

The Geneva County Commission met in regular session on Monday, September 12, 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.

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 August 22, 2022. Commissioner Brannon made a motion to approve the minutes of August 22, 2022. Commissioner Wilks seconded the motion. Vote was 4-0.
2. Chairman Seay presented a plaque from Association of County Commissions of Alabama to Representative Jeff Sorrells for his dedication and service to County Government for house sponsorship and passage of Act 2022-286, allowing a public vote to clarify the role of Local Government in economic development endeavors. There are two amendments for economic development, one which allows the County to construct Spec buildings and the other that allowed for land improvements but did not allow for construction. The Spec building built by the County took an additional six months and \$25,000.00 in legal fees due to these amendments. Amendment 2022-286 will remove the validation requirement which will save time and money in future economic development projects. The Amendment will be on the November ballot. It is Amendment #7. Representative Sorrells initially presented the amendment in committee for Geneva County, but the ACCA asked that he present the Amendment as Statewide to assist other counties that faced the same obstacles as Geneva County in economic development. Chairman Seay and the Commission thanked Representative Sorrells for the assistance he has offered them in all efforts they have presented to him. Representative Sorrells thanked Chairman Seay and Attorney Phil Eldridge for coming to him with this issue otherwise they never would have known of the

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Toby L. Seay, PROSIDENT JUDGE  
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GENEVA COUNTY, ALABAMA

problem for counties in pursuing economic development. It was an unintended consequence from amendments presented long ago that hopefully will now be resolved. The Amendment passed through the House, Senate and Governor's Office with no problem, and he is confident the citizens of Alabama will vote in favor. He also thanked the Commission for all their efforts in promoting Geneva County and revitalizing the County by bringing in new businesses.

3. Mr. Alex Vaughn from Soil & Water Conservation and Mr. Mike Williams with APHIS (Animal Plant Health Inspection Service) were present to discuss the plans for animal nuisance, namely beaver control in the County. This will be at no expense to the County. The local Soil & Water Conservation Office will partner with APHIS a federal program in these efforts. They have done preliminary work with the Road & Bridge department to identify at least twenty (20) sites in the County where beavers are doing the most damage. They will also work with individual property owners to be able to trap on private property. The work will likely be done between November 2022 and May 2023. This has already been approved they are just awaiting the signed contract.
4. Mr. Kyle Hovey was present to discuss vacating a portion of Knight Road off Bethesda Road in the Fadette Community. He is requesting to vacate approximately 200 yards of the road where he owns the property on both sides of the road. There is only one other property owner on the road. Attorney Eldridge explained that Mr. Hovey would need to file a written petition with the Commission pursuant to section 23-4-20 then it would be set for a hearing. It also has to be posted on the Courthouse bulletin board. Mr. Hovey said there were some utilities on the road, and he has to give the utility company at least thirty-days' notice of the public hearing. The utilities actually continue, and they have a right to go on the property. At the meeting of the public hearing Commissioner Spivey would have to make the motion to vacate the road since it is in his district. Once Mr. Hovey files the petition it can be set for public hearing.
5. A resolution for County Risk Services, the third-party administrator for the Association of County Commissions of Alabama Self-Insurance Pool was presented to appoint EMA Director Brian Smith as the Safety Coordinator for Geneva County. Commissioner Wilks made a motion to adopt the resolution for County Risk Services appointing EMA Director Brian Smith as the Safety Coordinator of Geneva County. Commissioner Spivey seconded the motion. Vote was 4-0.

**OLD BUSINESS:**

**STAFF REPORTS:**

**Sheriff:** Sheriff Helms stated he has had a full-time deputy submit his intent to resign awaiting word from his new employer of an exact start date and a part-time deputy has stated he plans to resign at the end of the December.

He just had a transmission go out in the investigators truck so that will be add to his maintenance expense. It is an older vehicle with over 200,000 miles.

**County Administrator:** Administrator Williams informed the Commissioners of the Legislative Conference that will be held in Birmingham December 7-8, 2022 and asked who would be attending.

**County Engineer:** Mr. Barfield stated that work on the ATRIP II project in Hartford is proceeding, however gas lines and two water mains were found that were not on the original plans. Additional work had to be done accommodate for the lines which added an additional cost of \$23,000.00 to the project.

The Rebuild Alabama paving project on County Roads 10 and 38 are scheduled to begin September 28, 2022.

Mr. Barfield had a zoom meeting with FEMA and there are more hurdles for the bridge on Line Road. FEMA says this is an environmentally sensitive area and is requesting an archaeological survey be conducted at the Counties expense. The State FEMA department has been very helpful on these projects, but the Federal FEMA department continues to throw up roadblocks.

The right of way mowing began last week and has eighteen (18) miles completed. He may have employees that will mow on Fridays and Saturdays to speed up the project but if his regular employees work it will be at overtime.

Currently there are six driveway pipes to be installed.

There are twenty (20) sites that need cross-drain replacements

He has received a \$10,000.00 grant from RC&D for erosion control work on County Road 21.

The entire length of River Road was reworked last October and currently there are eleven (11) sites on the road that need attention so that road will be passable. It will require 466 yards of dirt and two loads of stone to work the sites and ditch excavation. Logging is the main cause of damage to the road. Engineer Barfield said he proposed that the cost of repairing the road be forwarded to the logging company that is tearing up the road. Last year the department spoke with the landowner who stated he would contact Road & Bridge the next time he would have logging done. Commissioner Fulford made motion to allow Attorney Eldridge to send a letter to the company, giving them time to make contact the Road & Bridge department about repairs to the road and the Engineer shall notify the Attorney if a letter is necessary. Commissioner Brannon seconded the motion. Vote was 4-0.

