

Recorded In DEPREC BK 1139 PG 382, 01/19/2022 03:57:47 PM
TOBY L. SEAY, PROBATE JUDGE, GENEVA COUNTY, ALABAMA

The Geneva County Commission met in regular session on Monday, November 22, 2021, at 9:30 a.m. at the Geneva County Courthouse in Geneva, Alabama.

Commission Chairman Toby Seay called the meeting to order and welcomed guests present. Commissioner Fulford opened the meeting with prayer. Chairman Seay led the group in the Pledge of Allegiance.

There were no elected officials requesting to make public comment.

There were no citizens requesting to make public comment.

Commission Chairman Seay called the roll, and the following members were present: Commissioners Weston Spivey, Todd Brannon, Bart Wilks, and Wade Fulford. County Attorney, Phil Eldridge; County Engineer, Justin Barfield; Assistant County Engineer, Mike Shirah; EMA Director, Brian Smith; Revenue Commissioner, Mary Ann Ellison, and County Administrator Cindy Williams were also present. The following business was transacted:

MINUTES OF THE MEETING

NEW BUSINESS:

1. Approve Minutes of November 8, 2021. Commissioner Brannon made a motion to approve the minutes of November 8, 2021. Commissioner Spivey seconded the motion. Vote was 4-0.
2. Public Hearing for County Redistricting Plan – Attorney Phil Eldridge stated that proper notice of a public hearing regarding the County Redistricting Plan had been published in the November 10 and November 17, 2021, local newspaper, notifying the public of the scheduled hearing today. He then asked if anyone was present to discuss, offer their opinions or objections to the redistricting plan. There were no citizens present to discuss, offer their opinions or objections to the redistricting plan. Chairman Seay read a resolution altering the boundaries of single-member districts for the Geneva County Commission. Commissioner Brannon made a motion to adopt the resolution altering the boundaries of single-member districts for the Geneva County Commission. Commissioner Spivey seconded the motion. Vote was 4-0.
3. Public Hearing for Vacation of a Public Road – Attorney Phil Eldridge stated that proper notice of a public hearing regarding the vacation of a public road, that road being Ausley Road in District 4, had been published four times in the local newspaper, notifying the public of a scheduled hearing today. He then asked if anyone was present to discuss or object to the vacation of Ausley Road. There

were no citizens present to discuss, or object to the vacation of the public road. Mr. Eldridge also stated that there is only one property owner on the road and the vacation does not deprive anyone of reasonable ingress or egress to their property. Chairman Seay read a resolution to vacate Ausley Road. Commissioner Fulford made a motion to adopt the resolution vacating Ausley Road. Commissioner Spivey seconded the motion. Vote was 4-0.

