

February 13, 2024

MORGAN COUNTY COMMISSION MEETING

The Morgan County Commission of Morgan County, Alabama, convened in a scheduled meeting on Tuesday, February 13, 2024, at 9:00 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: Commissioners Randy Vest, Don Stisher, and Greg Abercrombie. Also present: David Langston, County Attorney; Greg Bodley, County Engineer; Julie Reeves, Chief Administrative Officer; Jessica Smith, Deputy Chief Administrative Officer; Laura Vest, Business Services Coordinator. Absent: Chairman Ray Long; Commissioner Jeff Clark; Mike Wetzel, Communications Director. Mrs. Reeves and Mrs. Vest acted as clerks of the Meeting. Mr. Vest offered the prayer and Pledge of Allegiance. Mrs. Reeves called roll and stated that a quorum was present. Commissioner Vest, Chairman Pro tem, declared the Meeting open for the transaction of business.

VISITORS

Matthew Frost, Resident
Erica Smith, Decatur Daily
Bradley Pittman, Morgan County IT
Maegan Jones, Leading Edge Real Estate Group
Justin Jones, Alabama State Trooper

AGENDA

The Agenda for the meeting of Tuesday, February 13, 2024, 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, January 23, 2024, had been presented via email to the Commission for review.

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

OLD BUSINESS: NONE

NEW BUSINESS:

**ADOPT RESOLUTION AUTHORIZING THE CHAIRMAN TO SOLICIT
SEALED BIDS FROM THE LOWEST MOST RESPONSIVE BIDDER MEETING
SPECIFICATIONS TO REPLACE TWO (2) HVAC UNITS AT ENVIRONMENTAL
SERVICES AND INSTALL ONE (1) MINI-SPLIT SYSTEM AT THE INCINERATOR
OFFICE SITE AS REQUESTED BY JOHNNY HOWELL,
ENVIRONMENTAL SERVICES DIRECTOR.**

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 24-161

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby authorize the Chairman to solicit sealed bids from the lowest most responsive bidder meeting specifications to replace two (2) HVAC units at Environmental Services and install one (1) mini-split system at the Incinerator Office site as requested by Johnny Howell, Environmental Services Director, this the 13th day of February 2024.

**ADOPT RESOLUTION AUTHORIZING THE COMMISSION TO SUPPORT
AMENDMENT #1 IN THE PRIMARY ELECTION ON MARCH 5, 2024, ALLOWING
LOCAL BILLS AND LOCAL CONSTITUTIONAL AMENDMENTS TO BE
CONSIDERED BY THE LEGISLATURE WITHOUT THE ADOPTION OF A “BUDGET
ISOLATION RESOLUTION” (BIR), THEREBY REMOVING A PROCEDURAL STEP
FROM THE LEGISLATIVE PROCESS.**

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 24-162

WHEREAS, voters will soon consider Amendment 1, which will be on the ballot during the 2024 Primary Election held on March 5, 2024; and

WHEREAS, the Legislature regularly passes local laws and local constitutional amendments that impact the services provided to the county’s residents, as well as the mechanisms for funding these services; and

WHEREAS, some of these taxpayer-funded services include law enforcement, education, fire protection, ambulance services, the regulation of alcoholic beverages, and economic development; and

WHEREAS, since 1984, the Alabama Constitution has required that no legislation be considered by the Legislature until both the State’s annual budgets are based and delivered to the Governor, and

WHEREAS, there is an exception that allows the Legislature to consider other matters ahead of the budgets by adopting a “Budget Isolation Resolution” (BIR) by vote “of not less than three-fifths of a quorum present”, and

WHEREAS, the language of this exception has been interpreted various ways since 1984 and has generated lawsuits in recent years over how many votes are needed to adopt a BIR; and

WHEREAS, if a court finds that a local law’s BIR was adopted improperly, it could result in that local law being challenged on procedural grounds, even if the local law otherwise passed both chambers and became law; and

WHEREAS, Amendment 1 would allow local bills and local constitutional amendments to be considered by the Legislature without the adoption of a BIR, removing a procedural step from the legislative process; and

WHEREAS, the Association of County Commissions of Alabama has adopted a resolution encouraging Alabamians to vote yes to Amendment 1 on March 5, 2024.

