

# **JEFFERSON COUNTY COMMISSION**

## **(Commission Chambers)**

**DATE:** July 28, 2022

**TIME:** 9:00 AM

**I. RECONVENE & ADJOURN THE MEETING OF JULY 14, 2022**

**II. CALL TO ORDER THE MEETING OF JULY 28, 2022 & ROLL CALL**

**III. INVOCATION**

Commission District 3

Senior Pastor Tommy Hannah, First Baptist Church of Shannon

**IV. PLEDGE OF ALLEGIANCE**

**V. APPROVAL OF MINUTES**

1. Commission Meeting - Jul 14, 2022

**VI. PRESENTATIONS**

*None*

**VII. PUBLIC HEARINGS**

**ZONING CASES (13)**

1. **Z-22-0005** The Ole Group, LLC, owner; Rhett Loveman, agent requests a change of zoning from A-1 (Agriculture) to R-R (Rural Residential) for a residential subdivision (108 lots proposed). Parcel ID#s 4300241000003000, 4300133000004000 & 4300134000023000 in Section 24 & 13 Twp 20 S, Range 5W. (Case Only, 5091, 5225 Fletcher Road and 7550 Starkey Drive, McCalla, Alabama 35022)(MCCALLA)(103 acres +/-)

P&Z recommendation: Approval

2. **Z-22-0022** Tyre A, Wilder, owner/agent requests a change of zoning from A-1 (Agriculture) to C-1 (Commercial) for a child development center. Parcel ID# 4300114000004000 in Section 11 Twp 20, Range 5 W. (Case Only, 5555 Eastern Valley Road, McCalla, Alabama 35111)(MCCALLA)(4.5 acres +/-)

P&Z Recommendation: Approval with conditions:

1. The development shall be limited to substantial compliance with the site plan and architectural rendering submitted on June 9, 2022 for P&Z approval; and,
2. Parking lot lighting shall also be directed downward and away from adjacent businesses.

Staff Recommendation: Approval with (modified) conditions:

1. The site plan and architectural renderings are to be submitted for approval by the Planning & Zoning Commission;

2. The architecture should be similar to other recently approved developments along Eastern Valley Road; and,
  3. Parking lot lighting shall also be directed downward and away from adjacent properties.
3. **Z-22-0023** Patrick J. Porter, Jr. & Ebony La-Trice Porter, owners; Ebony Porter, agent requests a change of zoning from Institutional-1 to A-1 (Agriculture) for residential use to include a mobile home. Parcel ID# 06002900001001009 in Section 29 Twp 15, Range 4 W. (Case Only, 4425 Levine Avenue, Graysville, Alabama 35073)(SAYRE)(10.01 acres +/-)
- P&Z Recommendation: Approval
4. **Z-22-0025** Peggy Posey, owner; Brian Pressnell, agent requests a change of zoning from A-1 (Agriculture) and C-N (Neighborhood Commercial) to C-1 (Commercial) for a convenience store with a gas station. Parcel ID# 0600020000006001 in Section 2 Twp 15, Range 4 W. (Case Only, 3487 Warrior Jasper Road, Warrior, Alabama 35180)(PARTRIDGE)(9.34 acres +/-)
- P&Z recommendation: Approval with conditions:
1. The site plan and architectural design are to be submitted for approval by the Planning & Zoning commission; and,
  2. A traffic impact study shall be submitted for approval by the Department of Roads and Transportation.
5. **Z-22-0026** Linton Coal Company, Inc., owner; Thomas E. Simmons, agent requests a change of zoning from I-3 (Industrial) to A-1 (Agriculture) for a three (3) lot residential subdivision. Parcel ID# 0200210000012000 in Section 21 Twp 14, Range 2 W. (Case Only, 2542 Bone Dry Road, Trafford, Alabama 35172)(TRAFFORD)(167 acres +/-)
6. **Z-22-0027** Eric Taylor & Caitlin Bond, owners; Caitlin Bond, agent requests a change of zoning from A-1 (Agriculture) & C-1 (Commercial) to A-1 (Agriculture) to remove split zoning. Parcel ID# 1300214001023000 in Section 21 Twp 16, Range 2 W. (Case Only, 4234 Red Wing Lane, Birmingham, Alabama 35217)(PAWNEE)(3.5 acres +/-)
7. **Z-22-0028** Joy Wood, Personal Representative for the Estate of Eugene Hassell, owner; Joseph A. Miller, III, agent requests a change of zoning from A-1 (Agriculture) to R-G (Single Family) for a garden home subdivision. Parcel ID# 4300281000002002 in Section 28 Twp 20, Range 5 W. (Case Only, 8140 Kimbrel Cutoff Road, McCalla, Alabama 35111)(MCCALLA)(12.67 acres +/-)
8. **Z-22-0029** Douglas Farms, LLC, owner; Joseph A. Miller, III, agent requests a change of zoning from C-1 (Commercial) to R-4 (Multi-Family) for a 30-unit condominium development on lot 3C of the Resurvey of lot 1 Douglas Commons. Parcel ID# 3900123003012025 in Section 12 Twp 19, Range 3 W. (Case Only, 3374 Old Columbiana Road, Birmingham, Alabama 35226)(HOOVER)(4.01 acres +/-)