4. Proclamations/Resolutions: Chairman Seay read a resolution to adopt the 2021 Southeast Alabama Regional Multi-Jurisdiction Hazard Mitigation Plan. Commissioner Spivey made a motion to adopt the resolution for the 2021 Southeast Alabama Regional Multi-Jurisdictional Hazard Mitigation Plan. Commissioner Fulford seconded the motion. Vote was 4-0. EMA Director Smith asked Administrator Williams to forward a copy of the resolution to Southeast Alabama Regional Planning and Development. Chairman Seay read a Resolution for Expenditure of American Rescue Plan Act Funds for a Single Phase Temporary Premium Pay Program. After discussion Commissioner Wilks made a motion to pay employees five (\$5.00) dollars per hour temporary premium pay for the month of December 2021, and to adopt the resolution for Expenditure of American Rescue Plan Act Funds for a Single-Phase Temporary Premium Pay Program. Commissioner Fulford seconded the motion. Vote was 4-0.
5. Commissioner Spivey made a motion to allow the local mayors present to speak. Commissioner Brannon seconded the motion. Vote was 4-0. Samson Mayor Clay King spoke on behalf of the mayors present regarding the American Rescue Plan Funds. The municipalities are requesting funding from the American Rescue Plan funds to assist with Emergency Medical Services. This request is specifically to purchase a new ambulance for each municipality. He stated all the municipality EMS agencies service not only within the city limits but also the surrounding county in their areas and it is taxing to their equipment. During the peak of Covid their equipment was overburdened due to not only the extra runs but the total amount of runs and having to take patients out of state due to the lack of hospital beds in our area. He explained that each city has already submitted a request to the County for funds but had not heard from their requests. Chairman Seay explained that the County joined in a program offered by the ACCA that is assisting all counties that joined in properly spending the grant funds. The County has not expended any funds and are working with the ACCA to ensure all funds are spent as intended. The County does not want to expend the funds for items that may have to be repaid, when during an audit it is found the funds were not spent properly. He requested each city submit a new request which specifically itemizes what the request is for, and the amount of funding being requested, including justifications on the request being used in the mitigation of Covid. Each city's current request is simply a request for \$300,000.00. The County cannot write the municipalities a check for any amount for any project without the project being thoroughly vetted. Chairman Seay explained that the American Rescue Plan Funds are only to be spent in the mitigation of Covid. Once the requests are received the County will submit them to the ACCA to ensure the requests meet the requirements of the funding program. The County wishes to work with and assist

the municipalities in any way possible. Chairman Seay continued by stating the County has until December 2024 to expend or at least obligate the funds. Slocomb Mayor Rob Hinson spoke and thanked the County and said he looked forward to working with the County. He was asking for any guidance that could be offered on how the municipalities might request the funding so that it would be approved and asked the Commissioners to please consider the municipalities when expending the American Rescue Funds. Hartford Mayor Neil Strickland thanked the Commission and asked that the County please remember the municipalities when expending the funds, especially in the Emergency Services area. Geneva Mayor David Hayes also thanked the Commission and reiterated the fact that all the municipalities Emergency Services are used not only in the cities but in the County and stated that the greatest need for assistance is for Emergency Medical Services.

6. Bids: Bids were opened for hauling limerock/riprap for Road & Bridge. Two bids were received. Foshee Trucking and Johnston Trucking. Foshee Trucking was the lowest bid for the Calera and Brierfield Alabama area. Johnston Trucking was the lowest bid for all other areas that were bid. Commissioner Brannon made a motion to accept the bid from Foshee Trucking for the Calera and Brierfield Alabama area hauling of limerock/rip rap and the bid from Johnston Trucking for all other areas for hauling limerock/rip rap. Commissioner Spivey seconded the motion. Vote was 4-0. Engineer Justin Barfield stated that prices have increased 70% on hauling over the past decade.
7. Board Appointments: None
8. Approve 2022 Holiday Schedule. Commissioner Wilks made a motion to approve the 2022 Holiday Schedule with the stipulation that should the Courthouse revert to working five days per week after June 2022 that the alternate Holiday Schedule be followed. Commissioner Spivey seconded the motion. Vote was 4-0.

OLD BUSINESS:

REPORTS OF STAFF:

Sheriff: The Sheriff stated that he is aware the County offices will be closed on Friday beginning in January, but he will still have to post an officer at the front entrance because to his knowledge the State offices are not going to the four-day work week.

His office is hard at work on an ADECA grant in the amount of \$24,000.00 that could be used for the equipment outfit of his new vehicles when they arrive. The grant application is due November 30, 2021, and the Sheriff is asking the Commission for Chairman Seay to sign the grant application. Commissioner Wilks made a motion to allow Chairman Seay to sign the ADECA grant application for the Sheriff's department. Commissioner Brannon seconded the motion. Vote was 4-0.

A patrol vehicle was damaged over the weekend when it was hit by a deer. The insurance adjustor should be out this week.

Currently the jail staffing is down by two.

County Administrator: Mrs. Williams stated that her topics had already been discussed.

