RESCUE PLAN FUNDS.

Mr. Randy Vest, member of the Commission, offered the following resolution and moved for its adoption. Upon the same being duly seconded by Mr. Jeff Clark, it was put to a vote and unanimously adopted to wit:

RESOLUTION 22-498

TO ADOPT A POLICY FOR THE INVESTMENT OF AMERICAN RESCUE PLAN FUNDS

WHEREAS, Morgan County, Alabama has and will receive American Rescue Plan Act State and Local Recovery (ARPA) fund payments from the United States Department of Treasury (the "Treasury Department"); and

WHEREAS, guidance issued by the Treasury Department authorizes recipients of ARPA fund payments to retain interest earned on the investment of these funds; and

WHEREAS, the County is authorized to invest funds in accordance with the provisions of Section 11-81-21, Alabama Code 1975; and

WHEREAS, the Morgan County Commission (the "Commission") has determined that it is necessary to adopt policies and procedures to ensure the efficient and uniform investment of ARPA funds in conformance with state and federal law.

NOW THEREFORE, BE IT RESOLVED BY THE COMMISSION as follows:

ARPA funds not presently needed for the administration and implementation of projects or for other uses authorized by the American Rescue Plan Act may be invested in accordance with the policies and procedures set forth in the attached "Investment Policy for the Investment of American Rescue Plan Funds."

IN WITNESS WHEREOF, the Morgan County Commission has caused this Resolution to be executed in its name and on its behalf by its Chairman on this the 16th day of August 2022.

ADOPT RESOLUTION AUTHORIZING THE CHAIRMAN TO EXECUTE AN AGREEMENT WITH MORGAN STANLEY FOR INVESTMENT OF AMERICAN RESCUE PLAN FUNDS.

Mr. Don Stisher, member of the Commission, offered the following resolution and moved for its adoption. Upon the same being duly seconded by Mr. Jeff Clark, it was put to a vote and unanimously adopted to wit:

RESOLUTION 22-499

**AUTHORIZING EXECUTION OF AN AGREEMENT WITH MORGAN STANLEY
FOR INVESTMENT AMERICAN RESCUE PLAN FUNDS**

WHEREAS, Morgan County, Alabama has and will receive American Rescue Plan Act State and Local Recovery (ARPA) fund payments from the United States Department of Treasury (the "Treasury Department"); and

WHEREAS, guidance issued by the Treasury Department authorizes recipients of ARPA fund payments to retain interest earned on the investment of these funds; and

WHEREAS, the County is authorized to invest funds in accordance with the provisions of Section 11-81-21, Alabama Code 1975; and

WHEREAS, the Morgan County Commission (the "Commission") has adopted a policy for the investment of ARPA funds.

NOW THEREFORE, BE IT RESOLVED BY THE COMMISSION as follows:

1. The Commission Chairman is hereby authorized to enter into an investment agreement ("Agreement") with Morgan Stanley Smith Barney LLC Institutional Cash Advisory Program ("Morgan Stanley") for the investment of ARPA funds through a fund management program established for Alabama counties participating in the Investing in Alabama Counties Program.

2. The investment of any ARPA funds pursuant to the Agreement shall be in compliance with the County's Policy for the Investment of American Rescue Plan Act Funds as adopted by the Commission and amended from time-to-time.

3. In furtherance of the execution of the Agreement, the Commission hereby adopts the applicable provisions of the attached "Authorized Persons and Enabling Resolutions for Municipalities and Certain Other Unincorporated Entities for DVP Accounts" and authorizes the Commission Chairman to designate individuals authorized to act in regard to the Morgan Stanley investment account.

IN WITNESS WHEREOF, the Morgan County Commission has caused this Resolution to be executed in its name and on its behalf by its Chairman on this the 16th day of August 2022.

