

The Geneva County Commission met in regular session on Monday, May 23, 2022, at 9:30 a.m. at the Geneva County Courthouse in Geneva, Alabama.

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 Todd Brannon, Bart Wilks, and Wade Fulford. County Attorney, Phil Eldridge; County Engineer, Justin Barfield; 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 May 9, 2022. Commissioner Brannon made a motion to approve the minutes of May 9, 2022. Commissioner Fulford seconded the motion. Vote was 3-0.
2. Mr. Darrell Goldsmith was present seeking assistance in getting relief from water being put on his property in Black, from neighboring farms and the road. He is asking that the ditches be cleared, and a drainage ditch be dug to prevent the water backup. After Mr. Goldsmith presented his information Chairman Seay stated that the County Engineer would come out and inspect and assess the situation to see if there are any remedies that the County can offer. Engineer Barfield stated his department had an obligation where there is a cross drain issue and would do what they could to alleviate the water runoff on Mr. Goldsmith's property if it was in fact an issue with the roadway. If it is any other situation the County is not allowed to go on his private property to do any work. Engineer Barfield also stated that the Operations Manager had been out before, and the cross drain was working properly the issue seemed to be on Mr. Goldsmith's property and if the reports are correct, it would not be a County problem. Commissioner Brannon owns the land adjacent to Mr. Goldsmith and stated he would dig a ditch on his own property and have water drain on his property if it would alleviate the issue. Commissioner Brannon and Engineer Barfield stated they would go out this week and look at the property, assess the situation and present any resolutions for Mr. Goldsmith.

RECORDED IN OFFICE BY JUDGE, GENEVA COUNTY, ALABAMA
TODAY L. SEAY, PROBATE JUDGE, GENEVA COUNTY, ALABAMA
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3. Chairman Seay recognized Senator Donnie Chesteen, Representative Jeff Sorrells, and Mr. Taylor Vice and Mr. Jason Davis with Charter Communications. Representative Sorrells spoke about his appreciation for the growth in Geneva County and thanked the Commission for their significant efforts in seeking out ways to improve the County. He thanked the Commission and Senator Chesteen for working with him to form a team to help bring growth to Geneva County. The four-lane project on Highway 52 will be a significant breakthrough for the County to have a four-lane road through a great portion of the County. Chairman Seay thanked Representative Sorrells for all his arduous work and efforts in working with and supporting the Commission to bring progress to Geneva County. Senator Chesteen spoke and thanked the Commission for the partnership that has been formed between himself Representative Sorrells and the Commission and he is excited about future growth for Geneva County. He then stated that he has been a part of a committee in the Senate to expand broadband in the County and Charter Communications has a great plan and is investing millions to offer high speed internet services to a sizable portion of residents in Geneva County. Mr. Taylor Vice with the Government Affairs division of Charter Communications spoke thanking Senator Chesteen for all his efforts in helping to bring this service to residents in the State and for his efforts in 2016 passing an Act that insured schools had high speed internet and in 2018 having a tax credit for broadband switched to a grant program which is a tremendous boost to assist unserved census areas such as Geneva County. Currently Charter Communications is constructing in the Chancellor Area and will be constructing along Highways 27, 52, 87 and 167. Funding for this project is coming from federal funds and Charter Communications. No funds are required from Geneva County. Charter Communications is the only internet provider that has applied for a state grant to run high speed fiber to homes. Commissioner Fulford asked the time frame for activation on the project. Mr. Vice replied that the project will be run on a cabinet area which will mean once the installation is complete in one area 200 – 300 homes will be ready for service.
4. Board Appointments: Commissioner Fulford made a motion for Sheriff Tony Helms to serve on the Wiregrass (SpectraCare) Mental Health Board. Commissioner Wilks seconded the motion. Vote was 3-0. Chairman Seay stated that he had received a letter from the Southeast Alabama Community Action Partnership (SEACAP) requesting a replacement for Ms. Smith on their board and asked the Commission to seek out someone to serve on this board.
5. Bids/Quotes: None

Sheriff: The Sheriff stated that he is requesting that some of the American Rescue Plan funds be awarded to his department for vehicles. He has contacted Donohoo Chevrolet and Stivers Ford and both have a few vehicles. Previously he had requested twelve (12) new vehicles but at this point he is asking for four (4) new vehicles which would alleviate a lot of major maintenance costs for his department. Chairman Seay and Administrator Williams addressed the request and explained to the Commission that while funds can be spent for vehicles for the Sheriff's department it is not as easy as simply obtaining a quote and placing an order. American Rescue Plan funds are federal funds which have

