

The Geneva County Commission met in regular session on Monday, January 10, 2022, 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 Brannon 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; Sheriff, Tony Helms; EMA Director, Brian Smith; Solid Waste Director, Dawn Smith and County Administrator, Cindy Williams was also present. The following business was transacted:

### MINUTES OF THE MEETING

#### NEW BUSINESS:

1. Approve Minutes of December 13, 2021. Commissioner Fulford made a motion to approve the minutes of December 13, 2021. Commissioner Spivey seconded the motion. Vote was 4-0.
2. Ms. Dawn Ivy with the Southeast Alabama Solid Waste Disposal Authority was present to give an overview of the Authority. In 1992 the EPA mandated that all solid waste be put in a lined landfill. The Wiregrass area did not have a lined landfill and it was too expensive for each city or county to build one. The counties of Dale, Geneva, Henry and Houston and the majority of the cities and towns within them worked together to create a regional disposal authority to be able to control the rates for their waste disposal and from this the Southeast Alabama Solid Waste Disposal Authority was formed and incorporated. In 1993 three transfer stations were built in Dale County, Geneva County and Henry County so the cities and counties could bring their waste there. All the initial debt has been paid off and the Authority stands on its own. Members are not liable for the debt. In 2017 a new tipping floor was built at the Dale County location. This allows the trucks to get in and out much faster. With this system there is virtually no waiting for the trucks to dump. They weigh in, dump, and weigh out. In 2019, in preparation of building tipping floors at the two other facilities in Geneva and Henry counties, a price increase was put in effect. As a result of that, a new tipping floor will be built at the Henry County facility beginning in January 2022.

Ms. Ivy also had previously sent a mutual exercise of option to renew the user contract to Attorney Eldridge which he has reviewed which increased the renewal period from five years to seven years. The old contracts were for a five-year term, but this contract will be for a seven-year term. Commissioner Spivey made a motion to allow Chairman Seay to sign the contract renewal with the Southeast Alabama Solid Waste Disposal Authority. Commissioner Wilks seconded the motion. Vote was 4-0.

3. Board Appointments: None.
4. Proclamation/Resolution: None
5. Bids/Quotes: None

**OLD BUSINESS:**

**REPORTS OF STAFF:**

**Sheriff:** The Sheriff stated that for the first time since the new jail opened, he is fully staffed. He also stated that the Road clean-up crew would be starting back this week.

**County Administrator:** Mrs. Williams asked the Commission about the policy for Covid leave. The CDC now states that an individual should remain quarantined for five (5) days after testing positive. Commissioner Wilks made a motion that any employee testing positive for Covid remain out of work for five (5) days per CDC guidelines and following the advice of their medical provider. Commissioner Spivey seconded the motion. Vote was 4-0.

Mrs. Williams also asked about Holiday Pay. Currently all holidays, no matter the work schedule are paid at eight (8) hours. There has been many employee enquires regarding holiday pay since the Courthouse employees also work ten (10) hour days. After discussion Commissioner Wilks spoke on behalf of the Commission and stated holiday pay would remain being paid at eight (8) hours.

**County Engineer:** Engineer Barfield stated that per the Rebuild Alabama Act he must present the information and expense from the previous year. The County Transportation Plan approved in FY2020 for FY2021 was discussed. The project included paving work on 9.27 miles on County Roads 8 and 49, costing around \$175,000.00 per mile. Funds from the Rebuild Alabama Fund, Federal Aid Fund, Gasoline Fund and RRR Fund were used to fund the project. A total of \$1,765,522.34 was spent using the Rebuild Alabama Act funds. From this amount, \$841,447.46 was used to buy pipe, aggregate, borrow material, and liquid emulsion. The plan must be recorded with the minutes and posted at the Courthouse and on the website.

Three of the FEMA projects are bridges that are still out from Hurricane Sally, which occurred in September 2020. Mr. Barfield has a call today with FEMA and the State and a meeting scheduled with Senator Tuberville's office. The department has completed the work on Mt. Pleasant Road and has until April to complete the remaining projects. A letter was sent out last week to all attorneys, surveyors, engineering firms etc. on the new Geneva County Subdivision guidelines. The guidelines went into effect January 1, 2022.

