

JEFFERSON COUNTY COMMISSION

(Commission Chambers)

DATE: December 15, 2022

TIME: 9:00 AM

I. RECONVENE & ADJOURN THE MEETING OF DECEMBER 1, 2022

II. CALL TO ORDER & ROLL CALL

III. INVOCATION

Commission District 2

Reverend Tracy Hipps, Christian Service Mission

IV. PLEDGE OF ALLEGIANCE

V. APPROVAL OF MINUTES

1. Commission Meeting - Dec 1, 2022

VI. PRESENTATIONS

Commissioner Tyson District 2:

1. Presentation Honoring the RAMSAY HIGH SCHOOL VARSITY FOOTBALL TEAM for winning the 2022 5-A State Championship.

VII. PUBLIC HEARINGS

1. TEFRA Approval for Gulf Coast Portfolio Project Public Hearing and Resolution authorizing the issuance of Bonds pursuant to Section 147(f) of the Internal Revenue Code of 1986, and matters concerning Capital Trust Authority Tax Exempt Bonds (Gulf Coast Portfolio Project).

Liquor License:

2. B-22-0006 Family Dollar Stores of Alabama, LLC applicant; d/b/a Family Dollar Store #25347, requests approval of a (050) Retail Beer (Off Premises Only) and a (070) Retail Table Wine (Off Premises Only) license on Parcel ID# 22-07-3-012-004.000 in Sec 7, Twp 17, Range 3W. Zoned C-1 (Commercial). (Site Location: 1644 Forestdale Boulevard, Birmingham, AL 35214) (FORESTDALE)

Zoning Cases:

3. Z-22-0046 Fabiola Yadira Marquez Giron, owner; Fabiola Marquez, agent requests a change of zoning from C-1 (Commercial) to I-1 (Industrial) for a roof truss fabrication business. Parcel ID# 0900314008034000 in Section 31 Twp 15, Range 1 W. (Case Only, 4100 Pinson Blvd, Pinson, 35126)(PINSON)(2.5 acres +/-)

P&Z Recommendation: Denial

4. Z-22-0045 Garywood Assembly of God, owner; Daphney Massey, agent requests a rezoning in alignment with proposed subdivision (S-22-0063)* resulting in lot 1 of Garywood Assembly Church of God Resurvey #1 including lots 10-12 Hamilton's Subdivision being zoned A-1 (Agriculture) for show cattle and lot 2 of Garywood Assembly Church of God Resurvey #1 including lots 1-9 of Hamilton's Subdivision being zoned R-2 (Single Family) for existing single-family dwellings. Parcel ID#3700363000009000 & 4300012002002000 in Section 36&01 Twp 19&20, Range 5 W. (Case Only, 6056 Moore Cemetery Road & 5341 Charles Hamilton Road, McCalla, 35111) (McCalla)(23 acres +/-)

P&Z Recommendation: Approval

5. Z-22-0054 Milton K. Scott & Stephen Lovell Riddlespurge, owners; Bryan S. Pressnell, agent requests a change of zoning from A-1 (Agriculture) to C-1 (Commercial) for a proposed hotel development. Parcel ID#s 3800314000020000 & 3800313000012000 in Section 31 Twp 19, Range 4 W. (Case Only, 2144 Eastern Valley Road & 101 McCalla Road, Bessemer, Alabama 35022)(EASTERN VALLEY(3.34 acres +/-)

P&Z Recommendation: Approval

6. Z-22-0058 Van Mulvehill, owner; Bryan S. Pressnell, agent requests a change of zoning from A-1 (Agriculture) to C-1 (Commercial) for a proposed car wash. Parcel ID#s 0900313004001000 & 0900313004002000 in Section 31 Twp 15, Range 1 W. (Case Only, 4024 & 4032 Main Street, Pinson, Alabama 35126)(PINSON)(.73 acres +/-)

P&Z Recommendation: Approval with conditions:

