

04/25/2018

The Marshall County Commission met in regular session on Wednesday, April 25, 2018, at 10:00am in the Marshall County Commission Chambers.

PRESENT:

James Hutcheson, Chairman
Shelly Fleisher, County Administrator
William H. Stricklend, III, District 1 Commissioner
R.E. Martin, District 2 Commissioner
Jessie C. Swords, District 4 Commissioner
Bob Pirando, County Engineer
Norma Parker, Commission Clerk
Clint Maze, County Attorney

NOT PRESENT:

David Kelley, District 3 Commissioner
Karen Young, Administrative Assistant

Chairman Hutcheson called the meeting to order and led the invocation. He then asked Commissioner Stricklend to lead the Pledge of Allegiance.

CONSENT AGENDA

A motion was made by Commissioner Martin, duly seconded by Commissioner Swords, all members voting affirmatively and so carried to approve the consent agenda as read by Chairman Hutcheson. The consent agenda includes the minutes from the April 11, 2018 commission meeting and the claims docket for April 10, 2018 – April 23, 2018 in the amount of \$1,339,130.64.

DISTRICT 1—APPROVE RESOLUTION VACATING A PORTION OF BLUFF POINT ROAD

County Attorney stated a Public Hearing to vacate Bluff Point Road was held Wednesday April 25, 2018 at the 9:00 a.m. work session and there was no opposition. A motion was made by Commissioner Stricklend, duly seconded by Commissioner Martin, all members voting affirmatively and so carried to approve to waive the reading of the resolution. A motion was made by Commissioner Stricklend, duly seconded by Commissioner Martin, all members voting affirmatively and so carried to approve vacating a portion of Bluff Point Road as recommended by County Engineer and County Attorney.

STATE OF ALABAMA
MARSHALL COUNTY

RESOLUTION VACATING PORTION OF BLUFF POINT ROAD

WHEREAS, the District 1 Commissioner, William H. Stricklend, sought to vacate a portion of Bluff Point Road;

WHEREAS, notice was given pursuant to Alabama Law and no one who lived on the road objected to the said vacation;

WHEREAS, the road to be vacated is portion of "Bluff Point Road" that lies between, that is located in Marshall County, Alabama, shown on exhibit "A" as more particularly described as follows, to-wit:

The portion of Bluff Point Road to be vacated is more particularly described as follows, to wit:
A paved road or right of way 50 feet of width as named as "Bluff Point Road" which is
A PART OF SECTION 31, TOWNSHIP 7 SOUTH, RANGE 3 EAST, MARSHALL COUNTY,
ALABAMA, ALSO BEING A PORTION OF BLUFF POINT ROAD (RECORD - SOUTH
STREET) OF PEAR PLACE ACRES SUBDIVISION AS RECORDED IN PLAT BOOK 7,

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PAGE 158, IN THE PROBATE OFFICE OF MARSHALL COUNTY, ALABAMA, BEING MORE PARTICULARLY DESCRIBED AS BEGINNING AT A 1 INCH DIAMETER PIPE ON THE EXISTING RIGHT-OF-WAY OF BLUFF POINT ROAD, LOCATED AT THE 04/25/2018

NORTHWEST CORNER OF LOT 4 OF SAID PEAR PLACE ACRES SUBDIVISION, THEN FROM THE POINT OF BEGINNING AND ALONG SAID EXISTING RIGHT-OF-WAY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 50.00 FEET, AN ARC LENGTH OF 123.39 FEET AND A CHORD BEARING AND DISTANCE OF 94.38 FEET TO A 1 INCH DIAMETER PIPE. THEN LEAVING SAID EXISTING RIGHT-OF-WAY AND ALONG THE PROPOSED NEW RIGHT-OF-WAY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 78.24 FEET, AN ARC LENGTH OF 107.30 FEET AND A CHORD BEARING AND DISTANCE OF 99.09 FEET TO A 1 2 INCH DIAMETER REBAR WITH A YELLOW PLASTIC CAP STAMPED DOWDY LOCATED ON SAID EXISTING RIGHT-OF-WAY. THEN ALONG SAID EXISTING RIGHT-OF-WAY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 50.00 FEET, AN ARC LENGTH OF 47.19 FEET AND A CHORD BEARING AND DISTANCE OF 45.46 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.08 ACRES MORE OR LESS. . and

WHEREAS, the above described vacation is in the public interest.

THEREFORE, BE IT RESOLVED as commissioners of Marshall County, Alabama, we hereby proclaim that the portion of Bluff Point Road is vacated, discontinued, abandoned and annulled so as to destroy the force and effect of any dedication by map, plat or otherwise and to divest any and all rights of the public, including any rights which may have been acquired by dedication of plat, prescription or otherwise in that part of the road are hereby vacated.

Approved this the 25th day of April ,2018.

S/James Hutcheson
James Hutcheson, Commission Chair

S/Bill Stricklend
Bill Stricklend, Commissioner
District #1

S/R.E. Martin
R. E Martin, Commissioner
District #2

Not Present
David Kelley, Commissioner
District #3

S/Jessie Swords
Jessie Swords, Commissioner

S/Robert Pirando
Robert Pirando, County Engineer

STATE OF ALABAMA)
COUNTY OF MARSHALL)

I, the undersigned, a Notary Public in and for said County and State, hereby certify that James Hutcheson, whose name as Marshall County Commission Chairman, is signed to the foregoing resolution and who is known to me, acknowledged before me on this day that being informed of the contents of the resolution, he, in his capacity as such County Commission Chairman, executed the same voluntarily on the day the same bears date.

Given under my hand and seal this the day of _____, 2018.

