

# JEFFERSON COUNTY COMMISSION

## (Commission Chambers)

**DATE:** January 11, 2024

**TIME:** 9:00 AM

**I. RECONVENE & ADJOURN THE MEETING OF DECEMBER 21, 2023**

**II. CALL TO ORDER & ROLL CALL**

**III. INVOCATION**

Commission District 3

**IV. PLEDGE OF ALLEGIANCE**

**V. APPROVAL OF MINUTES**

Commission Meeting - December 21, 2023

**VI. PRESENTATIONS**

**VII. PUBLIC HEARINGS**

1. Z-23-0010 CARRIED OVER FROM 12/07/2023 Jefferson County Board of Education, owner; Lilly Rainey; agent requests a change of zoning from INSTITUTIONAL 1 to INSTITUTIONAL 2 for age restricted apartments (55+) (24 units proposed). Parcel #2200083001026000 in Section 8 Twp 17 Range 3 W. (Case Only: 1520 Cherry Avenue, Birmingham, 35214)(6 acres +/-)

**P&Z Recommendation: Approval with Conditions:**

1. The use of the property shall be limited to an age-restricted community for persons 55 and older.
2. A landscape buffer shall be maintained adjacent to Egret Drive.

**Staff is recommending the following additional conditions:**

1. The housing type shall be restricted to one-story two-family dwellings and/or single-family dwellings.
2. Fencing shall be installed along property lines on each side. Trees shall be planted along the exterior of the fence to provide a visual screen between the development and the surrounding neighborhood.
2. Z-23-0030 Zollie F. Holt, Jr., owner; Conner Farmer, agent; requests a change of zoning to R-G (Single Family) for a proposed 107 lot garden home subdivision. Property zoned A-1 (Agriculture) PID# Part of 4200182000003000 in Section 18/ Township 20/ Range 4 W (Site address 7150 Lou George Loop, Bessemer, 35022)(47 Acres +/-)

**P&Z Recommendation: Approval with Conditions as follows:**

1. Garages must be setback a minimum of 25 feet from the back of sidewalk or back of curb if no sidewalk is provided.
  2. The density shall be limited to 2.4 dwelling units per acre.
  3. A buffer shall be installed along active tributaries and/or streams on the site leading to Bob George Branch.
  4. A 25-foot buffer shall be installed along all property lines to mitigate the effects of a difference in the densities between the R-G zone and the A-1 zone.
3. Z-23-0039 Lloyd & Alyssa Cummings, owner; requests a change of zoning to A-1 (Agriculture) to remove split zoning and bring into compliance for residential use. Property zoned A-1 (Agriculture), C-1 (Commercial) & R-1 (Single Family) PID# 0400120000008000 in Section 12/ Township 14/ Range 4 W (Site address 2088 Corner Road, Warrior, 35180)(4.74 Acres +/-)

**P&Z Recommendation: Approval**

4. Z-23-0040 Edgewater Baptist Church, owner; Jerry Peery, agent; requests a change of zoning to R-6 (Single Family) for residential use. Property zoned INSTITUTIONAL 1 PID# Part of 2100342005004000 Lot 1A Resurvey of Block 11 Edgewater Subdivision Plat B in Section 34/ Township 17/ Range 4 W (Site address 808 Galveston St, Birmingham, 35224)(.35 Acres +/-)

**P&Z Recommendation: Approval**

5. Z-23-0041 Mark E. Elkins & Teresa Elkins Payne, owner; requests a change of zoning to A-1 (Agriculture) for residential use. Property zoned C-3 (Commercial) PID# 0900032008001001 in Section 3/ Township 15/ Range 1 W (Site address 8895 Old Hwy 75, Pinson, 35126)(.44 Acres +/-)

**P&Z Recommendation: Approval**

6. Z-23-0042 Marilyn Cotton, owner; requests a change of zoning to A-1 (Agriculture) for residential use. Property zoned C-1 (Commercial) PID# 0800330000042000 in Section 33/ Township 15/ Range 2 W (Site address 6120 Castle Heights Road, Morris, 35116)(2.14 Acres +/-)

**P&Z Recommendation: Approval**

7. Z-23-0043 Clydette Harris Hughes, owner; Joe Schifano, agent; requests a change of zoning to R-G (Single Family) for a garden home subdivision. (151 lots proposed) Property zoned A-1 (Agriculture) & R-1 (Single Family) PID# S 3900073000006000 (excluding tower site) & 3900073000006009 in Section 7/ Township 19/ Range 3 W (Site addresses 1806 Triple H Ranch Road & 1757 Shannon Road, Bessemer, 35222)(52.32 Acres +/-)

**P&Z Recommendation: Approval with conditions as follows:**

1. The proposed residential garden home subdivision shall be setback a minimum of 50 feet from the existing tower site located on Parcel ID# 3900073000006001 permitted conditionally under case Z-17-031.