9. **Z-22-0030** Walker Family Holdings, LTD, owner; John Walker, agent requests a change of zoning from C-1 (Commercial) to A-1 (Agriculture) for residential use. Parcel ID# 1200221000018000 in Section 22 Twp 16, Range 1 W. (Case Only, 4380 Valley Road, Birmingham, Alabama 35235)(TRUSSVILLE)(3.25 acres +/-)
10. **Z-22-0032** Richard D. & Karen White, owners; Steven Gilbert, agent requests a change of zoning from A-1 (Agriculture) to R-1 (Single Family) to remove split zoning. Parcel ID# Part of 14-09-3-000-037.000 (part of proposed lot 2 of White's 2nd Addition to Mount Olive) in Section 9 Twp 16, Range 3 W. (Case Only, 853 Hickory Drive, Mount Olive, Alabama 35117)(MOUNT OLIVE)(.28 acres +/-)
11. **Z-22-0034** Casey Weems, Personal Representative for the Estate of Janis Weems, owner; Jabari Mosley, agent requests a change of zoning from A-1(Agriculture) to R-1(S) (Single Family) for a residential subdivision (36 lots and a retention pond proposed). Parcel ID# 2200064002077000 in Section 06 Twp 17, Range 3 W. (Case Only, 1966 Cherry Avenue, Birmingham, Alabama 35114)(FORESTDALE)(9.38 acres +/-)
12. **Z-22-0036** Ana Villegas, owner requests a change of zoning from A-1 (Agriculture) & C-1 (Commercial) to A-1 (Agriculture) to remove split zoning. Parcel ID# 1300211002007000 in Section 21 Twp 16, Range 2 W. (Case Only, 4310 Osage Drive, Birmingham, Alabama 35217)(PAWNEE)(1.88 acres +/-)
13. **Z-22-0037** Susan Elizabeth Sanders Tucker, Pattie Carol Sanders Wolford, Jennifer Lynn Sanders Boatwright and Pamella Clair Sanders Gunter, owners; Greg Nye, agent requests a change of zoning from A-1 (Agriculture) to R-1 (Single Family) for a residential subdivision (57 lots proposed). Parcel ID#s 0800180000003002, 0800074000005000 & 0800074000006000 in Section 20 Twp 18, Range 5 W. (Case Only, 1088, 1120, 1080 Bob Glenn Road, Morris, Alabama 35116)(MORRIS)(66.25 acres +/-)

#### **VIII. RESOLUTIONS 1 - 53**

#### **IX. PUBLIC WORKS, COMMUNITY SERVICES & INTER-GOVERNMENTAL RELATIONS - COMMISSIONER SCALES**

---

##### **A. Commission District 1**

1. Resolution authorizing the execution of a Community Grant Agreement with Empowerment, Inc. in the amount of 50,000.00 for conference workshops and festival.

---

##### **B. Environmental Services**

2. Resolution authorizing an MB01 Permit with the Alabama Department of Transportation for the repair of a sanitary sewer pipe inside ALDOT Right-of-Way along AL Highway 79 near Depot Street in the city of Tarrant.