1. Unpermitted and unsuitable fill material must be removed, and suitable material must be placed on site to elevate ground above the base flood elevation before any site plan can be approved.
 2. Review and Approval is required by Fish & Wildlife due to the potential of endangered species on site.
 3. Review and Approval is required by FEMA to develop in a FEMA designated floodplain.
7. Z-22-0059 Alberta Diaz Sanchez & Guillermo Mendoza, owners; Guillermo Mendoza, agent requests a change of zoning from R-1 (Single Family) and C-1 (Commercial) to R-1 (Single Family) to remove split zoning and bring into compliance. Parcel ID# 0900191001002000 in Section 19 Twp 15, Range 1 W. (Case Only, 0900191001002000, Pinson, Alabama 35126)(PINSON)(6.96 acres +/-)

P&Z Recommendation: Approval

8. Z-22-0061 Jefferson County Economic and Industrial Development Authority, Jerome & Cindy Cowley, Norfolk Southern Railway Company, Gulf Alabama Properties, LLC, owners; Cal Markert, Jefferson County Manager, agent requests to modify or remove existing restrictive covenants #2, 3, 4, 5, & 6 (highlighted below) to enable practical and

appropriate development of the property with consideration of the public health, safety, and welfare by relaxing the restrictions for buffering and access to promote a development plan harmonious with necessary improvements to the public right of way. Parcel ID#s 4300212000019000, 4300213000001007, 4300214000002001, 4300211000001000, 4300211000001001, 4300211000001002, 4300211000001003, 4300222000002005, 4300164000005000, 4300164000005001, 4300164000005002, 4300164000005003, 4300153000002000 (pt.), 4300153000002001 (pt.), 4300153000016000 (pt.), 4300161000001701 (pt.), 4300161000001702 (pt.), 4300164000002701 (pt.), 4300164000002702 (pt.), 4300152000015701, 4300152000015702, 4300152000002701, 4300152000002702 in Section 15, 16, 21, and 22 Twp 20, Range 5 W. (Case Only, 7710, 7616, 7500, 7400, 6990, 6950, and 7351 Old Tuscaloosa Highway, McCalla, Alabama 35111)(MCCALLA)(634.4 acres +/-)

1. The covenants of the Jefferson County Industrial Development Board for the Jefferson Metropolitan Industrial Park as recorded in Book 0061, Page 7918 of the Probate Court of Jefferson County, Bessemer Division are adopted in whole as a part of this rezoning.
2. A fifty (50) feet wide, undisturbed buffer shall be maintained along the railroad line except those limited areas required to provide rail spur access to park tenants.
3. A fifty (50) feet wide buffer shall be maintained along both sides of Old Tuscaloosa Highway, Lowetown Road and Kimbrell Cutoff Road; at the time of development of the site(s) said buffer shall be improved through landscaping and berms as required to provide, at time of installation, a solid visual screen six (6) feet in height.

No recommendation from P&Z

VIII. RESOLUTIONS 1 - 62

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

A. Commission District 1

1. Resolution authorizing the execution of a Community Grant Program Agreement with the Nadyne G. Johnson Foundation in the amount of \$3,000.00 to support a Film Industry Youth Education Program & Spring Break Film Camp.

B. Board of Equalization

No Items Submitted.

C. Environmental Services

2. Resolution authorizing the execution of a contract with Max Foote Construction Co., LLC for the Village Creek Water Reclamation Facility Reliability and Biological Improvements – Phase 3 project. This project will provide necessary improvements and upgrades to replace equipment that is at or near the end of its useful life, improve redundancy and reliability, increase performance of various unit processes, and improve operational efficiency to reduce costs.
3. Resolution authorizing the execution of a permit agreement with the Alabama Department of Transportation to construct an 8-inch diameter sewer in SR-7 near Roosevelt Blvd in the City of Trussville.

D. Human Resources

No Items Submitted

E. Compliance Office

No Items Submitted

F. Jefferson County Pension Board

No Items Submitted

G. Personnel Board of Jefferson County

No Items Submitted

X. COMMUNITY DEVELOPMENT & HEALTH SERVICES - COMMISSIONER TYSON

A. Commission District 2

4. Resolution authorizing the execution of a Community Grant Agreement with Birmingham Volunteer Lawyers Program, Inc in the amount of \$3,500.00, to assist eligible Jefferson County residents in participating in Alabama's Redeemer Act and enable them to have specified offenses expunged.
5. Resolution authorizing the execution of a Community Grant Program Agreement with III-Z, Inc. in the amount of \$2,000.00, for a Holiday Feeding Initiative.

