

1 MR. JOEY NUNNALLY: Okay. Item C-2 is going to
2 be a very similar thing. But it's -- it's going to be
3 Case Number S-17022, Bailey's Place.

4 The -- There's one road in -- in Bailey's Place that
5 we're accepting for maintenance. It's Capra Court. It's
6 another subdivision.

7 CHAIRMAN FRANK BURT: Okay.

8 COMMISSIONER CHARLES "SKIP" GRUBER: Consent.

9

10 **C-3 - TOWN OF ELBERTA - STORM DRAINAGE AND STREET IMPROVEMENTS**

11 MR. JOEY NUNNALLY: Item C-3 is going to be the
12 Town of Elberta. Mayor Hamby is here to address some of
13 these issues that he's asking to be put on the agenda to
14 discuss the County assisting with the paving of County
15 Road 83.

16 We brought our map here just so everybody is on the
17 same page. This is County Road 83 here. And the Town of
18 Elberta is wanting to make some improvements to the cross
19 drains before they do the resurfacing here on County Road
20 83, this section County Road 20, and these -- these two
21 side roads here, Pilgrim and Bretz and --

22 MAYOR JIM HAMBY: North Rolling Green.

23 MR. JOEY NUNNALLY: North Rolling Green. Thank
24 you.

25 So, as you see, the city limits here highlighted in
26 blue. This -- this road is totally inside the city
27 limits.

28 But, Mayor, I'll hand it over to you.

1 MAYOR JIM HAMBY: Who do I give this to? Thank
2 you, sir. Okay. I'm going to introduce myself at this
3 time. I know y'all know who I am, but I had a request
4 last time.

5 I'm Mayor Hamby from Elberta. That's Mayor Pro Tem
6 Hudson for the minute. And I want to thank you for your
7 time today. And every time you've been so gracious every
8 time I've come up here to talk to you.

9 I also want to thank you for working with us to do
10 the cart path that we did right after I came into office.
11 We put it on your right-of-way. You guy allowed us to do
12 that.

13 I want to thank you for the intergovernmental
14 agreement that we did to train our employees to do
15 ditching. Mr. Hudson brought that to you. We never
16 utilized that agreement. It motivated our people to
17 learn how to dig their ditches themselves. But it was
18 still helpful to us.

19 And we -- we want to thank you for the
20 intergovernmental agreement you did on the grading.
21 That's one of the roads we're talking about here, which
22 was Pilgrim Road.

23 And I also want to thank you for what you talked
24 about last time, of paving 87. That's an incredible
25 thing that y'all are going to do for -- It's not in
26 Elberta, but it affects Elberta. And those folks along
27 87 consider themselves as part of Elberta. So we want to
28 thank you for that.

1 I also mentioned about the turning lane at that
2 school. And this showed on Facebook between the last
3 meeting and now. I have talked to so many people about
4 the car road -- car line road situation.

5 I found out today the school has tried to get
6 Elberta Police Department to help direct traffic, and
7 they refused to have. And the last time nothing. So
8 it's -- so get contact with the mayor and flood his
9 phone, please; okay?

10 The first day of school, we found out about this. I
11 talked to Commissioner Gruber about it. He had ALDOT out
12 there, and they had the drones in the sky.

13 Within a week, they had the lights retimed. Our
14 police department has been out there every time they've
15 been requested to be out there.

16 I talked to y'all about the turning lane. Jay
17 Pauler from ALDOT actually went on the school campus and
18 designed a system that they could do on there to help
19 with the traffic problems.

20 The school has not done anything about it as yet.
21 But they can't, because they're in school there. And,
22 so, they may do something this summer.

23 So I was very offended when I -- when I saw this
24 particular -- when it all gets blamed on me. Because
25 U.S. 98 is under ALDOT's control. 87, which goes to the
26 school, is under y'all's control; okay? And all I can do
27 is send the police out there. And I can only ask them
28 because I'm not the police chief.

1 So -- so I was at first very offended by this. And
2 then I read it another way. This lady wants something
3 done at the school; okay? And she's upset about it. She
4 doesn't have all the facts. But she wants something
5 done. So -- so -- so that gave me a new -- a new outlook
6 on it.

7 And then, if you're truthful with yourself, being
8 the mayor is a very humbling thing; okay? So the next
9 thing I thought is I did the same thing to y'all the
10 first time I came to talk to you about the road; okay?

11 I came up here armed with some truths, some
12 half-truths, some colloquial rumors, and completely sure
13 that you collectively and individually were to blame for
14 this road that we just talked about now not being paved;
15 okay? And I own that. And for that I'm sorry.