**X. COMMUNITY DEVELOPMENT & HUMAN RESOURCE SERVICES - COMMISSIONER TYSON**

---

**A. Commission District 2**

3. Resolution authorizing the execution of a Infrastructure Grant Agreement with the Birmingham Negro Southern League Museum Foundation in the amount of \$25,000.00.

---

**B. Cooper Green Mercy Health Services**

*No Items Submitted*

---

**C. Coroner**

*No Items Submitted*

---

**D. Department of Community Services**

4. Resolution authorizing the Commission President to execute an ADECA CDBG Public Service agreement with Community Food Bank of Central Alabama, Inc. for emergency food assistance (ADECA CDCV19-05W-CW-CFBCA), amount of the agreement will not exceed \$466,5600 and the funds will come from the ADECA CDBG-CV grant.
5. Resolution authorizing the Commission President to execute a CDBG Public Service agreement with Community Food Bank of Central Alabama, Inc. for emergency food assistance (CD19-05W-CW-CFBCA), amount of the agreement will not exceed \$896,406.75 and the funds will come from the 2019 Program Year as amended to include CARES Act funding.
6. Resolution authorizing the Commission President to sign a Lender Consent letter for the HOME funded Oak Park Villas rental development.
7. Resolution authorizing required local funds be expended from the General Fund in the amount of \$305,043.00 as local non-federal match to the Birmingham Regional Paratransit Consortium operation, administration, planning, and capital expenditures under the Section 5311 Rural Area Public Transportation during Fiscal Year 2023.
8. Resolution authorizing the Amendments of the PY2015-20 CDBG, ESG, and HOME application and allows the Commission President to sign the SF 424 Application Forms, Certifications, and Environmental Review documents for submittal to the U.S. Department of Housing & Urban Development along with the amended 2015-20 One-Year Action Plan for CDBG, ESG, and HOME programs as amended.

9. Resolution authorizing this year's CDBG, ESG, and HOME Open Season. Jefferson County will receive Community Development Block Grant (CDBG) applications from municipalities, non-profit organizations, and citizens groups located in Jefferson County, Alabama outside the cities of Birmingham, Bessemer, Helena, and Sumiton. We will also receive Emergency Solutions Grant (ESG) applications from approved local non-profit providers of homeless assistance in Jefferson County.
  10. Resolution authorizing the Commission President to execute a Federal Emergency Solutions Grant agreement with Bridge Ministries, Inc. (HESG21-HP-RR-BM) for an amount not to exceed \$67,607.00 for the 2021 Program Year.
  11. Resolution authorizing the Modification to allocate the remaining unobligated funds to ensure Jefferson County meets the U.S. Department of Treasury's September 30, 2022, spending deadline in addition to allocating the \$5,000,000.00, voluntary reallocation from the State of Alabama and meeting U.S. Department of Treasury's December 29, 2022 spending deadline for the reallocated funds.
- 

**E. Department of Workforce Development**

12. Resolution authorizing the President to execute the WIOA agreements for Adult and Dislocated Workers between Jefferson County, Alabama as Administrator for Central Alabama Partnership for Training and Employment (CAPTE) and the Eligible Training Provider, E.S.D School, LLC.) for the period of July 1, 2021, thru June 30, 2023, as required by the WIOA regulations.
- 

**F. Family Court**

*No Items Submitted*

---

**G. Youth Detention**

*No Items Submitted*

---

**XI. ADMINISTRATIVE & INFRASTRUCTURE - COMMISSIONER STEPHENS**

---

**A. Commission District 3**

13. Resolution directing the County Attorney to pursue and initiate all legal actions authorized by law against bingo halls operating in unincorporated Jefferson County.