NOW, THEREFORE BE IT RESOLVED BY THE MORGAN COUNTY COMMISSION that it encourages the citizens of the county to go to the polls on March 5, 2024, and make their voices heard on Amendment 1.

DONE this 13th day of February 2024.

**ADOPT RESOLUTION AUTHORIZING THE CHAIRMAN, ON BEHALF OF
JONATHAN WARNER, EMA DIRECTOR, TO ACCEPT QUOTE FROM TOTAL
COMFORT SERVICES, LLC IN THE AMOUNT OF \$23,000 FOR INSTALLATION OF
VENTILATION IMPROVEMENTS AND GAS HEATER AT WAREHOUSE LOCATED
ON HWY 20, 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 24-163

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby authorize the Chairman, on behalf of Jonathan Warner, EMA Director, to accept quote from Total Comfort Services, LLC in the amount of \$23,000 for installation of ventilation improvements and gas heater at Warehouse located on Hwy 20, and amend budget accordingly, this the 13th day of February 2024.

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

- **JAMES R. HAZEL
LIBERTY ROAD, DISTRICT 2**
- **JOHN E. KNIGHT
OLD HIGHWAY 31, DISTRICT 3**
- **WALTER AND GLENDA GREENHAW
HAMNER DRIVE, DISTRICT 4**
- **CHASE R. & ELIZABETH H. LUSK, AND
JASON S. & TAMI HAINES
BYRD ROAD, DISTRICT 2**
- **MICHAEL E. AND JAN NEWMAN
AL HIGHWAY 36 EAST, DISTRICT 2**
- **REBECCA SMALLWOOD ROBERTS
(F.K.A. REBECCA W. SMALLWOOD)
TIMBERGAP LANE, DISTRICT 2**

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

RESOLUTION 24-164

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:

- James R. Hazel
Liberty Road, District 2

this the 13th day of February 2024.

RESOLUTION 24-165

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:

- John E. Knight
Old Highway 31, District 3

this the 13th day of February 2024.

RESOLUTION 24-166

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:

- Walter and Glenda Greenhaw
Hamner Drive, District 4

this the 13th day of February 2024.

RESOLUTION 24-167

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:

- Chase R. & Elizabeth H. Lusk, and
Jason S. & Tami Haines
Byrd Road, District 2

this the 13th day of February 2024.

RESOLUTION 24-168

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:

- Michael E. and Jan Newman
AL Highway 36 East, District 2

this the 13th day of February 2024.

RESOLUTION 24-169

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:

- Rebecca Smallwood Roberts
(f.k.a. Rebecca W. Smallwood)
Timbergap Lane, District 2

this the 13th day of February 2024.

ADOPT RESOLUTION APPROVING EMPLOYEE ADDITIONS/DELETIONS FOR JANUARY 2024.

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 24-170

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby approve the following employee additions/deletions for January 2024, this the 13th day of February 2024:

<u>Additions</u>		<u>Deletions</u>	
Hannah Heath	Commission Office	Whitney Wilcutt	Community Corrections
Sarah Clem	Community Corrections	Matthew Scott	Jail
Alexia Brown	Jail	Trevor Wallingsford	Jail
Austin Kunkle	Jail	Stacy Lewis	Jail
Brittany Monceaux	Jail		
Stacy Lewis	Jail		
Marlen Moore	Jail		
Kasandra McClellan	Maintenance		
Zuleyca Bahena	Maintenance		
Gernarie Strong	Sales Tax		

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ADOPT RESOLUTIONS AUTHORIZING THE COMMISSION TO APPROVE REHIRE OF ASHLEY KEMP-MAYO AND AMANDA BROOKS IN ACCORDANCE WITH MORGAN COUNTY POLICIES AND PROCEDURES HANDBOOK, SECTION 6.08 HIRING OF FORMER EMPLOYEES.

