

STATE OF ALABAMA)

JEFFERSON COUNTY) September 28, 2017

The Commission met in regular session at the Jefferson County Courthouse, Birmingham, Alabama at 9:00 A.M., James A. Stephens, President presiding and the following members present:

- District 1 – George Bowman
- District 2 – Sandra Little Brown
- District 3 – James (Jimmie) A. Stephens
- District 4 – T. Joe Knight
- District 5 – David Carrington

Invocation was led by Danielle Cater, Confidential Assistant, District 5, and the Pledge of Allegiance led by Commissioner Sandra Little Brown.

Motion was made by Commissioner Joe Knight and seconded by Commissioner George Bowman, that the Minutes of September 14, 2017 to include the Reconvened Meeting held on September 27, 2017, be adopted as presented and approved. Voting “Aye” George Bowman, Sandra Little Brown, David Carrington, Joe Knight, and Jimmie Stephens.

The Commission met in Work Session on Tuesday, September 26, 2017, and moved to approve the following Committee items to be placed on the September 28, 2017, Regular Commission Meeting Agenda:

Commissioner George Bowman, Health and General Services Committee Item 1 – 7, and 1 Item carried over from the September 14, 2017 Meeting.

Commissioner Sandra Little Brown, Human-Community Development and Human Resource Services Committee items 1 – 2.

Commissioner Jimmie Stephens, Administrative, Public Works and Infrastructure Committee Items 2, 3, 5 – 9, and 12.

Commissioner Joe Knight, Judicial Administration, Emergency Management, Developmental Services Committee, Item 1.

Commissioner David Carrington, Finance, Information Technology, and Business Development Committee had items 5, 30 and item 2 on the Addendum.

Motion was made by Commissioner David Carrington and seconded by Commissioner Joe Knight that Commission Agenda Resolutions 1 through 13, be adopted as presented and approved. Voting “Aye” George Bowman, Sandra Little Brown, David Carrington, Joe Knight, and Jimmie Stephens.

A public hearing was held to receive comments and questions from any interested member of the public regarding the proposed Resolution and Agreement for the Autocar Project. There being no comments or questions, the Public Hearing was thereupon closed with the following action taken.

PUBLIC NOTICE

NOTICE OF PROPOSED ACTION

Notice is hereby given that on September 28, 2017, at 9:00 a.m., during its regularly scheduled Commission Meeting, the Jefferson County Commission will have a public meeting, to consider, discuss, vote upon, and take action on the adoption of a Resolution and Development Agreement authorizing and approving the use and grant of public funds to assist Autocar, LLC, Alabama Land Holdings, LLC and Alabama Equipment Holdings, LLC ("Company"), under which the County will provide financial incentives to the Company for business development and expansion. The Company acquired 48.57 acres and two facilities aggregating approximately one million square feet for a manufacturing operation of vehicle related products ("Project Site") which is located within Jefferson County. The Project will involve an anticipated investment from the Company of \$120,000,000.00 and is expected to result in the creation of 746 new jobs. This development and expansion will result in additional sales and use taxes, business license taxes, ad valorem taxes, general fund revenue and other benefits for the County. The public funds to be granted to the Company will consist of a payment by the County of \$1,492,000.00 contingent upon the Company beginning manufacturing and meeting expected employment goals as mutually agreed.

The public benefits sought to be achieved by the proposed grant of public funds are capital expenditures by the Company within the County; the promotion and advancement of the economic development of the County; as well as the prosperity and we fare of its citizens, the creation of new jobs and tax revenues to the County, the foregoing being direct benefits to the County and its residents. The expenditure of public funds will serve a valid and sufficient public purpose. For purposes of Amendment 772 to the Constitution of Alabama of 1901, the entity to whom or for whose benefit the County proposed to lend its credit or grant funds or things of value is the Company.

Notice of this public meeting is being published pursuant to the requirements of Amendment 772 to the Constitution of Alabama of 1901 (also known as Section 94.01 of the Constitution of Alabama of 1901), as amended, and all other applicable laws, to the extent applicable.

SEPT-28-2017-710
RESOLUTION

This Resolution is made this 28th day of September, 2017, by the Jefferson County Commission (the County), to grant economic incentives to Autocar, LLC, Alabama Land Holdings, LLC and Alabama Equipment Holdings, LLC ("Company").