In FY2021 his department installed 128 driveway pipes and anticipates about the same number in FY2022. Each pipe takes an average of one-half day to install and the use of a dump truck and excavator. Last week the Eastern crew spent three days installing driveway pipes.

The striping on County Roads 8 and 49 should be completed by the end of January. The department is still down seven (7) employees.

**County Attorney:** Attorney Eldridge stated that last Thursday the Department of Treasury came out with the final rule on the ARPA funds. According to the rule the determination of revenue loss has changed which would allow declaring as a standard allowance up to ten million dollars as revenue loss not to exceed the County's award. The County is receiving \$5,200,000.00 in ARPA funds. Mr. Eldridge said it is basically like the standard deductions on regular income tax where you have standard and itemized deductions. From his review it looks as if any traditional government services could be funded with this revenue loss. The final rule takes effect April 22, 2022. Mr. Eldridge read from the overview of the final rule on the standard allowance, and this would open up the freedom to spend the ARPA funds. Chairman Seay added that the IAC is reviewing the final rule and will be meeting with counties to discuss the plan going forward. He also stated the cities seeking proceeds from the County still need to prioritize their request and submit them in writing.

Attorney Eldridge stated that a motion to convene in executive session to discuss with their attorney the legal ramifications of and legal options regarding pending litigation and a controversy where litigation is imminently likely if the Commission pursues a proposed course of action will be needed at the end of the regular Commission meeting. Attorney Eldridge stated that he is a legally licensed attorney of the State of Alabama and the planned discussion fits into this category.

**Commission Chairman:** Chairman Seay stated that payment had been received from Wiregrass Electric for the acreage from the Industrial Park and has been deposited in the Economic Development Fund.

The Chairman has spoken with CD&G regarding updating the sign at the Industrial Park. A \$10,000.00 grant, which must be spent by May 1, 2022, has been received that will be used for this project.

Approval has been received for the ARPA fund project with Geneva Water Works. The City of Samson has also sent a request for a water project, and it has been submitted to the ACCA office. He also has word that the cities of Hartford and Slocomb will be submitting water projects.

A change order has been received for the parking lot and portico. There has been a discovery of an old terracotta line, which has caused problems in the existing lot. The line has been capped and they are outlining a 10 x 20 section in mitigation efforts. Commissioner Spivey made a motion to approve the change order for the parking lot and portico and allow Chairman Seay to sign the change order. Commissioner Brannon seconded the motion. Vote was 4-0. Attorney Eldridge stated that the change order fits and does not exceed the amount.

Chairman Seay also stated he had reviewed the lease agreement for the farmland at the Industrial Park and it expires in March. The seventy-four (74) acres will be reduced due

to the spec building and the sale of land to Wiregrass Electric so the new bid should be for fifty-four acres. Attorney Eldridge stated the bid announcement would have to run in the newspaper one time.

**EMA Director:** Mr. Smith stated that the weather sirens are scheduled to go off this Thursday.

**Revenue Commissioner:** Ms. Ellison was not present.

**Solid Waste Director:** Mrs. Smith had nothing to report.

**E-911:** Mr. Williams was not present.

**Auburn Extension:** Not present but sent word that they are still in the planning process for 2022. Their offices will be closed from December 20, 2021 - January 2, 2022.

**Commissioner's:** Commissioner Spivey thanked the Sheriff for his assistance in his district.

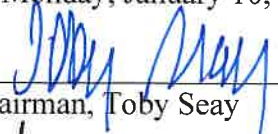
Commissioner Wilks stated he wanted to discuss the driveway pipe installation and whether to have a fee associated with the installation. This subject has been put off and needs a resolution. Currently citizens only pay for the pipe, at County cost. Commissioner Spivey made a motion to have a \$300.00 installation charge in addition to the cost of the pipe. Commissioner Wilks seconded the motion. Vote was 2-2. Commissioner Wilks withdrew his second. Commissioner Wilks then made a motion to allow approved ASTM plastic pipe in driveways in addition to metal and concrete and for the Road & Bridge department to no longer stockpile pipe; citizens will be responsible for purchasing the pipe from an outside vendor, have it delivered to their property and call the Road & Bridge department to schedule installation, at no additional charge. Commissioner Brannon seconded the motion. Vote was 4-0. The new pipe policy will take effect April 1, 2022.