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

RESOLUTION 24-171

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby authorize the Commission to approve rehire of Ashley Kemp-Mayo in accordance with *Morgan County Policies and Procedures Handbook*, Section 6.08 Hiring of Former Employees, this the 13th day of February 2024.

RESOLUTION 24-172

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby authorize the Commission to approve rehire of Amanda Brooks in accordance with *Morgan County Policies and Procedures Handbook*, Section 6.08 Hiring of Former Employees, this the 13th day of February 2024.

ADOPT RESOLUTION AUTHORIZING THE CHAIRMAN TO APPROVE LEAVE WITHOUT PAY FOR MATTHEW FROST, DISTRICT 3, BEGINNING FEBRUARY 12, 2024, THROUGH THE TIME OF FINAL ELECTION RESULTS. EMPLOYEE WILL BE RESPONSIBLE FOR FULL INSURANCE PREMIUMS IN THE AMOUNT OF \$641.78 PER MONTH.

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 24-173

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby authorize the Chairman to approve Leave Without Pay for Matthew Frost, District 3, beginning February 12, 2024, through the time of final election results. Employee will be responsible for full insurance premiums in the amount of \$641.78 per month, this the 13th day of February 2024.

ADOPT RESOLUTION AUTHORIZING THE CHAIRMAN TO SUBMIT PAYMENT FOR A PETITION FOR REFUND IN THE AMOUNT OF \$106,985.48 TO AMANDA SCOTT, REVENUE COMMISSIONER, AS A RESULT OF COMMISSIONS OVERPAID.

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 24-174

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby authorize the Chairman to submit payment for a Petition for Refund in the amount of \$106,985.48 to Amanda Scott, Revenue Commissioner, as a result of commissions overpaid, this the 13th day of February 2024.

ADOPT RESOLUTION AUTHORIZING AN EXPENDITURE OF \$3,000 PAYABLE FROM CONTINGENCY FUNDS TO THE DECATUR-MORGAN HOSPITAL FOUNDATION IN A JOINT EFFORT ALONG WITH CITY OF DECATUR TO INSTALL A SAFE HAVEN BABY BOX LOCATED AT DECATUR-MORGAN HOSPITAL, 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 24-175

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby authorize an expenditure of \$3,000 payable from Contingency Funds to the Decatur-Morgan Hospital Foundation in a joint effort along with City of Decatur to install a Safe Haven Baby Box located at Decatur-Morgan Hospital, and amend budget accordingly, this the 13th day of February 2024.

ADOPT RESOLUTION AUTHORIZING THE COMMISSION, AS REQUESTED BY JOHNNY HOWELL, ENVIRONMENTAL SERVICES DIRECTOR, TO REFUND SANITATION FEES PAID IN ERROR TO MR. HERMAN BOWSER, HARTSELLE, AL, FOR THE PERIOD OCTOBER 2017 THROUGH JUNE 2023 IN THE AMOUNT OF \$1,766.66.

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 24-176

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby authorize the Commission, as requested by Johnny Howell, Environmental Services Director, to refund sanitation fees paid in error to Mr. Herman Bowser, Hartselle, AL, for the period October 2017 through June 2023 in the amount of \$1,766.66, this the 13th day of February 2024.

ADOPT RESOLUTION AUTHORIZING THE APPROPRIATE ELECTED OFFICIAL/DEPARTMENT HEAD TO DECLARE ITEMS AS SURPLUS AND SELL OR DISPOSE OF PROPERLY.

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 24-177

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby authorize the appropriate elected official/department head to declare the following items as surplus and sell or dispose of properly, this the 13th day of February 2024:

- Sheriff Office
 - Abandoned Handguns (167)
- Commission on Aging
 - Office Chair
- EMA
 - IBM Selectric II Typewriter
 - Sharp ZY-1000 Typewriter

ADOPT RESOLUTION AUTHORIZING THE COMMISSION TO REMOVE ONE (1) IBM 6400-14 LPM PRINTER (#3183) FROM INFORMATION TECHNOLOGY INVENTORY.

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 24-178

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby authorize the Commission to remove one (1) IBM 6400-14 LPM Printer (#3183) from Information Technology inventory, this the 13th day of February 2024.