NOTARY PUBLIC
My Commission Expires: _____

04/25/2018

APPROVE PROCLAMATION RECOGNIZING THE MONTH OF APRIL AS SARCOIDOSIS AWARENESS MONTH

A motion was made by Commissioner Stricklend, duly seconded by Commissioner Swords, all members voting affirmatively and so carried to approve Proclamation recognizing the Month of April as Sarcoidosis Awareness Month.

PROCLAMATION

WHEREAS, once thought to be a rare disease, sarcoidosis is now known to affect people of all ages, races and genders; and

WHEREAS, sarcoidosis is an inflammatory disease that can affect almost any organ in the body and causes heightened immunity, a condition that results in overreaction of the immune system, resulting in damage to the body's own tissues; and

WHEREAS, the classic feature of sarcoidosis is the formation of granulomas, microscopic clumps of inflammatory cells that group together, interfering with organ function; and

WHEREAS, in the United States, sarcoidosis most commonly targets the lungs and lymph nodes, but can also affect the skin, eyes, liver, salivary glands, sinuses, kidneys, heart, the muscles and bones, the brain and nervous system; and

WHEREAS, though the exact cause of sarcoidosis is not known, current research indicates that in individuals who are genetically susceptible to sarcoidosis, exposure to bacteria, viruses or chemicals might trigger the disease; and

WHEREAS, while progress has been made in understanding the symptoms and better diagnosing the disease, there is still much to learn about sarcoidosis, but with increased research, the goal of discovering the cause, improving treatment and finding a cure is attainable:

NOW, THEREFORE, I, James Hutcheson, Chairman of the Marshall County Commission and in such capacity, do hereby proclaim the month of April 2018, as SARCOIDOSIS AWARENESS MONTH in Marshall County, Alabama.

S/James Hutcheson

James Hutcheson, Commission Chair

S/Bill Stricklend

Bill Stricklend, Commissioner
District #1

S/R.E. Martin

R. E Martin, Commissioner
District #2

Not Present

David Kelley, Commissioner
District #3

S/Jessie Swords

Jessie Swords, Commissioner

APPROVE CINTAS/U.S. COMMUNITIES CONTRACT; 36 MONTHS

A motion was made by Commissioner Stricklend, duly seconded by Commissioner Swords, all members voting affirmatively and so carried to approve Cintas Contract. Cintas falls under the Purchasing Co-op, U.S. Communities.

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DISTRICT 2 – APPROVE PAYMENT REQUEST TO WHITAKER CONTRACTING; \$6,741.95 FORPAVING OF OLD UNION CEMETERY ROAD

A motion was made by Commissioner Martin, duly seconded by Commissioner Stricklend, all members voting affirmatively and so carried to approve payment request to Whitaker Contracting for paving of Old Union Cemetery Road.

DISTRICT 4 – APPROVE FINANCE AGREEMENT FOR ST-048-888-013, RESURFACING OLD 227 FROM SOUTH SAUTY TO SR227; 3.6 MILES

A motion was made by Commissioner Swords, duly seconded by Commissioner Martin, all members voting affirmatively and so carried to approve finance agreement for ST-048-888-013, Resurfacing Old 227 from South Sauty to SR227 as recommended by County Engineer.

APPROVE BOARD APPOINTMENT FOR MARSHALL JACKSON MRA, INC.; TERM EXPIRES APRIL 1, 2024

A motion was made by Commissioner Stricklend, duly seconded by Commissioner Swords, all members voting affirmatively and so carried to appoint Patricia Austin to Marshall Jackson MRA, Inc. Board; term expires April 1, 2024.

COUNCIL ON AGING – APPROVE UPDATE TITLE VI PROGRAM CONTRACT

A motion was made by Commissioner Swords, duly seconded by Commissioner Martin, all members voting affirmatively and so carried to approve update Title VI Program Contract.

COUNCIL ON AGING – APPROVE RESOLUTION ADOPTING TITLE VI PLAN

A motion was made by Commissioner Stricklend, duly seconded by Commissioner Swords, all members voting affirmatively and so carried to approve Resolution Adopting Title VI Plan.

RESOLUTION

WHEREAS, the Marshall County Council on Aging is a recipient of federal financial assistance from the Alabama Department of Transportation in support of transit services which imposes certain obligations upon the recipient, including complying with the Title VI federal requirements; and

WHEREAS, Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance; and

WHEREAS, the Marshall County Council on Aging commits to assure that no person shall, on the grounds of race, color, national origin, or sex, as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (PL 100.259), be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination under any program or activity regardless of the funding source;

NOW, THEREFORE, be it resolved by the Marshall County Commission as follows:

The Marshall County Commission approves the proposed Title VI Program in order to comply with the Title VI federal requirements.

The Transportation Coordinator, in his/her capacity, will serve as the Title VI Officer and is authorized to revise and update the plan as necessary.

ALDOT made several internal changes; therefore, basic to keeping current, the plan was revised to include those changes.

Adopted this 25th day of April, 2018.

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APPROVE SELL, TRADE OR SCRAP OF FIXED ASSETS

A motion was made by Commissioner Stricklend, duly seconded by Commissioner Swords, all members voting affirmatively and so carried to approve Sell, Trade or Scrap of Fixed Assets.

SURPLUS 11306 Bush whacker District 1 Item no longer needed in department

There being no further business a motion was made by Commissioner Stricklend, duly seconded by Commissioner Martin and so carried to adjourn.

MEETING ADJOURNED

James Hutcheson, Chairman

William H. Stricklend, District 1 Commissioner

R.E. Martin, District 2 Commissioner

David Kelley, District 3 Commissioner

Jessie Swords, District 4 Commissioner