WHEREAS, the Company has purchased 48.57 acres and two (2) facilities aggregating over one million square feet for a manufacturing operation of vehicle related products within Jefferson County; and

WHEREAS, the expansion and construction of the Project will involve a capital investment of \$120,000,000; and

WHEREAS, the Company is duly qualified to do business in the State of Alabama, and has powers to enter into, and to perform and observe the agreements and covenants on its part contained in the Economic Development Agreement; and

WHEREAS, the County represents and warrants to the Company that it has power under the constitution and laws of the State of Alabama to carry out the provisions of the Economic Development Agreement; and

WHEREAS, Jefferson County is authorized under Amendment 772 of the Alabama Constitution to grant public funds for economic development of the County if the expenditure of public funds serves a valid and sufficient public purpose; and

WHEREAS, the Company has purchased property located in the County (the "Project Site") and plans to expand its operations by redeveloping the facility for the operation and manufacturing of vehicle related products (the "Project") located at the Project site; and

WHEREAS, the Project will involve an anticipated investment from the Company of \$120,000,000 and is expected to result in the creation of 746 new jobs with an average annual wage of \$58,000.00 within the County which will result in additional sales and use taxes, business license taxes, ad valorem taxes, and other benefits for the County; and

WHEREAS, an assessment and evaluation required by the County’s Fiscal Policy has been performed and on September 20, 2017, a notice was published in the Birmingham News which newspaper has the largest circulation in Jefferson County, Alabama, at least seven (7) days prior to this regularly scheduled Commission Meeting on September 28, 2017, at 9:00 a.m., as required by Amendment 772 of the Alabama Constitution. (A copy of the publication is attached hereto as Exhibit A.)

NOW THEREFORE BE IT RESOLVED BY THE JEFFERSON COUNTY COMMISSION that the Commission President is hereby authorized to enter into a Development Agreement with the Company to provide economic incentives of \$1,492,000 contingent on the completion date of the Project and the Company meeting the expected employment goals at the Project Site as fully set forth in the Development Agreement.

The public benefits sought to be achieved by the proposed grant of public funds are capital expenditures by the Company within the County; the promotion, advance and growth of the economic development of the County; as well as the prosperity and welfare of its citizens, the creation of new jobs and tax revenues to the County, the foregoing being direct benefits to the County and its residents. The expenditures of public funds will serve a valid and sufficient public purpose, notwithstanding any incidental benefit accruing to any private entity or entities. For purposes of Amendment 772 to the Constitution of Alabama of 1901, the entity to whom or for whose benefit the County is lending its credit or grant funds or things of value is to the Company.

Motion was made by Commissioner Joe Knight and seconded by Commissioner George Bowman, that the above Resolution be hereby approved. Voting “Aye” George Bowman, Sandra Little Brown, David Carrington, Joe Knight, and Jimmie Stephens.

SEPT-28-2017-711

BE IT RESOLVED BY THE JEFFERSON COUNTY COMMISSION that the Commission President be hereby authorized to execute the following Agreements/Amendments on behalf of Jefferson County, Alabama d/b/a Cooper Green Mercy Health Services:

- Cahaba Valley Health, Inc. #8184 No Cost

Certification

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, Millie Diliberto, Minute Clerk of the Jefferson County Commission, hereby certify that the above and foregoing is a true and correct copy and/or transcript of a resolution duly adopted and approved by the Jefferson County Commission at its regular meeting held on the 28th day of September, 2017, as same appears and is recorded in Minute Book 171, Page(s) 386, of the Official Minutes and Records of said County Commission.

GIVEN, under my hand and seal of Jefferson County, Alabama this the 28th day of September, 2017.

Millie Diliberto
Minute Clerk
Jefferson County Commission

Motion was made by Commissioner David Carrington and seconded by Commissioner Sandra Little Brown, that the above Resolution be hereby approved. Voting "Aye" George Bowman, David Carrington, Joe Knight, and Jimmie Stephens.

SEPT-28-2017-712
Resolution

BE IT RESOLVED BY THE JEFFERSON COUNTY COMMISSION that the Commission President be hereby authorized to execute the following Agreements/Amendments on behalf of Jefferson County, Alabama d/b/a Cooper Green Mercy Health Services:

- Medsphere Systems Corporation #1140 \$341,976.00
- Stella Seagle, RHIT, CTR #7347 \$10,000.00
- Evoqua Water Technologies, LLC #8559 \$2,749.00
- Samford University School of Nursing #9695 No Cost
- UAB School of Nursing #9713 No Cost
- Mark Fruendt, DO #9700 \$130,000.00
- Thermofisher Scientific Asheville LLC #9711 \$1,530.00

Certification

STATE OF ALABAMA)
JEFFERSON COUNTY)

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GIVEN, under my hand and seal of Jefferson County, Alabama this the 28th day of September, 2017.