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**ADOPT RESOLUTION APPROVING DISBURSEMENTS FOR DECEMBER 2023,
TOTALING \$5,678,502.20.**

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 24-179

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby approve the following disbursements for December 2023, totaling \$5,678,502.20, this the 13th day of February 2024:

Morgan County Commission Accounts Payable Disbursements December 2023		
Account	Check Numbers	Total Amount
Accounts Payable	265109 - 265492	\$ 1,468,387.28
Accounts Payable ACH	11669 - 11773	4,210,114.92
Total		\$ 5,678,502.20

**ADOPT RESOLUTION APPROVING DISBURSEMENTS FOR JANUARY 2024,
TOTALING \$4,278,111.80.**

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 24-180

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby approve the following disbursements for January 2024, totaling \$4,278,111.80, this the 13th day of February 2024:

Morgan County Commission Accounts Payable Disbursements January 2024		
Account	Check Numbers	Total Amount
Accounts Payable	265493 - 265946	\$ 2,324,895.00
Accounts Payable ACH	11774 - 11843	1,953,216.80
Total		\$ 4,278,111.80

**ADOPT RESOLUTIONS AUTHORIZING THE CHAIRMAN TO EXECUTE
THE FOLLOWING CONTRACTS REPRESENTING THE PROMOTION OF MORGAN
COUNTY WHICH WILL BE PAYABLE FROM TOURISM, RECREATION
& CONVENTION FUNDS:**

- BREWER HIGH SCHOOL BASEBALL ----- \$150
- DANVILLE HIGH SCHOOL SOFTBALL ----- \$125

Mr. Don Stisher, 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 24-181

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby authorize the Chairman to execute the following contract representing the promotion of Morgan County which will be payable from Tourism, Recreation & Convention funds:

- Brewer High School Baseball ----- \$150

this the 13th day of February 2024.

RESOLUTION 24-182

BE IT RESOLVED by the Morgan County Commission of Morgan County, Alabama, that the Commission does hereby authorize the Chairman to execute the following contract representing the promotion of Morgan County which will be payable from Tourism, Recreation & Convention funds:

- Danville High School Softball ----- \$125

this the 13th day of February 2024.

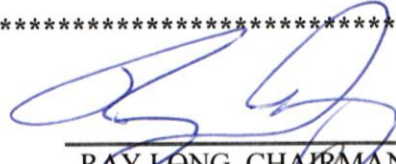
REVIEW AND APPROVE THE FOLLOWING INVOICES, TOTALING \$78,770.00:

<u>VENDOR</u>	<u>DESCRIPTION</u>	<u>TOTAL</u>
ARPA	Membership Dues – Dailey, S.	\$450.00
AL Probate Judges’ Assoc.	Membership Dues – Cain, G.	1,500.00
Simple Grants	Grant Strategy	4,250.00
Frameworks Architecture	Concession Building	2,820.00
Frameworks Architecture	Jail Maintenance Building	6,750.00
Goodwyn Mills Cawood	Morgan County Recreation Center	63,000.00

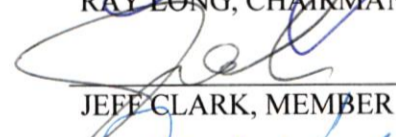
Mr. Greg Abercrombie, member of the Commission, moved for their approval. Upon the same being duly seconded by Mr. Don Stisher, it was put to a vote and unanimously approved.

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 27th day of February 2024.



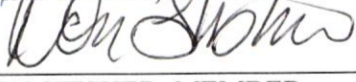
RAY LONG, CHAIRMAN



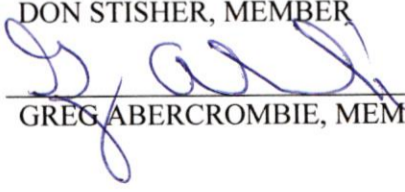
JEFF CLARK, MEMBER



RANDY VEST, MEMBER



DON STISHER, MEMBER



GREG ABERCROMBIE, MEMBER