2. The 30-foot access easement for the existing 115-foot monopole tower site (on PID# 3900073000006001) shall be maintained, or an alternative route shall be provided.

3. Sidewalks shall be constructed within the development.

4. A buffer shall be constructed along the homes on Triple H Ranch Road.

8. Public Hearing regarding the approval and adoption of a Resolution for Vacation of Right-of-Way. The adjoining property owners have requested that a portion of an undeveloped road right-of-way known as Second Avenue and a portion of an undeveloped alleyway, both being part of Kaleys 1st Add to Union City as recorded Map Book 10, Page 24 in the Probate Office of Jefferson County, Alabama.

9. 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).

#### **VIII. RESOLUTIONS 1 - 34**

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

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

1. Resolution authorizing the appointment of Charles Smith to the Forestdale Fire District Board of Trustees for a term ending September 30, 2028.
2. Resolution authorizing the appointment of Norman Dixon to the Greenleaf Heights and North Smithfield Manor Fire District Board of Trustees for a term ending August 31, 2028.
3. Resolution authorizing the appointment of Brenda Dickerson to the Board of Zoning Adjustments beginning January 1, 2024, and ending December 31, 2027.
4. Resolution authorizing the reappointment of Georgia McCoy O'Neal to the Jefferson County Planning and Zoning Commission for a term ending December 15, 2027.

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##### **B. Board of Equalization**

No Items Submitted

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**C. Environmental Services**

5. Resolution authorizing the execution of Amendment 1 with Jacob’s Engineering Group, Inc. to provide added Professional Engineering Services for the 2022 PS03 – Cunningham Creek No. 2, Mississippi Ave., Wellington and Fox Hollies Pump Station Upgrades project. This amendment increases the total contract amount by \$64,240.00 from \$621,000.00 to \$685,240.00.
6. Resolution authorizing the execution of Change Order No. 1 to the 2019 AMP05 Mountain Brook-Memory Lane SSO Abatement contract between Jefferson County and Jordan Excavating Company, LLC increasing the total contract amount by \$84,988.00 from \$13,749,605.00 to \$13,834,593.00 adding 13 working days to the contract time.
7. Resolution authorizing the execution of a Non-Reimbursable Agreement for Relocation of Utility Facilities on Public Right-Of-Way with ALDOT for the future relocation of 4,200 linear feet of 8-inch sanitary sewer main along Lakeshore Blvd/ Morgan Road in the City of Bessemer.
8. Resolution authorizing the execution of a permit agreement with ALDOT for the construction of a sanitary sewer force main in US-31/SR-3 in the City of Warrior near Willow Street and execution of an agreement with Valor Communities, LLC. indemnifying the County.

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**D. Human Resources**

9. Resolution authorizing the execution of an Employment Agreement with Helen Hays to serve as Public Information Officer.

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**E. Compliance Office**

No Items Submitted

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**F. Jefferson County Pension Board**

No Items Submitted

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**G. Personnel Board of Jefferson County**

No Items Submitted

**X. COMMUNITY DEVELOPMENT & HEALTH SERVICES - COMMISSIONER TYSON**

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**A. Commission District 2**

10. Resolution authorizing the reappointment of Marquelon Sigler to the Jefferson County Planning and Zoning Commission for a term beginning immediately through December 31, 2027.
11. Resolution authorizing the execution of a Community Grant Program Agreement with Khairi and Little Angels' Memorial for a total amount of \$2,000.00, to assist with its efforts to provide awareness and education for infant mortality, prenatal care and childbirth to Jefferson County residents.

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**B. Community Services**

12. Resolution authorizing the Commission President to execute Amendment #1 to the residential roofing services contract between Jefferson County, AL and S&W Construction, LLC. The purpose of this modification is to add \$250,000.00 in additional funding.
13. Resolution authorizing the Commission President to execute a Full Satisfaction of Mortgage for a home purchased by Teresa R. Fuller-Windham and funded in part by Jefferson County under the HOME Program. The conditions for the HOME Program loan have been met in full.
14. Resolution authorizing the Commission President to execute a Full Satisfaction of Mortgage for a home purchased by LaShunta D. Tabb and funded in part by Jefferson County under the HOME Program. The conditions for the HOME Program loan have been met in full.