Millie Diliberto
Minute Clerk
Jefferson County Commission

Motion was made by Commissioner David Carrington and seconded by Commissioner Sandra Little Brown, that the above Resolution be hereby approved. Voting "Aye" George Bowman, David Carrington, Joe Knight, and

Jimmie Stephens.

SEPT-28-2017-713
RESOLUTION

WHEREAS, Jefferson County, Alabama has established the Jefferson County Community Development Consortium to receive Community Development Block Grant (CDBG), the HOME Investment Partnership (HOME), Emergency Solutions Grant (ESG), and other HUD Programs; and

WHEREAS, the City of Hoover expressed their desire to participate in the Jefferson County Community Development Consortium by entering into a cooperation agreement with Jefferson County, AL.

NOW THEREFORE, BE IT RESOLVED by the Jefferson County Commission that the President, be and hereby is authorized, empowered and directed to execute the attached Cooperation Agreement for the City of Hoover to join the Jefferson County Community Development Consortium. The agreement authorizes participation of the City of Hoover in the Fiscal Years 2018, 2019 and 2020 Community Development Block Grant Program, HOME Program, ESG Program and other HUD programs:

ADOPTED: September 28, 2017

CERTIFICATION

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, Millie Diliberto, the Minute Clerk of Jefferson County Commission, hereby certify that the above is a true and correct copy of a Resolution duly adopted by the Jefferson County Commission at a regular meeting, duly assembled, a quorum being present, held on the 28th day of September, 2017, recorded in Minute Book: 171 Page(s): 387, Official Minutes and Records of said County Commission.

GIVEN, under my hand and seal of Jefferson County, Alabama this the 28th day of September, 2017.

Minute Clerk
Jefferson County Commission

Motion was made by Commissioner David Carrington and seconded by Commissioner Sandra Little Brown, that the above Resolution be hereby approved. Voting "Aye" George Bowman, David Carrington, Joe Knight, and Jimmie Stephens.

SEPT-28-2017-714
RESOLUTION

BE IT RESOLVED BY THE JEFFERSON COUNTY COMMISSION that upon the recommendation of the Director of Roads and Transportation and the Director of Environmental Services, the President of the Commission is hereby authorized to execute the attached License Agreement between Jefferson County and the Lamar Corporation for an existing agreement on the Delonah Quarry property owned by Jefferson County.

This agreement permits the Lamar Corporation to maintain and use an advertising signboard on said property for a fee of Four Thousand, Three Hundred and No/100 Dollars (\$4,300.00). Such sign will not be a digital billboard without prior approval of the Development Services Department and the Commission.

Motion was made by Commissioner David Carrington and seconded by Commissioner Sandra Little Brown, that the above Resolution be hereby approved. Voting "Aye" George Bowman, David Carrington, Joe Knight, and Jimmie Stephens.

Communication was read from the Department of Roads and Transportation for the following requests for Excavation Permits from the following Utility Companies:

- Trussville Utilities Board to install 320' of 2" gas main on 3rd Street NE and 22nd Avenue NE in Center Point.
- Alagasco to install 800' of 2" gas main on Garris Drive and 15th Street Road in Bessemer
- AT&T Corporation to install 12,749' of buried cable at 2181 Sweeney Hollow Road in Center Point

Motion was made by Commissioner David Carrington and seconded by Commissioner Sandra Little Brown, that the above requests be hereby approved. Voting "Aye" George Bowman, David Carrington, Joe Knight, and Jimmie Stephens.

SEPT-28-2017-715
Resolution

BE IT RESOLVED BY THE JEFFERSON COUNTY COMMISSION that the Commission President be hereby authorized to execute the following Agreements/Amendments on behalf of Jefferson County, Alabama:

- CitectSCADA Software, Maintenance and Support #9680 \$160,924.00
- AECOM #9419 \$27,400.00
- American Healthcare Resources #9692 \$150,000.00
- Adams Robinson Enterprises, Inc. #9229 \$24,159,000.00

Certification
STATE OF ALABAMA)
JEFFERSON COUNTY)

I, Millie Diliberto, Minute Clerk of the Jefferson County Commission, hereby certify that the above and foregoing is a true and correct copy and/or transcript of a resolution duly adopted and approved by the Jefferson County Commission at its regular meeting held on the 28th day of September, 2017, as same appears and is recorded in Minute Book 171, Page(s) 388, of the Official Minutes and Records of said County Commission.

GIVEN, under my hand and seal of Jefferson County, Alabama this the 28th day of September, 2017.