**ADOPT RESOLUTION AUTHORIZING THE CHAIRMAN TO EXECUTE A
CUSTODIAN ACCOUNT AGREEMENT WITH REGIONS BANK TO FACILITATE
THE INVESTMENT OF AMERICAN RESCUE PLAN FUNDS.**

Mr. Randy Vest, member of the Commission, offered the following resolution and moved for its adoption. Upon the same being duly seconded by Mr. Jeff Clark, it was put to a vote and unanimously adopted to wit:

RESOLUTION 22-500

**AUTHORIZING THE EXECUTION OF A CUSTODIAN ACCOUNT AGREEMENT
WITH REGIONS BANK TO FACILITATE THE INVESTMENT OF AMERICAN
RESCUE PLAN FUNDS**

WHEREAS, Morgan County, Alabama has and will receive American Rescue Plan Act State and Local Recovery fund payments ("ARPA funds") from the United States Department of Treasury (the "Treasury Department"); and

WHEREAS, the Morgan County Commission (the "Commission") has adopted an investment policy for the investment of ARPA funds; and

WHEREAS, the Commission has authorized the Commission Chair to enter into an agreement with Morgan Stanley Smith Barney LLC Institutional Cash Advisory Program (the "Morgan Stanley Agreement") for the investment of ARPA funds through a fund management program established for Alabama counties participating in the Investing in Alabama Counties Program;

WHEREAS, there is a need to establish a custodian account for ARPA funds invested pursuant to the Morgan Stanley Agreement.

NOW THEREFORE, BE IT RESOLVED BY THE COMMISSION as follows:

1. The Commission Chairman is hereby authorized to enter into an agreement with Regions Bank to establish and administer a custodian account for ARPA funds that are invested pursuant to the Morgan Stanley Agreement.
2. All custodian account activities shall be in compliance with the County's Policy for the Investment of American Rescue Plan Act Funds as adopted by the Commission and amended from time-to-time.
3. The Commission hereby authorizes the Commission Chairman to designate individuals authorized to act in regard to the custodian account in accordance with the attached "Resolution Granting Signing and Authority to Conduct Business."

IN WITNESS WHEREOF, the Morgan County Commission has caused this Resolution to be executed in its name and on its behalf by its Chairman on this the 16th day of August 2022.

**ADOPT RESOLUTION AUTHORIZING THE CHAIRMAN TO EXECUTE THE
LONG-TERM DETENTION SUBSIDY CONTRACT WITH THE ALABAMA
DEPARTMENT OF YOUTH SERVICES, ON BEHALF OF MICHELLE BIRDWELL,
JUVENILE PROBATION DIRECTOR, EFFECTIVE OCTOBER 1, 2022 THROUGH
SEPTEMBER 30, 2023.**

Mr. Jeff Clark, member of the Commission, offered the following resolution and moved for its adoption. Upon the same being duly seconded by Mr. Randy Vest, it was put to a vote and unanimously adopted to wit:

RESOLUTION 22-501

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby authorize the Chairman to execute the Long-Term Detention Subsidy Contract with the Alabama Department of Youth Services, on behalf of Michelle Birdwell, Juvenile Probation Director, effective October 1, 2022 through September 30, 2023, this the 16th day of August 2022.

**ADOPT RESOLUTIONS APPROVING CERTIFICATES TO SUBDIVIDE
PROPERTIES LOCATED WITHIN MORGAN COUNTY FOR THE FOLLOWING:**

- **PHILLIP ROGERS, PETER ROGERS, MARK
WALLACE, JOEL WALLACE,
AND ANDREW WALLACE
KYLE ROAD, DISTRICT 2**
- **DANIEL B. PARKER
TELEPHONE TOWER ROAD, APPLE GROVE ROAD,
DISTRICT 4**
- **BOB DAVENPORT
NEEL SCHOOL ROAD, DISTRICT 2**
- **CHRISTOPHER M. BROWN
WILHITE ROAD, DISTRICT 3**

Mr. Randy Vest, member of the Commission, offered the following resolutions and moved for their adoption. Upon the same being duly seconded by Mr. Greg Abercrombie, it was put to a vote and unanimously adopted to wit:

RESOLUTION 22-502

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby approve Certificate to Subdivide property located within Morgan County for the following:

- Phillip Rogers, Peter Rogers, Mark Wallace, Joel Wallace,
and Andrew Wallace
Kyle Road, District 2

this the 16th day of August 2022.