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many guidelines that must be met and State guidelines must be followed. Attorney Eldridge stated that since it is federal money you must go through the bidding process and the guidelines are much more stringent than just going on the State Bid List. They all advised the Sheriff to obtain three quotes all on the State Bid List or by invitation to bid for the type of vehicle he is asking for and present that to the Commission. Attorney Eldridge advised Sheriff Helms to call the IAC and speak with them about the process before proceeding to avoid wasting time or doing it incorrectly. A resolution for the purchase must be passed by the Commission for the purchase. Chairman Seay stated we were not trying to be negative about the purchase, the purchase must be done correctly to avoid the County having to repay funds we do not have to the Treasury.

The Sheriff stated that the HVAC system at the Jail continues to have problems. An Air Conditioning Services from Dothan came out last week to look at the issues and is working on a maintenance contract for the Commission. One unit was out, and it could be months before parts are available for repair to the unit.

County Administrator: Mrs. Williams addressed the Commissioners with items learned at the Administrators Conference. The first item which has already been discussed is uses for the American Rescue Plan funds and the importance that all funds be spent according to federal and state guidelines to avoid the County having to repay the funds if spent improperly. Also, subrecipient awards was discussed which was making certain that if the County agreed to award any of these funds to a municipality all guidelines must be followed, and the purchase should be reviewed by IAC. The subrecipient should make the purchase and the County should reimburse the municipality for the purchase. There should never be an award given directly to any municipality or entity without a proper documentation plan for expenditure of the funds. Cybersecurity will be a large part of the audits going forward and the State is asking all Counties to have a stringent cybersecurity risk management plan in place and make it part of the handbook. Mrs. Williams conveyed that the County will be receiving \$64,834.37 from the State for Coronavirus relief for State inmates housed in the County Jail from March through December 2021. The funds have already been applied for and awaiting receipt. Since the pistol permit legislation for the permit less carry passed the State will now have a fund for revenue loss from the sale of pistol permits. This fund will be in place for three years beginning the end of 2023 and the County must apply for the funds.

Mrs. Williams stated that the Retirement System has put out a letter regarding Act 2022-229 from the Regular Session of the Alabama Legislature which would provide an opportunity to grant a one-time lump sum payment to all retired members and beneficiaries of deceased retirees who retired prior to March 2, 2022 and are entitled to receive a monthly retirement benefit from the Employees' Retirement System on September 30, 2022. The Act provides the retiree to receive a one-time lump sum payment of \$2.00 for each month of service credited to the retiree's account or a beneficiary of a deceased retiree. Payment will be made in October 2022. The Commission has approved this in the past and if approved this year it would be a total cost of \$28,590.00 as a one-time payment or an additional .88% added to our employer contribution rate effective for the one-year period from October 1, 2023 – September 30, 2024. If the Commission wishes to participate, a resolution must be passed prior to August 31, 2022. Chairman Seay stated that this was information for review by the

OFFICE OF THE CLERK

Commission, no action was required today and suggested this be considered after budget review begins.

A medical cannabis act was also discussed at the Conference which would include a business privilege tax for a medical dispensaries and integrated facilities for medical cannabis. The Commission would have to adopt a resolution allowing dispensaries and integrated facilities for medical cannabis in the unincorporated areas of the County. The license application process for these services will begin September 2022 and the actual operation process will not begin until September 2023.

County Engineer: The Engineer stated that Wiregrass Construction should begin the ATRIPII project in Hartford in mid-July.

The motor grader operator that has been out for several months due to a medical emergency should be back to work next week.

Driveway pipe installation is caught up. There are still a few growing pains with the new pipe policy, but it does seem to be working well.

The department has been surveying for projects at the Industrial Park and for the three bridges with the FEMA project.

Right of way mowing has begun on newly paved roads where herbicide spraying did not take place and herbicide spraying continues.

Mr. Barfield also stated there are not issues yet but there will be a lot of construction with the installation of the fiber for high-speed internet.

Commissioner Fulford reminded Mr. Barfield about where the culvert was replaced on County Road 19N some patch work was needed. Sheriff Helms stated he had complaints about speeding on dirt roads in District Four and asked about speed limit signs. Mr. Barfield stated that they do not put out speed limit signs on dirt roads, but the speed limit is 35.