---

**B. County Attorney**

14. Resolution to deny the personal injury claim of Maxine Stitsher.
15. Resolution to deny the personal injury claim of Charles Harris.
16. Resolution to deny the personal injury claim of Sedric Glanton.
17. Resolution to deny the personal injury claim of Sandra Moore.
18. Resolution to deny the property damage claim of Tony Fiore.
19. Resolution to deny the property damage claim of State Farm as subrogee for Tracy Bell.
20. Resolution to deny the property damage claim of Larcreetta Jackson.
21. Resolution to deny the property damage claim of Tracey White.
22. Resolution to deny the property damage claim of Scotty Johnson.
23. Resolution to deny property damage claim of Jennifer Ann Vice.
24. Resolution denying the property damage claim of Kemba Speigner.
25. Resolution to deny the property damage claim of Michael Smith.
26. Resolution to deny the property damage claim of William Roper Elrod.
27. Resolution to deny the property damage claim of Patricia Clements.
28. Resolution to deny the property damage claim of Barry Scott Loggins.
29. Resolution denying the property damage claim of Ashlee Riopka.
30. Resolution to deny property damage claim of Willie Wise.
31. Resolution to approve sewer back up claim of Matthew Cate.
32. Resolution to deny the claim of Edwin Allen Wilson.
33. Resolution authorizing the County Attorney to accept \$25,000.00, as payment from State Farm for property damage claim.
34. Resolution authorizing the execution of an Agreement with USI Insurance Services LLC for a fixed fee amount of \$22,500.00, to provide Broker of Record of Insurance Services.

---

**C. County Manager**

35. Resolution for reappointment of Sheila Tyson to the Healthcare Authority Board of Directors and nomination and appointment of Cal Markert to replace former County Manager, Tony Petelos as board member to the Healthcare Authority Board of Directors.

---

**D. Public Information Office**

*No Items Submitted*

---

**E. Roads & Transportation**

36. Resolution authorizing the execution of an Engineering Services Agreement with TTL Inc for the proposed widening and intersection improvements along 2.6 miles of Old Tuscaloosa Highway Project No. JCP 37-19-395.
37. Resolution authorizing the execution of an Amendment 1 to the Leasing Agreement with NCL Government Capital for Dump Trucks.

---

**F. Sheriff's Office**

*No Items Submitted*

**XII. FINANCIAL, JUDICIAL, EMERGENCY MANAGEMENT & DEVELOPMENT AND GENERAL SERVICES - COMMISSIONER KNIGHT**

---

**A. Commission District 4**

38. Resolution authorizing the execution of a Community Grant Program Agreement with the City of Kimberly in the amount of \$45,000.00, to assist with the purchase of a Police Tahoe.

---

**B. Finance**

39. Approval of the Unusual Demand Report dated 07/28/2022.
40. Resolution authorizing the approval of the Purchasing Agenda Reports for the weeks of 06/23/22 - 06/29/22, 06/30/22 - 07/06/22, and 07/07/22 - 07/13/22.
41. Resolution authorizing the approval of the Purchasing Exceptions Reports for the weeks of 06/23/22 - 06/29/22, 06/30/22 - 07/06/22, and 07/07/22 - 07/13/22.

42. Resolution authorizing the approval of the Encumbrance Reports for the weeks of 06/23/22 - 06/29/22, 06/30/22 - 07/06/22, and 07/07/22 - 07/13/22.
43. Resolution authorizing the ratification of the Regions Bank Visa Statement for closing date 05/31/2022.
44. Resolution authorizing the ratification of the Jefferson Credit Union Statement for closing date 06/03/2022.
45. Resolution authorizing the execution of a PACA Intergovernmental Agreement establishing partnership with Escambia County Board of Education.

**C. Budget Management Office**

46. Approval of the Travel/Staff Development dated 7/28/2022, as follows:

**MULTIPLE STAFF DEVELOPMENT**

**Revenue**

Eric R. Pruitt	1,572.10
Wanda Sanders	1,388.93
*Travis A. Hulsey	1,917.20
GFOAA Summer Conference	
Orange Beach, AL -August 10-12, 2022	
*August 9-13, 2022	

**Youth Detention**

Juan G. Sepulveda	2,108.30
*Monique T. Grier	2,144.28
Louisville, KY -September 26, 2022 -October 1, 2022	
*September 26-30, 2022	

**INDIVIDUAL STAFF DEVELOPMENT**

**Development Services**

Raymond Wayne Trammell	95.00
QCI CE Class Stormwater Online	
Birmingham, AL -May 11, 2022	