RESOLUTION 22-503

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby approve Certificate to Subdivide property located within Morgan County for the following:

- Daniel B. Parker
Telephone Tower Road, Apple Grove Road, District 4

this the 16th day of August 2022.

RESOLUTION 22-504

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby approve Certificate to Subdivide property located within Morgan County for the following:

- Bob Davenport
Neel School Road, District 2

this the 16th day of August 2022.

RESOLUTION 22-505

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby approve Certificate to Subdivide property located within Morgan County for the following:

- Christopher M. Brown
Wilhite Road, District 3

this the 16th day of August 2022.

**ADOPT RESOLUTION AUTHORIZING KISHA BOLDING, SALES TAX DIRECTOR,
TO HIRE A TEMPORARY EMPLOYEE FOR A CLERK POSITION FOR A PERIOD
BEGINNING AUGUST 16, 2022.**

Mr. Don Stisher, member of the Commission, offered the following resolution and moved for its adoption. Upon the same being duly seconded by Mr. Greg Abercrombie, it was put to a vote and unanimously adopted to wit:

RESOLUTION 22-506

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby authorize Kisha Bolding, Sales Tax Director, to hire a temporary employee for a clerk position for a period beginning August 16, 2022, this the 16th day of August 2022.

**ADOPT RESOLUTION AUTHORIZING KISHA BOLDING, SALES TAX DIRECTOR,
TO FILL THE FOLLOWING POSITION:**

- **CLERK, GRADE 4, (\$13.69-\$17.87) ----- SALES TAX**

Mr. Jeff Clark, member of the Commission, offered the following resolution and moved for its adoption. Upon the same being duly seconded by Mr. Randy Vest, it was put to a vote and unanimously adopted to wit

RESOLUTION 22-507

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby authorize Kisha Bolding Sales Tax Director, to fill the following position:

- Clerk, Grade 4, (\$13.69-\$17.87) ----- Sales Tax

this the 16th day of August 2022.

ADOPT RESOLUTION AUTHORIZING THE CHAIRMAN, ON BEHALF OF SEAN DAILEY, PARKS AND RECREATION DIRECTOR, TO PURCHASE (1) 2022 FORD F150 CREW CAB 4X4 TRUCK FROM STIVERS FORD LINCOLN, MONTGOMERY, AL, UTILIZING STATE CONTRACT T191, IN THE AMOUNT OF \$33,172, AND AMEND BUDGET ACCORDINGLY.

Mr. Randy Vest, member of the Commission, offered the following resolution and moved for its adoption. Upon the same being duly seconded by Mr. Jeff Clark, it was put to a vote and unanimously adopted to wit:

RESOLUTION 22-508

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby authorize the Chairman, on behalf of Sean Dailey, Parks and Recreation Director, to purchase (1) 2022 Ford F150 Crew Cab 4x4 truck from Stivers Ford Lincoln, Montgomery, AL, utilizing State Contract T191, in the amount of \$33,172, and amend budget accordingly, this the 16th day of August 2022.

ADOPT RESOLUTION AUTHORIZING REFUND OF EXCESS BID FROM MORGAN COUNTY TAX SALE AUCTION TO GUARDIAN TAX AL, LLC FOR PARCEL NO. 52 11 03 07 0 000 041.000 IN THE AMOUNT OF \$15,464 PER ORDER OF MORGAN COUNTY CIRCUIT COURT, CASE NO. CV-2001-900130.

Mr. Greg Abercrombie, member of the Commission, offered the following resolution and moved for its adoption. Upon the same being duly seconded by Mr. Jeff Clark, it was put to a vote and unanimously adopted to wit:

RESOLUTION 22-509

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby authorize refund of Excess Bid from Morgan County tax sale auction to Guardian Tax AL, LLC for Parcel No. 52 11 03 07 0 000 041.000 in the amount of \$15,464 per order of Morgan County Circuit Court, Case No. CV-2001-900130, this the 16th day of August 2022.