6. Resolution authorizing the execution of a Community Grant Program Agreement with 1 Step 2 Fitness in the amount of \$30,000.00 (\$25,000.00 D2 and \$5,000.00 D1), to assist with providing healthy exercise and education to Jefferson County residents.
 7. Resolution authorizing the execution of a Community Grant Program Agreement with Christian Service Mission, Inc in the amount of \$10,000.00, to assist them in providing meals for Jefferson County residents during the 2022 Holiday Season.
 8. Resolution authorizing the approval of the appointment of Cynthia Donald to the Jefferson County Planning and Zoning Commission, for a four-year term to end December 15, 2026.
 9. Resolution authorizing the re-appointment of Nolanda Bearden-Hatcher to the Jefferson County Housing Authority for a term ending September 30, 2027.
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B. Community Services

10. Resolution authorizing the Commission president to execute this Cooperation Agreement between Jefferson County, Alabama and the City of Tarrant associated with Tarrant Demolition Project (CD21-04-CW-TDP). There are \$92,386 in federal funds allocated to this project. This project is from the 2020 and 2021 program years.
11. Resolution authorizing the execution of an Amendment 1 to the Agreement with Benevate, Inc. (dba Neighborly Software) for the Emergency Rental Assistance Program. The amount of the amendment will add One Hundred Fifty Thousand and 00/100 Dollars (\$150,000.00) for a not to exceed amount of Three Hundred Fifty-Seven Thousand and 00/100 Dollars (\$357,000.00). The funds will come from U.S. Department of Treasury Emergency Rental Assistance Program funding.
12. Resolution authorizing an Amendment 1 to the Agreement with Engineering Service Associates for the provision of Engineering Services in connection with the McAdory Storm Shelter II (CDBG-DR12-U03-McADSS2-R3). The modification extends the contract through December 31, 2022.
13. Resolution authorizing the Commission President to award and execute Amendment No. 2 to the Agreement with Coston General Contractors, Inc. The purpose of this Modification is to extend the Agreement 59 days and to modify the scope to due to delays from Spire.
14. Resolution authorizing the Commission President to sign the grant agreements and any other document between the Department of Housing and Urban Development and Jefferson County for the Community Development Block Grant (CDBG) Program PY 2022.

15. Resolution authorizing the Commission President to sign the grant agreements and any other documents between the Department of Housing and Urban Development and Jefferson County for the Emergency Solutions Grant (ESG) grant for Program year 2022.
16. Resolution authorizing the Commission President to sign the grant agreement and any other document between the Department of Housing and Urban Development and Jefferson County for the HOME Investment Partnership (HOME) grant for Program Year 2022.
17. Resolution authorizing the Commission President to sign the Consolidated Annual Performance and Evaluation Report (CAPER) for Program Year 2021 once the public comment period ends on or after December 19, 2022.
18. Resolution authorizing the Commission President to sign a Lender Consent letter for the HOME funded Artesian Spring rental development. Jefferson County has a HOME mortgage on the property.
19. Resolution authorizing the Office of Community Services to request and accept from the State of Alabama and its assigns an additional voluntary reallocation of Emergency Rental Assistance Program under the American Rescue Plan Act of 2021 funds for an additional award not to exceed \$25,000,000.00, to provide funding for the Jefferson County Emergency Rental Assistance Program.

C. Cooper Green Mercy Health Services

No Items Submitted

D. Coroner

20. Resolution authorizing the execution of the Agreements with UAHSF/UAB Dept of Pathology on behalf of Jefferson County, Alabama d/b/a the Jefferson County Coroner/Medical Examiner Office for Pathology Autopsy Services in the amount of \$1,680,000.00.
21. Resolution authorizing the execution of the Agreements with UAHAUF/UAB Dept of Pathology Services on behalf of Jefferson County, Alabama d/b/a the Jefferson County Coroner/Medical Examiner Office for Toxicology Services in the amount of \$480,000.00.

E. District Attorney

No Items Submitted

F. Family Court

22. Resolution authorizing the extension of an agreement with Behavioral Interventions, Inc., to provide equipment for the electronic monitoring program for Family Court until December 30, 2022.

G. Sheriff's Office

No Items Submitted

H. Workforce Development

No Items Submitted

I. Youth Detention

23. Resolution authorizing the execution of an Agreement with Handel Technologies, Inc., in the amount of \$102,798.82 for the purpose providing the RiteTract software to centralize the location of all case and client data.