The Industrial Park plans are about 50% completed.

Mr. Barfield presented the renewal contract for Assistant Engineer Mr. Mike Shirah. The only change is taking out the automatic yearly raise and replacing it with he would only receive an increase if the County gave a COLA and if the State gives a COLA. Mr. Barfield also asked that Mr. Shirah be allowed to use a County vehicle. The contract will be voted on at the next Commission meeting.

**County Attorney:** Attorney Eldridge stated that the public meeting for Kyleigh Farms had been scheduled for this meeting, however that needs to be delayed until after the Statewide vote on Amendment #7. If the Amendment passes it would clarify everything concerning Amendment 772. No one was present for the public meeting on this subject. Commissioner Wilks made a motion to postpone the meeting for Kyleigh Farms until after the November election. Commission Spivey seconded the motion. Vote was 4-0.

**Commission Chairman:** Chairman Seay stated that bids will be opened tomorrow, for the TAPPS Grant for the sidewalk project.

The annual meeting for Regional Planning will be September 20, 2022 at the Enterprise Civic Center at 11:30 am.

JMR+ will be here September 21, 2022 at 1:30 to discuss the Courthouse and Farm Center plans.

**Revenue Commissioner:** Ms. Ellison said her department is prepared to start property tax collection beginning October 1st.

**EMA Director:** Mr. Smith stated that he got his truck out of the shop a couple of weeks ago, however his truck is still smoking as bad or worse than before. He will continue to monitor and contact the dealership.

He has been approved for \$220,000.00 more in equipment from the 1033 program. This will include several generators and a bomb robot.

**Solid Waste Director:** Mrs. Smith was not present but did submit three quotes for a bathroom and storage room to be added to the structure at the yard. The Commission will take under advisement and decided where the funds will come from to fund this expenditure.

**E-911:** Not present.

**Auburn Extension:** Not present.

**Commissioner's:** Commissioner Wilks stated he was told the Calf Show was a successful event with around seventy (70) calves in the show.

Commissioner Spivey asked if the Engineer's on the Farm Center plans were making adjustments to the ventilation and duct work plans. Chairman Seay stated that yes, they were in the process of the redesign and the reason it was presented the way it was originally is it was drawn per specifications under the ARPA requirements for mitigation of Covid. Now that restrictions have been loosened the plans can be altered.

Commissioner Fulford asked about the status of the stripping machine. Mr. Barfield stated that the pumps are in Dothan for rebuilding. He also asked if someone could get some right of way mowing and long-arm cutting on dirt roads. Mr. Barfield asked that he send the roads he is referring to so that his department can add that to their plan.

He asked the Sheriff if he could have the road crew follow the Right of Way mowing and do trash clean up. Sheriff Helms stated he would as he had someone to supervise the Road Crew.

**Budget Review** - Administrator Williams distributed a revised budget for the Commission's review. Chairman Seay stated that he and Mrs. Williams had reworked the budget and made the changes discussed at the last meeting. Chairman Seay stated that our funding does not look like it will increase next year and if a recession sets in funding

could decrease at this point, he and Mrs. Williams believe the General Fund budget has been tweaked as much as it can be. It is their opinion still that the max raise is 4.5% but that could put the budget in the negative, so they recommend a 4% COLA.

Revenue Commissioner Mary Ann Ellison presented the Commission with information for FY2024 regarding business personal property tax exemptions that the Commission will have to vote on by March 2023.

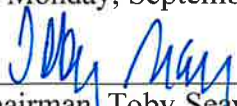
Sheriff Helms is requesting that one of his part time Deputy positions be made to a full-time position which would reduce his overtime. The Sheriff has been unable to fill the Roadside Deputy position as a part-time position so he is asking for that to be moved to the Jail and made full-time and a Corrections Officer can fill the position. He is also asking for another night supervisor. There is only one night shift supervisor, and he runs two, night shifts so the current night shift supervisor works between the two shifts and covers shifts when Corrections Officers are out. The Sheriff explained that they are handling more violent inmates now and is requesting to purchase pepper ball guns for the Jail which would be a less invasive way to neutralize inmates than tasers.


Engineer Barfield explained his budget changes and stated his concerns for the future operations of the Road & Bridge department. His accounts are being drained by the paving projects. The revenues to the Gasoline and RRR accounts have not increased in the last fifteen years, but expenditures have increased drastically over those years. Chairman Seay asked if it would help if some of his equipment notes were paid off.

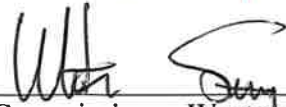
Chairman Seay stated that Mrs. Williams will make the adjustments as discussed to the budget to present at the next meeting. The budget must be approved at the September 26, 2022 Commission meeting.

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

The above constitutes the minutes of the meeting of the Geneva County Commission held on Monday, September 12, 2022.


  
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Chairman, Toby Seay

  
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Cindy Williams  
County Administrator

  
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Commissioner Weston Spivey

  
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Commissioner Todd Brannon

  
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Commissioner Bart Wilks

  
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Commissioner Wade Fulford