Millie Diliberto
Minute Clerk
Jefferson County Commission

Motion was made by Commissioner David Carrington and seconded by Commissioner Sandra Little Brown, that the above Resolution be hereby approved. Voting "Aye" George Bowman, David Carrington, Joe Knight, and Jimmie Stephens.

SEPT-28-2017-716
Resolution

BE IT RESOLVED BY THE JEFFERSON COUNTY COMMISSION that the Department of Development Services #4800, is authorized to establish a Petty Cash Fund in the amount of \$400.00 and to set the limit per ticket to \$150.00.

Adopted: September 28, 2017

Motion was made by Commissioner David Carrington and seconded by Commissioner Sandra Little Brown, that the above Resolution be hereby approved. Voting "Aye" George Bowman, David Carrington, Joe Knight, and Jimmie Stephens.

SEPT-28-2017-717
Resolution

Whereas, the Alabama Administrative Office of Courts (A.O.C.) has concluded that under current Alabama Law, the responsibility for court security is the responsibility of the County and the Sheriff, and

Whereas, courtroom security is currently provided by bailiffs in the Criminal and Family Court Divisions and these bailiffs are no longer funded by the A.O.C., and

Whereas, the courts in the Criminal and Family Court Divisions cannot operate without adequate security, and

Whereas, it is in the best interest of the County for the courts to expedite cases in as timely a manner as possible,

Now, therefore be it resolved by the Jefferson County Commission that the President is hereby authorized to execute on behalf of the County an agreement with the A.O.C. to provide reimbursement to the A.O.C. for employment costs for said bailiffs in the Birmingham and Bessemer Divisions of the Tenth Judicial Circuit not to exceed the maximum amount of \$1,133,619.74 appropriation for fiscal year 2017-2018.

Motion was made by Commissioner David Carrington and seconded by Commissioner Sandra Little Brown, that the above Resolution be hereby approved. Voting "Aye" George Bowman, David Carrington, Joe Knight, and Jimmie Stephens.

SEPT-28-2017-718
RESOLUTION

WHEREAS, a recent inventory of Fixed Assets was conducted and as a result of the inventory, some equipment identified as fully depreciated should be removed from the fixed asset list: and

WHEREAS, based on best practices, the disposal of assets greater than ten years of age is recommended.

NOW THEREFORE, BE IT RESOLVED BY THE JEFFERSON COUNTY COMMISSION that the request from the Finance Department to remove for disposal for obsolete equipment (Lists attached for review and on file for permanent record in the Minute Clerk Office) from fixed assets, be approved.

Disposals for Obsolete Equipment (Review Attachments)

<u>ORG NAME</u>	<u>ORG NUMBER</u>
Capitalized Assets General Government	90000010
Fixed Assets Inventory Public Safety	90000020
Fixed Assets Inventory EMA	70214500
Environmental Services Department (ESD)	60420090
Land Development	60220080

CERTIFICATION

STATE OF ALABAMA)

JEFFERSON COUNTY)

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Given, under my hand and seal of Jefferson County, Alabama this 28th day of September, 2017.

Millie Diliberto

Minute Clerk

Jefferson County Commission

Motion was made by Commissioner David Carrington and seconded by Commissioner Sandra Little Brown, that

the above Resolution be hereby approved. Voting "Aye" George Bowman, David Carrington, Joe Knight, and Jimmie Stephens.

SEPT-28-2017-719
RESOLUTION

BE IT RESOLVED BY THE JEFFERSON COUNTY COMMISSION that the Commission President be hereby authorized to execute the following Agreements/Amendments on behalf of Jefferson County, Alabama:

- Decision Support LLC \$38,984.00

Certification

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, Millie Diliberto, Minute Clerk of the Jefferson County Commission, hereby certify that the above and foregoing is a true and correct copy and/or transcript of a resolution duly adopted and approved by the Jefferson County Commission at its regular meeting held on the 28th day of September, 2017, as same appears and is recorded in Minute Book 171, Page(s) 390, of the Official Minutes and Records of said County Commission.

GIVEN, under my hand and seal of Jefferson County, Alabama this the 28th day of September, 2017.

Millie Diliberto
Minute Clerk
Jefferson County Commission

Motion was made by Commissioner David Carrington and seconded by Commissioner Sandra Little Brown, that the above Resolution be hereby approved. Voting "Aye" George Bowman, David Carrington, Joe Knight, and Jimmie Stephens.

Thereupon the Commission Meeting was recessed at 9:14 A.M.

The Commission Meeting was re-convened and adjourned without further discussions or deliberations at 9:00 A.M. Thursday, October 5, 2017.

President

ATTEST:

Minute Clerk