

The Geneva County Commission met in regular session on Thursday, March 24, 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 Wilks 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; Revenue Commissioner, Mary Ann Ellison; EMA Director, Brian Smith and County Administrator, Cindy Williams was also present. The following business was transacted:

MINUTES OF THE MEETING

NEW BUSINESS:

1. Approve Minutes of March 14, 2022. Commissioner Spivey made a motion to approve the minutes of March 14, 2022. Commissioner Wilks seconded the motion. Vote was 4-0.
2. Proclamation/Resolution: Chairman Seay stated he had a resolution from the IAC Board for joining a joint bid program. This will aid in spending the American Rescue Plan funds. The IAC will manage the vendors and bid process. Attorney Eldridge stated it would assist the County since the IAC will be doing all the work managing vendors, obtaining quotes, etc. and they will be sharing the information with the State Examiners which will help during audits. Commissioner Wilks made a motion to join the IAC Joint Bid Program. Commissioner Fulford seconded the motion. Vote was 4-0.
3. Board Appointments: None
4. Bids/Quotes: None
5. Public Hearing – Wiregrass Medical Center Grant CV-NC-20-004 – Ms. Emily VanScyoc with Southeast Alabama Regional Planning and Development was present to hold a public hearing for the ADECA grant for Wiregrass Medical Center. In October 2021 ADECA had recaptured CARES Act funds and the Commission had applied for a grant on behalf of Wiregrass Medical Center for some needed equipment. The grant in the amount of \$485,000.00 was approved. The original ADECA grant is being amended from \$300,000.00, which was for the

cities EMS services to \$785,000.00. No one was in attendance to discuss the matter.

6. Public Meeting – Economic Development – Notice of this public meeting was published in the Geneva County Reaper at least seven days prior to the meeting as required by Amendment 772(c) of the Alabama Constitution. No one was in attendance to discuss the matter. There are several documents for consideration by the Commission, a lease agreement with ISA Alabama Corporation; a memorandum of understanding with the IDA of Houston, Henry, and Geneva Counties; a resolution of authorization for road improvements on Genco Drive at the Industrial Park; a resolution regarding the sale of the building and land at the end of the four-year lease and an agreement with Wiregrass Electric regarding the loan for the Spec building. The Chairman stated that today is a momentous day for growth in Geneva County. This is possible by partnerships with the State and many organizations and businesses in the Wiregrass Area. The County is entering a lease agreement with a manufacturing company that will bring good paying jobs to our County.

Attorney Eldridge stated he had given each Commissioner a packet with a resolution for its consideration. The resolution on the lease agreement is required by amendment 772(c) of the Alabama Constitution which states that there must be determination of a valid and sufficient public purpose served when the County leases and sells a building and lot for less than the fair market value to a private industry. This meets the valid and sufficient public purpose by creating these jobs in the County for the public. Mr. Eldridge stated there needs to be a motion to adopt the resolution approving the lease agreement and authorizing the Chairman to sign and determining this serves a valid and sufficient public purpose. The Commissioners had previously viewed the lease agreement and the resolution and Commissioner Brannon made a motion to adopt the resolution to enter into a lease agreement with ISA Corporation and allow Chairman Seay to sign the agreement. Commissioner Wilks seconded the motion. Vote was 4-0. Said resolution is attached hereto.

The second document is an agreement with Wiregrass Electric Cooperative and Geneva County for the loan from Wiregrass Electric Cooperative to build the Spec building. The total loan from Wiregrass Electric is \$854,372.10. In the agreement Wiregrass Electric Cooperative is forgiving \$150,000.00 of the total indebtedness owed by the County which will bring the loan to \$704,372.10. Commissioner Fulford made a motion to approve the agreement with Wiregrass Electric Cooperative and allow Chairman Seay to sign the agreement. Commissioner Brannon seconded the motion. Vote was 4-0.

The third document is a Memorandum of Understanding with the Industrial Development Authority of Houston, Henry, Geneva, and Dale Counties. The Industrial Development Authority is paying Geneva County \$350,000.00 to apply to the indebtedness to the PowerSouth part of the indebtedness to Wiregrass Electric Cooperative within sixty (60) days of receipt of said payment. Commissioner Fulford made a motion to approve the Memorandum of Understanding with the Industrial Development Authority of Houston, Henry, Geneva, and Dale Counties for a payment of \$350,000.00 and to allow Chairman

Seay to sign the agreement. Commissioner Wilks seconded the motion. Vote was 4-0.

The last document is a Resolution of Authorization for Access Road Improvements on Genco Drive at the Geneva County Industrial Park. This resolution is to make application for support for the necessary road improvements with assistance from the State of Alabama and Alabama Department of Transportation. Chairman Seay read the resolution. Commissioner Fulford made a motion to adopt the Resolution of Authorization for Access Road Improvements on Genco Drive at the Geneva County Industrial Park and to allow Chairman Seay to sign the documents as provided in the resolution. Commissioner Brannon seconded the motion. Vote was 4-0.