County Engineer: Engineer Barfield stated he had six (6) employees covering the county excluding the Motor Grader Operators. His staffing continues to decline. He had another employee submit his resignation last week.

There are five (5) driveway pipes on the books to be installed.

They have begun work on some of the thirty (30) FEMA projects.

The Rebuild Alabama projects are still waiting on permanent stripping on County Roads 8 and 49.

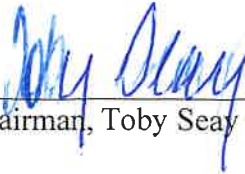
Continuing the discussion of driveway pipe installation on dirt roads from a previous meeting, Mr. Barfield stated he had researched comparative areas and was presenting to the Commission for consideration an initial draft of an application which would state the County would install the pipe, but maintenance would fall to the homeowner. Should the County deem maintenance was needed or required to the road at the fault of the owner, the owner would be responsible. The Engineer is not ready to walk away from the County installing pipes even given his current staffing situation but thinks some of the responsibility should be shared with the citizen/property owner. The County installing driveway pipes for citizens gives the County opportunity to ensure the pipes are installed correctly and to ensure the installation created the proper drainage flow as to not affect the roadway plus it is a more affordable option for the citizen than having a private business install the pipes. He gave an example of current pipe costs for an 18" x 30' pipe is \$792.00 which the County currently does not charge anything over cost to the citizen. Commissioner Fulford made a motion to table the pipe installation until further information can be gathered. Commissioner Spivey seconded the motion. Vote was 4-0. On the staffing front for his department, he is working with the Personnel department to have ads placed for Equipment Operator II positions.

County Attorney: Attorney Eldridge stated that the thirty (30) days past the publication notice has expired for the site work contractor, S & E for the Spec Building project at the Industrial Park and the final billing can now be paid if no material or labor liens have been filed. He also stated that the thirty (30) days will expire November 26, 2021, for the building contractor, Hughes Brothers for the project at the Industrial Park and their final invoice can be paid after that date, if no material or labor liens have been filed. After November 24, 2021, the resolution can be recorded for removal of land from the Industrial Park. At the December 13, 2021, Commission meeting the Commission can consider the sale of land to Wiregrass Electric.

Attorney Eldridge stated that regarding the cities request for funds from the American Rescue Plan it would be advisable to send a letter to each city requesting a financial statement on the EMS agencies. This could be included with the request to submit to the ACCA for review and their opinion on the request.

Commission Chairman: Chairman Seay stated that recently we had an energy company perform an audit on the Courthouse and that information has been submitted to the IAC for the ventilation projects at the Courthouse and Farm Center. This is a project under

The above constitutes the minutes of the meeting of the Geneva County Commission held on Monday, November 22, 2021.



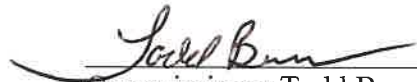
Chairman, Toby Seay



Cindy Williams
County Administrator



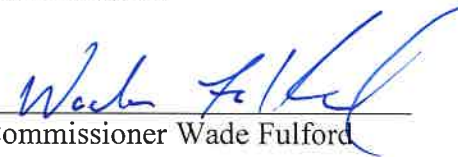
Commissioner Weston Spivey



Commissioner Todd Brannon



Commissioner Bart Wilks



Commissioner Wade Fulford

**RESOLUTION TEMPORARY PREMIUM PAY SINGLE PHASE
RESOLUTION FOR EXPENDITURE OF AMERICAN RESCUE
PLAN ACT FUNDS FOR TEMPORARY PREMIUM PAY
PROGRAM**

WHEREAS, Geneva County, Alabama has received American Rescue Plan Act fiscal recovery funds (“ARPA funds”) and is charges with ensuring that such funds are expended in accordance with state and federal law; and

WHEREAS, providing premium pay to eligible County employees is an authorized use of ARPA funds; and

WHEREAS, Geneva County, Commission (the “Commission”) has determined that appropriating ARPA funds to provide premium pay to eligible County employees in response to their performing essential work during the COVID-19 pandemic is a necessary and reasonable use of these funds; and

WHEREAS, the Commission desires to establish a temporary premium pay program to provide premium pay to eligible County employees as additional compensation during certain designated pay periods.

