

TALLADEGA COUNTY COMMISSION

Minutes of January 28, 2019

STATE OF ALABAMA)
)
COUNTY OF TALLADEGA)

The Talladega County Commission assembled at the Talladega County Courthouse in the Commission Courtroom for the second regular meeting on Monday, January 28, 2019. The proceedings conducted are as follows:

COMMISSION MEETING CALLED TO ORDER

Chairman Kelvin Cunningham called the meeting to order on Monday, January 28, 2019 at 6:00 p.m. The roll was called with the following Commissioners being present: Commissioner Tony Haynes, Commissioner Kelvin Cunningham, Commissioner Malley Limbaugh and Commissioner Greg Atkinson. Commissioner Jackie Swinford could not attend. A quorum was present. Media was represented by The Daily Home and Commissioner Malley Limbaugh gave the invocation.

APPROVE AGENDA AS AMENDED

Chairman Kelvin Cunningham added "Closing of County Offices Due to Inclement Weather" as Item J to the agenda. Commissioner Tony Haynes made a motion to adopt the agenda as amended and a second was made by Commissioner Malley Limbaugh. Motion carried.

DISCUSSION ITEM

Probate Judge Randy Jinks introduced himself and spoke about his responsibility in serving the citizens of Talladega County.

APPROVE MINUTES OF THE JANUARY 14, 2019

Commissioner Tony Haynes made a motion to approve the minutes of January 14, 2019 and a second motion was made by Commissioner Greg Atkinson. Motion carried.

**APPROVE ENERGIYA AL III, LLC APPLICATION REQUESTING
ABATEMENT OF TAXES FOR UTILITY-SCALE SOLAR FARM**

David Herkovits, on behalf of Energiya AL III, LLC, requested approval of the application for abatement of taxes and resolution relating to the construction of a utility-scale solar farm power generation facility with a capital investment of approximately \$92,832,500. The project is located in the area of Turner Mill Road and Jackson Trace Road within the city of Lincoln police jurisdiction and unincorporated Talladega County. Commissioner Tony Haynes made a motion to approve the tax abatement (excluding taxes and capital improvements for educational purposes) contingent upon Applicant coordinating with the County Engineer regarding routing construction traffic and restoring all roads to its pre-construction condition within three months of project completion. The motion was seconded by Commissioner Greg Atkinson. Motion carried.

**APPROVE COUNTY ENGINEER TO SIGN AND COMMISSION APPROVE
AGREEMENT WITH COOSA VALLEY RC&D TO PARTICIPATE IN THE
FY2019-2020 WATERSHED STRUCTURE IMPROVEMENT PROGRAM**

County Engineer Shannon Robbins requested the Commission approve the agreement with Coosa Valley RC&D to participate in the watershed structure improvement program FY 2019-2010 for the standard maintenance of reservoirs. Commissioner Malley Limbaugh made a motion to approve and a second by Commissioner Greg Atkinson. Motion carried.

**APPROVE RESOLUTION AUTHORIZING ADDITIONAL CREDIT CARD
WITH FIRST BANK OF ALABAMA FOR ROAD DEPARTMENT USE,
WITH LIMITS, AND DESIGNATING COUNTY ADMINISTRATOR AS SIGNER**

County Administrator Pat Lyle requested authorization to apply for an additional credit card with First Bank of Alabama, with a limit of \$10,000, for certain Road Department purchases. The County Administrator will be the designated signer. Commissioner Malley Limbaugh made a motion to approve and a second by Commissioner Tony Haynes. Motion carried.

**APPROVE CAP CABLE, LLC DBA USA COMMUNICATIONS
TO ENTER INTO AN AGREEMENT TO SELL THE CABLE TELEVISION
SYSTEM IN TALLADEGA COUNTY TO HARGRAY OF ALABAMA, INC.
AND TRANSFER THE EXISTING FRANCHISE HELD BY CAP TO HARGRAY**

Bobby Winston of USA stated that CAP Cable, LLC d/b/a USA Communications entered into an agreement to sell the cable television system to Hargray of Alabama, Inc. who will assume responsibility for the operation of the system at time of closing. Hargray is a regional telecommunication company providing advanced communications and entertaining services with plans to expand and improve the footprint for areas that include Stemley, Renfroe, Griffith Bend, and Logan Martin Lake within Talladega County. As of now, rates remain the

same. USA has requested the County adopt a resolution transferring the existing franchise held by CAP Cable to Hargray. Commissioner Tony Haynes made a motion to approve the franchise transfer and a second motion was made by Commissioner Malley Limbaugh. Motion carried.

**AUTHORIZE COMMISSIONERS TO SIGN RESOLUTION TO INVESTIGATE
COMPLIANCE OF SECTION 40-5-35, 43 AND 44 OF THE CODE OF ALABAMA**

Commissioner Greg Atkinson made a motion to approve the signing of the Resolution authorizing the County Administrator to investigate compliance of Section 40-5-35, 43 and 44 of the Code of Alabama and to enlist the services of appropriate professionals as deemed necessary by the County Administrator. Commissioner Tony Haynes made a second to the motion. Motion carried.

APPROVE PERSONNEL REQUEST

County Administrator Pat Lyle requested approval for a one-step adjustment for a Revenue Department employee promoted to CSR2 that is within budget. Commissioner Tony Haynes made a motion to approve and a second motion was made by Commissioner Greg Atkinson. Motion carried.

APPROVE CONFERENCE REQUESTS

County Administrator Pat Lyle requested approval for two Probate Department employees to attend a conference and six employees from the Sheriff's Office to attend the TAASRO conference. All are within budget. The TCBOE will reimburse Talladega County for the TAASRO conferences. Commissioner Greg Atkinson made a motion to approve and a second motion was made by Commissioner Malley Limbaugh. Motion carried.

APPROVE EXPENDITURES

County Administrator Pat Lyle presented expenditures in the amount of \$1,060,742.85 for Commission approval. Commissioner Greg Atkinson made a motion to approve and a second motion was made by Commissioner Malley Limbaugh. Motion carried.

AUTHORIZE CLOSURE OF COUNTY OFFICES DUE TO INCLEMENT WEATHER

County Administrator Pat Lyle requested the Commission authorize the closing of County offices on January 29, 2019 due to inclement weather, and a possible delayed opening on Wednesday, January 30, 2019 pending consultation with the Emergency Management Agency and the Road Department. Commissioner Greg Atkinson made a motion to approve and a second was made by Commissioner Malley Limbaugh. Motion carried.

ANNOUNCEMENTS

- The next commission meeting is Monday, February 11, 2019 at 6:00 p.m. in the commission courtroom. The work session is at 5:00 p.m. in the commission conference room
- County offices will be closed Monday, February 18, 2019 in observance of President's Day
- Talladega County will participate in the 2019 Annual Severe Weather Preparedness Sales Tax Holiday beginning Friday, February 22, 2019 beginning at 12:01 a.m. and ending at 12:00 midnight on Sunday, February 24, 2019 whereby no state sales or use tax is due on covered items as defined by Act No. 2012-256. For more information go to: www.revenue.alabama.gov

ADJOURNED MEETING

There being no further business for January 28, 2019, Commissioner Malley Limbaugh made a motion to adjourn and Commissioner Tony Haynes made a second. Motion carried. Meeting adjourned at 6:15 p.m.

Absent


Jackie Swinford, District 1



Tony A. Haynes, District 2



Kelvin R. Cunningham, District 3



Malley Limbaugh, District 4



Greg Atkinson, District 5