County Attorney: Attorney Eldridge stated that at the last meeting Sheriff Helms had presented a contract from the commissary provider Stacy Williams which expires in August. He did review the contract; however, the contract will have to be bid. He has prepared the advertisement for bid and the bids to be opened at the June 27, 2022 Commission meeting. He does need the specs for the contract from the last bid from the Sheriff so he can ensure the specs are correct. The specs must be attached to the bid invitation. Commissioner Brannon made a motion to send out bid invitations for the Jail Commissary. Commissioner Wilks seconded the motion. Vote was 3-0. Attorney Eldridge also addressed the Sheriff with a question on the contract from Stacy Williams which stated the County was responsible for collecting sales tax. The Sheriff stated that was incorrect, Stacy Williams collects and pays the sales tax.

Attorney Eldridge requested the Commission go into executive session at the end of the meeting to discuss with him the legal ramifications and legal options regarding pending litigation. Mr. Eldridge stated he is a licensed attorney of the State of Alabama and that the planned discussion fits into this category

Commission Chairman: Chairman Seay stated that the IAC is working on the sub-recipient agreements for the radios for the Fire Departments. The radios are ordered but it could be a few months before they are received.

The Primary Election will be tomorrow. The machines are being delivered and set up today. The voting houses have had the grass cut and been cleaned and the portable AC units are being placed in those that need them.

JMR+H was here last week conducting surveys and measurements to complete the cost estimate for infrastructure projects at the Courthouse and Farm Center.

The announcement for the Spec Building tenant has been delayed until after the election. He is still in coordination with the State about a date for the official announcement.

Wiregrass Electric has agreed to host the announcement. The owner of the Company is slated to be here in mid-July so hopefully the announcement can occur while he is here. Per the agreements the Company has twelve months to be in operation.

Chairman Seay read a letter from the State EMA agency which stated that Mr. Brian Smith has completed all work necessary to become a Certified EMA Officer.

EMA Director: Mr. Smith stated that in emergency situations is usually communications. To alleviate this going forward he has done some evaluations of the EOC and currently there is no way to see what calls are pending, handled, etc., so he has spoken with E-911 Director Jeremy Williams about a CAD monitoring system.

According to Mr. Williams the system will run around \$20,000.00

He has been working with Sheriff Helms a lot on the federal program which grants equipment to local agencies. Recently they have been approved for boots, weather gear, first aid kits, two (2) light set mobile generator units. Most recent they have been approved for two (2) public address mass speaker systems.

Mr. Smith gave an update on his vehicle and this excessive use of oil. Ford has finally approved him taking the vehicle to a dealership for inspection so he will be taking it to Enterprise this week.

Revenue Commissioner: Ms. Ellison stated that her department is working on evaluation notices to be mailed out soon.

Solid Waste Director: Not present.

E-911: Not present.

Auburn Extension: Ms. Marks stated the Alabama Coop Systems Ferrell Swine event will take place this Thursday at the Farm Center at 5:30p.m. They will have lunch and learn events every fourth Thursday May through October. The Grass Roots meeting is scheduled for Wednesday, June 22, 2022. The Farmer's Market is slated to begin June 18, 2022.

Commissioner's: Nothing additional to add.

Commissioner Fulford made a motion to go into executive session. Commissioner Wilks seconded the motion. Vote was 3-0.

Chairman Seay took a verbal poll of Commissioners to enter executive session.


Commissioner Brannon – Yes, Commissioner Wilks – Yes, Commissioner Fulford – Yes.

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Chairman Seay took a poll to enter back into regular session. Commissioner Brannon – Yes, Commissioner Wilks – Yes, Commissioner Fulford – Yes

Commissioner Wilks made a motion to adjourn. Commissioner Fulford seconded the motion. Vote was 3-0.

The above constitutes the minutes of the meeting of the Geneva County Commission held on Monday, May 23, 2022.




Chairman, Toby Seay



Commissioner Weston Spivey



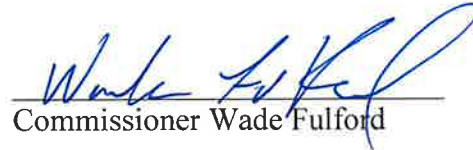
Commissioner Bart Wilks



Cindy Williams
County Administrator



Commissioner Todd Brannon



Commissioner Wade Fulford