Chairman Seay recognized and thanked Mr. Matt Parker with the Dothan/Houston County Chamber of Commerce for all his efforts and arduous work in bringing this project to fruition.

Sheriff: The Sheriff stated there is another leak in the jail. This leak is in front of the drunk tank. It has been reported to JMR+H and the contractor.

His department picked up the four new vehicles and they have been dropped off for striping and then will have the equipment installed. Chairman Seay asked the Sheriff when he thought the new vehicles would be on the road and the Sheriff responded they should be ready for road duty in six (6) to eight (8) weeks. The Sheriff reminded the Commission that he had received a grant in the amount of \$24,000.00 for the equipment on the new trucks. Sheriff Helms is asking the Commission to consider purchasing at least four additional new vehicles from the American Rescue Plan. This past week he had two trucks he was not planning on replacing be out of service with bad transmissions. A deputy averages three hundred (300) miles per shift and that adds wear and tear on the vehicles.

He is preparing items for his next auction.

County Administrator: Mrs. Williams stated that the handbook revisions are ready to be sent out to the departments for distribution to all employees.

The Administrator has booked all the Commissioners, Engineer and Assistant Engineer and County Attorney for the August Conference and made the hotel reservations. The conference will be August 23 – 26, 2022 at Perdido Beach Resort.

County Engineer: The Engineer stated that the rain event on March 18th produced five (5) to seven (7) inches of rain across the County. Two roads were washed out.

On the personnel front he had an employee that went to on call status last summer call and want to come back to work full time. He will start back on Monday. His department is still down three (3) Equipment Operator II positions.

The ATIPPII project in Hartford at Shiloh Road LETS on Friday, March 25, 2022.

Had the latest round of meetings with FEMA earlier this week to supply additional information on the bridge replacement projects. The Engineer does feel they are getting closer to having this complete.

There are currently twenty (20) driveway pipes in line for installation.

The herbicide spraying should be complete this week.

The Engineer has received a notice from the Alabama PALS program that Ms. April Burditt wishes to adopt a mile (for clean-up) on County Road 45 (Bellwood Highway) from Bellwood Bridge to County Road 41. It requires the Chairman and Engineer's signatures. Commissioner Brannon made a motion to approve Ms. April Burditt to participate in the Alabama PALS Adopt a Mile program for County Road 45 (Bellwood Highway) from Bellwood Bridge to County Road 41. Commissioner Spivey seconded the motion. Vote was 4-0.

A letter has been received from ALDOT regarding the four-lane expansion project of Highway 52 in Malvern. The plat is incorrect. It shows that Geneva County has a fifty (50) right of way on Beaver Trail off Firecracker Road in Malvern. The road is in the town limits of Malvern. This is a private driveway that has not been maintained by the County.

The Engineer had the results from the sale of his equipment at the JM Wood Auction. He is netting \$304,008.00 from the sale of the three dump trucks and \$62,730.00 from the sale of the John Deere Tractor. Total gain is \$366,738.00. Proceeds, when received should be deposited into the Gasoline Equipment Fund.

The Engineer stated the Assistant Engineer Mike Shirah has been diligently working on the design project at the Industrial Park. Chairman Seay added that is a savings to the County because the P&E fees for the project would be 10 – 15% of the total project.

County Attorney: Nothing additional to report.

Commission Chairman: Chairman Seay stated that he had nothing additional to report.

EMA Director: Mr. Smith stated that he is working on training programs with the Alabama Fire College. Input must be made into the Orion system to apply for assistance. He is in talks with the Sheriff and local law enforcement to utilize their services to input the information in any down time they have. This is in efforts to build a Community Response Team to respond to emergencies. This is a group of volunteers, but they require training.

Revenue Commissioner: Nothing to report

Solid Waste Director: Mrs. Smith was not present.


E-911: Mr. Williams was not present.

Auburn Extension: Ms. Marks was not present.


Commissioner's: Commissioner Spivey thanked the Sheriff and Road & Bridge department for their efforts during the rain event last Friday. All Commissioners thanked Mr. Matt Parker with the Dothan/Houston County Chamber of Commerce for his assistance with the Spec building project.

Commissioner Fulford made a motion to adjourn. Commissioner Wilks seconded the motion. Vote was 4-0.

The above constitutes the minutes of the meeting of the Geneva County Commission held on Thursday, March 24, 2022.