XI. ADMINISTRATIVE & INFRASTRUCTURE - COMMISSIONER STEPHENS

A. Commission District 3

No Items Submitted

B. County Attorney

24. Carried-Over from 12/1/2022, Resolution authorizing an Amendment to the Sales Purchase Agreement and a License Agreement with U.S. Steel.
25. Resolution to deny the property damage claim filed on behalf of AT&T.
26. Resolution to deny the property damage claim filed on behalf of Clint Sukar.
27. Resolution to deny the property damage claim of USAA Insurance Company, as subrogee of Stella Grenier.
28. Resolution to approve the property damage claim of Matthew Cate in the amount of \$15,233.48.
29. Resolution to approve personal injury claim of Chad Kent in the amount of \$13,000.00.

30. Resolution to deny personal injury claim of Gwendolyn Goodman.
31. Resolution to deny property damage claim of Tameka Jones.
32. Resolution to deny the property damage claim of David Brasfield.
33. Resolution to deny property damage claim of CorDarius Bland.
34. Resolution to deny property damage claim of Jennifer Peil.
35. Resolution to deny property damage claim of Dimitri Densmore.
36. Resolution to deny property damage claim of Yolanda Johnson.
37. Resolution to deny property damage claim of Taria Sanders.
38. Resolution to deny property damage claim of Carla Smith - Williams.
39. Resolution authorizing the settlement of the lawsuit styled Linda Jane Foster v. Jefferson County, et al for \$29,000.00.
40. Resolution authorizing the approval of the workers' compensation claim of Carmen Givens in the amount of \$13,905.70.

C. County Manager

41. Resolution authorizing the receipt of payments as partial compensation for ad valorem taxes lost from those lands located in Jefferson County.

D. Public Information Office

No Items Submitted

E. Roads & Transportation

42. Resolution authorizing the execution of an MOU between the State of Alabama and the Jefferson County Commission for Annual Allocation of Specified Funds.
43. Resolution authorizing payment for Tract 38, Bell Hill Road Project.
44. Resolution authorizing payment for Tracts 1,4,16,17,18,23,24,26,27,28,32,33,34,35,36,40, and 41 Bell Hill Road -Permission to Condemn.

45. Resolution authorizing a Deed of Exchange to correct an error made in the legal description on the recorded right-of-way deed for a section of Cedar Mountain Road.

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

A. Commission District 4

46. Resolution authorizing the execution of a Community Grant Program Agreement with the City of Leeds in the amount of \$1,000.00, to assist the Leeds Senior Center with their 2022 holiday events.
47. Resolution authorizing the execution of a Community Grant Program Agreement with the City of Center Point in the amount of \$2,000.00 (\$1,000.00 D4 and \$1,000.00 D1), to assist the Center Point Senior Center with their 2022 holiday events.

B. Finance

48. Approval of the Unusual Demand Report 12/15/2022.
49. Resolution authorizing the approval of the Purchasing Agenda Reports for the week of 11/17/22 - 11/30/22.
50. Resolution authorizing the approval of the Purchasing Exceptions Report for the week of 11/17/22 - 11/30/22.
51. Resolution authorizing the approval of the Encumbrance Report for the week of 11/17/22 - 11/30/22.
52. Resolution authorizing the ratification of the Regions Bank Purchasing Statement for closing Date November 30, 2022.

C. Budget Management Office

53. Approval of the Travel/Staff Development dated 12/15/2022.

MULTIPLE STAFF DEVELOPMENT

Community Development

Arnette Willis	236.00
Kaneyuana Edwards	245.75
CGAT-Payroll	
Tuscaloosa, AL -January 19,2023	

Revenue

Daren Lanier	150.00
Scott Herron	1,500.00
Ashley Heard	
Ashley Lewis	
Tracie Swanson	
Wanda Sanders	
Antonio Davis	
Lajanua McDonald	
LaQueta Clay	
Bonita Brown	
Traci Craig	
Alabama Licensing Officials Conference, Assoc of AL Tax Administrators	
Prattville, AL -December 7-8, 2022	

Youth Detention

Juan G. Sepulveda	3,000.25
*Monique T. Grier	2,392.20
American Correctional Association	
Orlando, FL -January 26, 2023-February 1, 2023 *January 27, 2023-February 1, 2023	