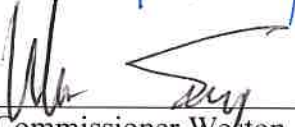
Chairman Seay recognized Mr. Kyle Hovey with the Geneva County Volunteer Firefighters Association and thanked him for attending. Mr. Hovey stated that he wanted to publicly apologize to the Commission for some comments that had been made on Facebook. He thanked the Commission for what they do for the Association and asked them to please consider the Fire and EMS services where the ARPA funds are concerned, due to the need for equipment and radios.

Attorney Eldridge requested a motion to go into executive session based on the grounds stated in his part of this meeting. Chairman Seay polled the Commissioners for a vote on going into executive session. Commissioner Spivey, yes; Commissioner Brannon, yes; Commissioner Wilks, yes; Commissioner Fulford, yes. Mr. Eldridge stated the executive session would take approximately fifteen minutes.

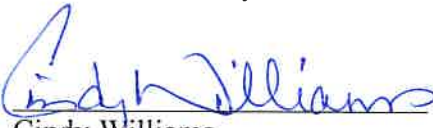
The regular scheduled Commission meeting resumed. Commissioner Fulford made a motion to approve the confidential Alabama – specific Opioid settlement with defendants Endo Health Solutions and Endo Pharmaceuticals Inc. and authorizing the Chairman to execute the sign-on agreement for Geneva County. Commissioner Spivey seconded the motion. Vote was 4-0.

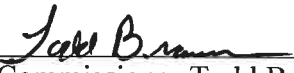
The above constitutes the minutes of the meeting of the Geneva County Commission held on Monday, January 10, 2022.


  
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Chairman, Toby Seay

  
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Commissioner Weston Spivey

  
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Commissioner Bart Wilks

  
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Cindy Williams  
County Administrator

  
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Commissioner Todd Brannon

  
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Commissioner Wade Fulford



# FY 2021 County Rebuild Alabama Annual Report

## Geneva County



Map Index	Project No.	Road Name/Number	Begin		End		Project Details				Method in Which Rebuild Funds Were Utilized				CRAF or FAEF	CRAF Amount	FAEF Amount		
			Lat.	Long.	Lat.	Long.	Road Improvement	Bridge Improvement	Project Length (miles)	Description of Work	Amount Expended Utilizing Competitive Bid Contracts	Amount Expended Utilizing Public Works Contracts	Amount Expended Exempt From Competitive and/or Public Works Contracts	Percent Complete				Original CTP (Yes or No)	
			Beginning Balance															\$845,558.84	\$293,621.32
			Annual Revenue Received by County															\$630,373.07	\$422,388.80
			Rebuild Funds Received From Municipalities through MOUs															\$0.00	\$0.00
1	GCP 31-02-20	CR-48	31.1384	85.5203	31.1853	85.5282	X		4.03	Resurfacing and Traffic Striping/Marking from SR-52 to CR-68	\$700,954.48	\$700,954.48		100%	Y	FAEF	\$700,954.48		
2	GCP 31-03-20	CR-8	31.0974	85.9491	31.0689	85.8762	X		5.24	Resurfacing and Traffic Striping/Marking from CR-65 to SR-27	\$223,120.40	\$223,120.40		100%	Y	BOTH	\$208,074.88		
			Total Miles Addressed this Fiscal Year (Total Mileage Does Not Include Bridge Projects)								\$941,447.46	\$941,447.46	\$0.00	100%	Y	CRAF	\$1,067,857.03		
			Percent of Rebuild Funds Expended in Compliance with Section 7c(2)(d) of the Rebuild Alabama Act								\$924,074.88	\$924,074.88	\$0.00	100%	Total CRAF/FAEF Remaining	\$0.00	\$10.12		
			Note: Only Rebuild Alabama Funds are intended to be reported																
Remarks			* A bond payment of \$226,409.57 was paid in FY2021; a maximum of one-half of each annual CRAF revenue will be applied to the bond payment for the duration of the bond. All Competitive Bid Projects are covered by Geneva County bid tabulations received according to established policies and procedures for the purchase of pipe, rock, and other roadbed materials.																