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

1. There is hereby established the Geneva County Temporary Premium Pay Program (the “TPP Program”) to provide temporary premium pay (“TPP”) as additional compensation to eligible County employees during designated pay periods (“TPP pay periods”).
2. Except as otherwise provided herein, eligible County employees are employees whose assigned work duties require them to regularly interact in person with the public or their co-workers, or to regularly physically handle items that were handled by the public or their co-workers. Elected County officials are not eligible employees for the purposes of the TPP Program.
3. Except as otherwise provided in paragraphs 6, 7, and 8 of this Resolution, during each TPP pay period, eligible employees will receive as additional compensation TPP in the amount of \$5.00 per hour up to a maximum total \$2,000.00.
4. The TPP pay periods are as follows: three consecutive pay periods starting with the pay period beginning November 22, 2021 and ending December 4, 2021; the pay period beginning December 5, 2021 and ending December 18, 2021 and the pay period beginning December 19, 2021 and ending

January 1, 2022. Only hours worked in December 2021 will be eligible for TPP pay.

- 5. TPP shall be in addition to an eligible employee's regular rate of wages and other compensation, with no reduction, substitution, offset, or other diminishment of the employee's current and prospective wages or other compensation.
- 6. TPP payments shall be included in the calculation of an employee's regular rate of pay for purposes of calculating overtime pay.
- 7. Additional compensation attributable to the TPP Program, including additional compensation for overtime pay attributable to the payment of TPP shall not exceed \$1,500.00 for each eligible employee during the TPP Program.
- 8. In accordance with the provisions of the American Rescue Plan Act and rules adopted thereunder, TPP
 - a. Shall not be provided for work performed while an employee is teleworking from a residence or other non-job-related location and
 - b. Shall not be provided to the extent that it would increase an eligible employee's total wages and remuneration, including additional compensation for overtime pay attributable to the payment of TPP, above \$70,260 or another amount equal to 150 percent of the higher of Alabama's or the County's annual average wage for all occupations as defined by the most recent the Bureau of Labor Statistics' Occupational Employment and Wage Statistics.
- 9. The Geneva County Administrator, Cindy Williams, is hereby authorized to expend ARPA Funds in accordance with the provisions of this Resolution for any and all additional compensation and additional covered benefits provided to employees as a result of the TPP payments authorized herein.
- 10. Payment of TPP, as authorized by this Resolution, shall be contingent on the continued appropriation and availability of ARPA funds for this purpose.

IN WITNESS WHEREOF, the Geneva County Commission has caused this Resolution to be executed in its name and on its behalf by its Chairman on the 22nd day of November, 2021.



 Chairman, Geneva County Commission

RESOLUTION 2021122

A RESOLUTION ALTERING THE BOUNDARIES OF SINGLE-MEMBER DISTRICTS FOR THE GENEVA COUNTY COMMISSION

WHEREAS, Section 11-3-1.1 of the Code of Alabama, 1975, as amended, authorizes the Geneva County Commission to alter the boundaries of the districts following the release of any federal decennial census; and


WHEREAS, the Geneva County Commission, upon reviewing the 2020 Census data, has determined that changes in the population of each district warrant adjustments to the district boundaries to ensure equality in the voting process; and

WHEREAS, the Geneva County Commission has publicly advertised notification of a map depicting proposed changes to the district boundaries on November 10 and 17, 2021 in compliance with Section 11-3-1.1(c) of the Code of Alabama, 1975; and


WHEREAS, the Geneva County Commission has duly considered public comments regarding the proposed changes;

NOW THEREFORE BE IT RESOLVED BY THE COUNTY COMMISSION OF GENEVA COUNTY, ALABAMA that the revised district boundaries, attached hereto and make a part hereof, shall be adopted pursuant to the authority granted by Section 11-3-1.1, Code of Alabama, 1975.