INDIVIDUAL STAFF DEVELOPMENT**Board of Equalization**

Carl Walker	1,192.72
Alabama Real Property Appraisal Manual	
Montgomery, AL -December 12-16, 2022	

Board of Registrar

Barry Stephenson	1,312.24
Election Center Joint Election Officials Conference	
Arlington, VA -January 11-13, 2023	

Commissioner District 2

Emily Ingram	523.35
ACCA Legislative Conference	
Montgomery, AL -December 7-8, 2022	

Community Development

Joseph Dees	1,575.00
NDC Training-ED 101 Class Online	
Birmingham, AL -November 7, 2022-May 7, 2023	

District Attorney Birmingham

Julie McMakin	850.00
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Leadership Forum/Alabama State Bar
Mobile, AL -January 17-18, 2023

Environmental Services

Sophia Hepburn 3,337.54
GFOA- Accounting Academy
New Port Beach, CA -February 26, 2023 -March 5, 2023

Revenue

Lashawn Pegues 379.50
GEDI Auburn University-CRE Certification Class
Hoover, AL -November 2-4, 2022

Wiley E. Stoudenmine 840.47
AMROA Conference
Auburn, AL -December 7-9, 2022

Tax Assessor Birmingham

Henri Anthony 645.00
Alabama Real Property Appraisal Manual
Montgomery, AL -December 12-16, 2022

D. Board of Registrars

No Items Submitted

E. Circuit Clerk

54. Resolution authorizing compensation for Jackie Anderson Smith, Circuit Clerk, Birmingham, for serving as Absentee Manager for the General Election in November, 2022, in the amount of \$9,000.00.
55. Resolution to approve compensation for Karen Dunn Burks, Circuit Clerk, Bessemer, for serving as Absentee Manager for the Primary Election on May 24, 2022, in the amount of \$9,200.00.

F. Development Services

No Items Submitted

G. Emergency Management Agency

No Items Submitted

H. General Services

56. Resolution authorizing the execution of an Agreement with Heartland Payment Systems, LLC for bank card processing services at Jefferson County Courthouse's parking lot.

I. Law Library

No Items Submitted

J. Probate Court

No Items Submitted

K. Revenue

No Items Submitted

L. Security Office

No Items Submitted

M. State Court

No Items Submitted

N. Tax Assessor

No Items Submitted

O. Tax Collector

No Items Submitted

P. Treasurer

No Items Submitted

XIII. INFORMATION TECHNOLOGY & ECONOMIC DEVELOPMENT - COMMISSIONER AMMONS

A. Commission District 5

57. Resolution authorizing the execution of a Community Grant Program Agreement with the Bell Center in the amount of \$5,000.00, to assist in providing early intervention services including physical, occupational, and speech-language therapies and early childhood special education to children at risk for developmental delays.
58. Resolution authorizing the execution of an Infrastructure Grant Agreement with Rocky Ridge Fire District in the amount of \$5,000.00, to assist with the purchase of a new fire hydrant to be installed at the intersection of Altadena Lake Drive and Red Wing Drive.
59. Resolution authorizing the execution of an Infrastructure Grant Agreement with Red Mountain Theatre Company in the amount of \$150,000.00, to support renovations and expansions on Red Mountain Theatre's campus and construct the Red Corner (an expansion that will cover on the entire city block), which will create outdoor space, relocate the discovery theatre, and create more rehearsal space for arts education classes.

B. Economic Development

60. Resolution authorizing the execution of a Brownfield Tax Abatement Agreement for Novu Parkside Residences, LLC, to develop and construct a 5-story multifamily residential building at the corner of 12th street and 2nd Avenue South.
61. Resolution authorizing the execution of a Construction Sales Tax Abatement for Reconserve of Alabama, Inc. to develop, construct, equip, and install a food by-product processing operation located at Lot 20 of the Jefferson Metropolitan Industrial Park in the County.

C. Information Technology

62. Resolution authorizing the execution of an Agreement with Aspire Technology Partners, LLC Managed Security Services for Firewall Monitoring.

XIV. NEW BUSINESS FOR UNANIMOUS CONSENT AND CONSIDERATION

XV. COMMENTS

County Attorney - Theo Lawson

County Manager – Cal Markert