ADOPT RESOLUTION AUTHORIZING DON STISHER, DISTRICT 3 COMMISSIONER, TO PAY FOR PAVING AT FALKVILLE ELEMENTARY SCHOOL IN THE AMOUNT OF \$32,697.70 TO DOWN THE LINE USING ROAD & BRIDGE FUNDS WITH MORGAN COUNTY BOARD OF EDUCATION REIMBURSING THE COUNTY FOR SAME AMOUNT, AND AMEND BUDGET ACCORDINGLY.

Mr. Don Stisher, member of the Commission, offered the following resolution and moved for its adoption. Upon the same being duly seconded by Mr. Greg Abercrombie, it was put to a vote and unanimously adopted to wit:

RESOLUTION 22-510

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby authorize Don Stisher, District 3 Commissioner, to pay for paving at Falkville Elementary School in the amount of \$32,697.70 to Down the Line using Road & Bridge funds with Morgan County Board of Education reimbursing the County for same amount, and amend budget accordingly, this the 16th day of August 2022.

August 16, 2022

ADOPT RESOLUTION APPOINTING CHIEF TODD PINION TO THE MORGAN COUNTY EMERGENCY MANAGEMENT COMMUNICATIONS BOARD (E-911) REPLACING NATHANIEL ALLEN FOR THE REMAINDER OF 4-YEAR TERM EXPIRING APRIL 11, 2023.

Mr. Jeff Clark, member of the Commission, offered the following resolution and moved for its adoption. Upon the same being duly seconded by Mr. Randy Vest, it was put to a vote and unanimously adopted to wit:

RESOLUTION 22-511

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby appoint Chief Todd Pinion to the Morgan County Emergency Management Communications Board (E-911) replacing Nathaniel Allen for the remainder of 4-year term expiring April 11, 2023, this the 16th day of August 2022.

REVIEW AND APPROVE THE FOLLOWING INVOICES, TOTALING \$172.00:

<u>VENDOR</u>	<u>DESCRIPTION</u>	<u>TOTAL</u>
King Insurance Agency	Notary Bond – Rea, C.	\$60.00
Auto-Owners Insurance	Public Official Bond – Bolding, K.	112.00

Mr. Don Stisher, member of the Commission, moved for their approval. Upon the same being duly seconded by Mr. Greg Abercrombie, it was put to a vote, and unanimously approved.

ADOPT RESOLUTION SCHEDULING A MEETING OF THE MORGAN COUNTY COMMISSION, WEDNESDAY, AUGUST 31, 2022, AT 9 A.M.


Mr. Randy Vest, member of the Commission, offered the following resolution and moved for its adoption. Upon the same being duly seconded by Mr. Jeff Clark, it was put to a vote and unanimously adopted to wit:

RESOLUTION 22-512

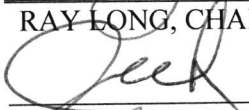
BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby schedule a meeting of the Morgan County Commission, Wednesday, August 31, 2022, at 9 a.m., this the 16th day of August 2022.

BE IT FURTHER RESOLVED by the Morgan County Commission of Morgan County, Alabama, that there being no further business to come before the Commission, the same on motion of Mr. Don Stisher, seconded by Mr. Greg Abercrombie, and unanimously carried; the Morgan County Commission is duly adjourned.

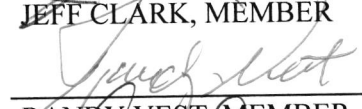
These Minutes were approved
this the 31st day of August 2022.



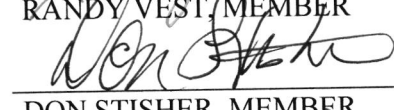
RAY LONG, CHAIRMAN



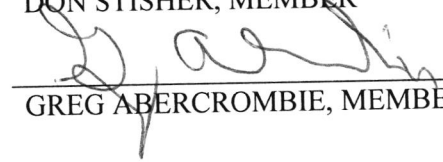
JEFF CLARK, MEMBER



RANDY VEST, MEMBER



DON STISHER, MEMBER



GREG ABERCROMBIE, MEMBER