This resolution is hereby passed and approved by the Geneva County Commission in official session on this the 22nd of November, 2021.


Chairman

(SEAL)


Administrator

Geneva County, Alabama
RESOLUTION NO. 2021122-2

OFFREC 1139 391

**ADOPT THE 2021 SOUTHEAST ALABAMA REGIONAL
MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN**

WHEREAS, the Geneva County Emergency Management Agency has engaged in extensive studies of the hazards facing all of Geneva County; and

WHEREAS, the Geneva County Emergency Management Agency, with guidance from the Geneva County Local Emergency Planning Committee and as required by the Federal Emergency Management Agency, has participated in the preparation of the 2021 Southeast Alabama Regional Multi-Jurisdictional Hazard Mitigation Plan which will supersede any and all previous hazard mitigation plans; and

WHEREAS, the Geneva County Commission was provided with adequate opportunity to participate in the hazard mitigation planning process and is represented on the Geneva County Local Emergency Planning Committee; and

WHEREAS, the primary goals of this plan are to reduce the loss of life, property damage, and economic loss; make Geneva County less vulnerable to natural disasters; and to provide education about hazards and hazard mitigation options; and,

WHEREAS, the strategies of this plan are to identify and characterize hazards, access risk, prioritize and implement mitigation measures; and,

WHEREAS, adoption and implementation of the 2021 Southeast Alabama Regional Multi-Jurisdictional Hazard Mitigation Plan would be in the best interest and protection of the citizens of Geneva County.

NOW THEREFORE BE IT RESOLVED that the County Commission of Geneva County, Alabama does hereby adopt the document entitled the 2021 Southeast Alabama Regional Multi-Jurisdictional Hazard Mitigation Plan.

ADOPTED this 22 day of NOVEMBER, 2021.



Toby Seay, Chairman

ATTEST:



Cindy Williams, Chief Administrative Clerk



Geneva County Emergency Management

P.O. Box 430
Geneva, AL 36340
Phone (334) 684-5677
Fax (334) 684-5678

OPENED 11/29/2021

DESIGNATION OF THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS) AS THE BASIS FOR ALL INCIDENT MANAGEMENT IN GENEVA COUNTY

WHEREAS, the President in Homeland Security Directive (HSPD-5), directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for federal, State, Local and Tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size or complexity;

WHEREAS; the collective input and guidance from all Federal, State, Local and Tribal homeland security partners have been, and will continue to be, vital to the development, effective implementation and utilization of a comprehensive NIMS;

WHEREAS: it is necessary and desirable that all Federal, State, Local, and Tribal emergency agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management;

WHEREAS: to facilitate the most efficient and effective it is critical to Federal, State, Local and Tribal organizations utilize standardized terminology, standardized organizational structures, uniform personnel qualification standards, uniform standards for planning, training and exercising, comprehensive resource management, and designated incident facilities during emergencies or disasters;

WHEREAS: the NIMS standardized procedures for emergency personnel, communications, facilities and resources will improve Geneva County's ability to utilize federal funding to enhance local agencies readiness, maintain first responder safety and streamline incident management processes;

WHEREAS: the Incident Command System components of NIMS are already an integral part of various incident management activities throughout Geneva County, including current emergency management training programs and;

WHEREAS, the National Commission on Terrorist Attacks (9-11 Commission) recommended adoption of a standardized Incident Command System;

NOW, THEREFORE, the Geneva County Commission, by virtue of the authority invested in me by the Constitution and Laws of the State of Alabama and do hereby establish the National Incident Management System (NIMS) as the Geneva County standard for incident management.

ADOPTED AND APPROVED this 22nd day of November, 2021

Attest:

Cindy Williams, County Administrator

Judge Toby Seay, Commission Chair