**Environmental Services**

Emily Kemp	4,694.67
American Society of Civil Educational Conference	
Las Vegas, NV -September 25, 2022 -October 01, 2022	
David Denard	4,003.82
NACWA 2022 Utility Leadership Conference	
Seattle, WA -July 24-27, 2022	



**Finance**

Angela Dixon	5,000.00
Momentum Leaders Birmingham: Women's Executive Leadership Program, Program Year	
Birmingham, AL -September 20, 2022 -May 11, 2023	

**Revenue**

Charles P. Bell	799.50
AMROA	
Mobile, AL -August 1-3, 2022	

**Security**

Melvin Grigsby	539.88
Red Dot Duty Pistol Instructor Workshop	
Tuscaloosa, AL -September 19-20, 2022	

Melvin Grigsby	989.88
Modern Samuel Project -Red Dot Pistol Fundamentals Instructor	
Tuscaloosa, AL -September 13-14, 2022	

**FOR INFORMATION ONLY****Emergency Management Agency**

Jim St. John	1,201.87
IAFC EM Committee Meetings	
San Antonio, TX -August 22-24, 2022	

**Personnel Board**

Pete Blank	1,805.73
IPMA-HR Annual Conference	
Washington, DC -September 28-30, 2022	

**Sheriff**

Jared White	4,918.29
APSCON, TFO & Water EGRESS & Survival Training	
Reno, NV -July 24-30, 2022	

47. Resolution authorizing the following Budget Transaction:

For Information Only 1) EMA - Increase revenue and expenditures to record reimbursements from the City of Birmingham for personnel support for City Events. No Additional Funds Required

---

**D. Revenue**

*No Items Submitted*

---

**E. Board of Equalization**

48. Resolution authorizing the execution of an Agreement with CoStar Realty Group in the amount of \$37,397.50.

---

**F. Board of Registrars**

*No Items Submitted*

---

**G. Circuit Clerk**

*No Items Submitted*

---

**H. Development Services**

*No Items Submitted*

---

**I. District Attorney**

49. Resolution authorizing the execution of all documents relating to the payroll request for Deandra Ragland, Deputy District Attorney, Birmingham Division, with a start date of July 16, 2022.

---

**J. Emergency Management Agency**

50. Resolution acknowledging the 22EMA EMPG STATE COOPERATIVE AGREEMENT \$11,940.00 for the dates of 10/01/2021-09-30-2022.

---

**K. 911 Emergency Communications District**

*No Items Submitted*

---

**L. General Services**

*No Items Submitted*

---

**M. Security Office**

*No Items Submitted*

---

**N. Human Resources**

51. Resolution authorizing the execution of an Amendment to the Employment Agreement with Monique Grier to continue services through October 30, 2025, as Director of Youth Detention.

---

**O. Compliance Office**

*No Items Submitted*

---

**P. Jefferson County Pension Board**

*No Items Submitted*

---

**Q. Law Library**

*No Items Submitted*

---

**R. Personnel Board of Jefferson County**

*No Items Submitted*

---

**S. Probate Court**

*No Items Submitted*

---

**T. State Court**

*No Items Submitted*

---

**U. Tax Assessor**

*No Items Submitted*

---

**V. Tax Collector**

*No Items Submitted*

---

**W. Treasurer**

*No Items Submitted*

**XIII. INFORMATION TECHNOLOGY & ECONOMIC DEVELOPMENT - COMMISSIONER AMMONS**

---

**A. Commission District 5**

52. Resolution authorizing the execution of Community Grant Program Agreement with the Sloss Furnace Foundation in the amount of \$20,000.00 (\$10,000.00 D-5 & \$10,000.00 D-4), to assist with funding for its Light Up Sloss project.

---

**B. Economic Development**

*No Items Submitted*

---

**C. Information Technology**

53. Resolution authorizing the execution of an Agreement with TEKSystems Temporary Services to Fill Positions in Information Technology Services.

**XIV. NEW BUSINESS FOR UNANIMOUS CONSENT AND CONSIDERATION**

**XV. COMMENTS**

County Attorney - Theo Lawson

County Manager – Cal Markert