Chairman, Toby Seay



Cindy Williams
County Administrator



Commissioner Weston Spivey



Commissioner Todd Brannon



Commissioner Bart Wilks



Commissioner Wade Fulford

STATE OF ALABAMA

GENEVA COUNTY

RESOLUTION

Whereas, the Geneva County desire to enter into a Lease Agreement with ISA Alabama Corporation, an Alabama Corporation, wherein ISA Alabama Corporation will lease for One Dollar per year for four years and at the end of the lease the sale of the building and 6.13 acre parcel of land upon which it is situated, located at 333 Genco Drive, Hartford, Alabama 36344, in the Geneva County Industrial Park, for \$410,270.00 to ISA Alabama Corporation for an industrial site for its business with an option to purchase an additional 6.80 acres for the purchase price of \$5,563.53 per acre, which Lease Agreement is attached hereto as Exhibit "A";

Whereas, the Sale of the 6.13 acre parcel of land will be at a price equal to its actual purchase and development cost of \$5,563.53 per acre, and the Sale of the Building will be at a price less than its fair market value of approximately \$1,100,000.00. The Lease of the lot and building will be at a price less than its fair market rental value. The option to purchase the 6.80 acre parcel of land would be equal to its actual purchase and development cost of \$5,563.53 per acre.

Whereas, Amendment Number 772(c) of the Constitution of Alabama of 1901, reads as follows:

"(c) Neither the county nor any municipality located therein shall lend its credit to or grant any funds or thing of value to or in aid of any private entity under the authority of this amendment unless prior thereto both

of the following are satisfied:

(1) The action proposed to be taken by the county or municipality is approved at a public meeting of the governing body of the county or municipality, as the case may be, by resolution containing a determination by the governing body that the expenditure of public funds for the purpose specified will serve a valid and sufficient public purpose, notwithstanding any incidental benefit accruing to any private entity or entities.

(2) At least seven days prior to the public meeting, a notice is published in the newspaper having the largest circulation in the county or municipality, as the case may be, describing in reasonable detail the action proposed to be taken, a description of the public benefits sought to be achieved by the action, and identifying each individual, firm, corporation, or other business entity to whom or for whose benefit the county or the municipality proposes to lend its credit or grant public funds or thing of value."

Whereas, Geneva County published notice of this public meeting in the Geneva County Reaper on March 16, 2022, in compliance with Amendment Number 772(c)(2) of the Constitution of Alabama of 1901, which is more than the seven days prior to this public meeting;

Whereas, ISA Alabama Corporation will operate a nitrile glove manufacturing business in said building and as a part of the lease purchase agreement with the Geneva County, ISA Alabama Corporation will agree, when its business is fully operationally on or before December 31, 2024 and continuously and at all time thereafter during the term of the lease agreement, to employ at least 80 full time employees at a rate of pay of at least \$18.00 per hour;

Whereas, Geneva County have among its purposes to promote

business growth in Geneva County, Alabama, in order to benefit the Geneva County's residents and help foster economic opportunities for the public by creating jobs and the expenditure of these public funds and/or thing value to and in aid of ISA Alabama Corporation will create at least 80 full time jobs at a rate of pay of at least \$18.00 per hour, and the creation of the these jobs will serve a valid and sufficient public purpose, notwithstanding any incidental benefit accruing to ISA Alabama Corporation;

Whereas, Geneva County desires to effectuate the above stated purpose by leasing and selling said building and lot to ISA Alabama Corporation with the option to purchase on the terms and conditions of the Lease Agreement attached hereto as Exhibit "A",;

NOW, THEREFORE, BE IT RESOLVED by the Geneva County Commission, pursuant to Amendment Number 772(c)(1) of the Constitution of Alabama of 1901, that it hereby determines that the expenditure of these public funds and/or thing value to and in aid of ISA Alabama Corporation will serve a valid and sufficient public purpose by the creation of at least 80 full time jobs at a rate of pay of at least \$18.00 per hour for the public, notwithstanding any incidental benefit accruing to ISA Alabama Corporation, and the Geneva County Commission does hereby approve the Lease Agreement attached hereto as Exhibit "A" and does hereby authorize the Chairman of the Geneva County Commission to execute this Lease Agreement on behalf of the Geneva County Commission.

Commissioner Brannon moved that the foregoing resolution be adopted and spread upon the minutes of this meeting, which motion was seconded by Commissioner Wilks, and upon the motion being put to vote, the following vote was recorded:

YEAS:

NAYS:

Commissioners:

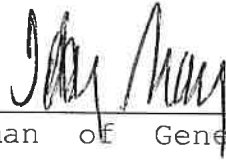
- Weston Spivey
- Todd Brannon
- Bart Wilks
- Wade Fulford

The chairman thereupon announced that the motion for adoption has been unanimously carried.

STATE OF ALABAMA

GENEVA COUNTY

I, Toby L. Seay, Chairman of the Geneva County Commission, hereby certify that the above is a true, correct and exact copy of a Resolution duly and legally adopted by the Geneva County Commission, at a meeting on the 24th day of March, 2022.



Chairman of Geneva County Commission

GC16 INDUSTRIAL-PARK-SPEC-BUILDING-SALE RESOLUTION

OFFREC 119 376