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**C. Cooper Green Mercy Health Services**

No Items Submitted

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**D. Coroner**

No Items Submitted

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**E. District Attorney**

No Items Submitted

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**F. Family Court**

No Items Submitted

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**G. Sheriff's Office**

No Items Submitted

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**H. Youth Detention**

No Items Submitted

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

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**A. Commission District 3**

15. Resolution authorizing the appointment of Kenny McMurry to serve on the Jefferson County Planning & Zoning Commission beginning January 11, 2024 and ending December 31, 2027.
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**B. County Attorney**

No Items Submitted

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**C. County Manager**

16. Resolution authorizing the execution of an ARPA Beneficiary Agreement with City of Hoover in the amount of \$204,635.80, to provide for ambulance and equipment.
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**D. Public Information Office**

17. Resolution authorizing renewal agreement with Swagit/Granicus for livestreaming services of all Commission meetings and Planning and Zoning meetings.
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**E. Roads & Transportation**

18. Resolution authorizing the execution of the construction agreement for Project No. 37-20-007 North Chalkville Road Improvements with Chilton Contractors.
19. Resolution authorizing notice of Property Purchase Disclosure for the Forest Road Improvement at Wickstead Road Project.
20. Resolution Authorizing Condemnation of 2020 AMP01 Powder Plant Road / I-459 Pump Station Elimination - Tracts 2, 4, 5, 9 & 11.

21. Resolution authorizing payment for 0.017 acres of Right-of-Way and 0.026 acres of Temporary Construction Easement for Caldwell Mill Road Project, Tract 43.
22. Resolution authorizing a new through road agreement with Brookside, that clarifies the intentions of the original Through Road Agreement at Minute Book 171 Pages 217-218.

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

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**A. Commission District 4**

No Items Submitted

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**B. Finance**

23. Resolution authorizing the approval of the Encumbrance Reports for the week of 12/14/23-12/20/23, 12/21/23-12/27/23 and 12/28/23-1/3/24.
24. Resolution authorizing the approval of the Purchasing Agenda Reports for the week of 12/14/23-12/20/23, 12/21/23-12/27/23 and 12/28/23-1/3/24.
25. Resolution authorizing the approval of the Purchasing Exceptions Reports for the week of 12/14/23-12/20/23, 12/21/23-12/27/23 and 12/28/23-1/3/24.
26. Resolution to ratify Regions Bank Purchasing Statement Closing Date December 31, 2023
27. Approval of the Unusual Demand Report for 01/11/2024
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**C. Budget Management Office**

28. Resolution authorizing the Budget Transaction to shift funds from the Contingency Fund to the Board of Registrars to cover postage for mail notifications for voters who changed congressional districts due to the federal lawsuit. Also, shift funds to add 1 Senior Administrative Analyst (GR-24).
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**D. Board of Registrars**

No Items Submitted

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**E. Circuit Clerk**

No Items Submitted

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**F. Development Services**

29. Resolution authorizing an official name change of a portion of Chalkville Road (Co Rd 10), changing the name to reflect Chalkville Mountain Road.

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**G. Emergency Management Agency**

No Items Submitted

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**H. General Services**

30. Resolution authorizing the execution of an agreement with Poole & Company Architects, PC for professional architectural services in assessment, feasibility and design on the Jefferson County Access Control System Replacement project.

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**I. Law Library**

No Items Submitted

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**J. Probate Court**

No Items Submitted

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**K. Revenue**

No Items Submitted

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**L. Security Office**

No Items Submitted

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**M. State Court**

No Items Submitted

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**N. Tax Assessor**

No Items Submitted

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**O. Tax Collector**

No Items Submitted

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**P. Treasurer**

No Items Submitted

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

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**A. Commission District 5**

31. Resolution authorizing the execution of a Community Grant Program Agreement with Wellhouse Restoration Services in the amount of \$8,500.00 (\$2,500.00 District 5, \$1,000 District 3, and \$5,000.00 District 4), to enable them to continue to provide assistance to survivors of human trafficking in Jefferson County.
  32. Resolution authorizing the execution of a Community Grant Program Agreement with Mountain Brook PTO in the amount of \$5,000.00 to strengthen, enhance and encourage the educational and social environmental as well as complement the school's curriculum by providing opportunities for parent, teachers, and students.
  33. Resolution authorizing the execution of a Community Grant to assist the Alabama Holocaust Education Center in the amount of \$5,000.00 to educate the people of Alabama about the history and lessons of the Holocaust to create a more just compassionate world that recognizes the dignity, potential and humanity of every individual.
  34. Resolution authorizing the execution of a Community Grant Program Agreement with Mountain Brook City Schools Foundation in the amount of \$5,000.00, to support the professional development, technology and library enhancements of Mountain Brook City Schools.
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**B. Economic Development**

No Items Submitted

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**B. Information Technology**

No Items Submitted

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

**XV. COMMENTS**

County Attorney - Theo Lawson

County Manager - Cal Market