16 I even blamed you guys because on the north side,
17 you paved 83, and did a beautiful job, changed all the
18 culverts and everything and said, here, guys. Now it's
19 yours. You take care of it. Which was a wonderful
20 thing; okay? I blamed you because that same thing had
21 not happened on 83 South; okay? So I was wrong for that.
22 And for that I'm sorry.

23 And I also assumed that you knew the complete
24 history of County Road 83 and County Road 20 and that you
25 were intentionally not helping us. And for that I'm
26 sorry.

27 I guess I'm a sorry mayor; okay? I had to write
28 this down, because I don't apologize much. And --

1 COMMISSIONER CHRIS ELLIOTT: I like you Jim. I
2 just want you to know that.

3 MAYOR JIM HAMBY: All right. The real truth is
4 that most of you weren't even here in 2000, when we
5 annexed this road in. And when I say we, okay, it wasn't
6 me. I live in the same spot I live now. And they
7 annexed me in. And I voted against it, not because I
8 didn't want to be in Elberta, but because I was satisfied
9 with being in Baldwin County; okay?

10 So -- and the other truth is that we're all battling
11 to clean up something here that we inherited. So I -- I
12 want y'all to know that I finally understand that; okay?
13 And that if you do help correct this mess, it's -- you
14 know, like I said, it's something that we all came in
15 here and inherited.

16 I -- I know I scared y'all when I came in with that
17 book today and said that boy can talk. But, my goodness,
18 this is going to take a while.

19

20 *****

21 *ATTACHMENT 1 - PRESENTATION - TOWN OF ELBERTA*

22 *****

23

24 MAYOR JIM HAMBY: Basically what that is, is
25 backup for what I'm telling you. It's -- it's some
26 research we have done. There have been ten county
27 commissioners and four mayors since Elberta annexed these
28 roads in, in 2000.

1 County Commissioner Gruber was the mayor at the
2 time. And, Commissioner Burt, I believe you were here at
3 the time. But you were the only one that was.

4 So in two different articles in the local newspaper,
5 one states -- I mean, Mayor Gruber states that the County
6 would fix the roads before the Town would take them over.
7 And, if they didn't, he wouldn't take them.

8 And then the other states, Mr. Burt, that the County
9 did not have the money to fix the roads and were talking
10 about 20, 83, also 64, and the 13 were grouped in this at
11 the same time.

12 And I can certainly understand his position.
13 Because y'all had nine-point-seven-five million dollars
14 (\$9,750,000) of roads to pave and eight hundred thousand
15 dollars (\$800,000) to accomplish that with. So it was
16 certainly very understandable to remove these roads from
17 y'all's to-do list.

18 And the article is quoted as saying that that would
19 save the County about eight million dollars (\$8,000,000)
20 by leaving -- leaving these roads off. So I'm thinking
21 64 and 13 must have been much more expensive than ours.
22 And I don't know how y'all ultimately resolved that issue
23 with them.

24 The important thing here is, though, that shows that
25 roads needed to be paved back even in 2000. So that was
26 eighteen years ago.

27 So in 2008, Mayor Cathy asked -- was asked to
28 prepare a list of roads that needed to be paved for

1 Pay-As-You-Go funding. He did not put 83 and 20 on the
2 list, because they had not yet been turned over to the
3 Town.

4 And, at the same time, the County had 83 and 20
5 projects on a draft list for their work session. But
6 they didn't make it through to the final -- County
7 Commission final list for Pay-As-You-Go.

8 The referendum failed anyway. And, so, it -- it --
9 it really didn't matter. But it -- the road didn't make
10 it to the list.

11 In research of that, the project at that time was
12 estimated to be nine hundred and thirteen thousand
13 (\$913,000). We're at nine fifty-one (\$951,000) now. So
14 I don't know what the scope of the project was. But --
15 so, anyway, the numbers seem like they line up.

16 Later in 2008, the unrepaired roads were officially
17 turned over to the Town for their maintenance.
18 Commissioner Gruber made the motion. And I had a lot of
19 heartburn about this thing, because they had not been
20 fixed.

21 But then when we -- we got to the grant process
22 where we're at now, if y'all hadn't have turned them back
23 over to us, we wouldn't have been able to even attempt to
24 get a grant.

25 I mean, that's the first thing they asked: Are they
26 yours? Prove it. Prove -- prove it to us that they're
27 yours. So -- so even that, what I took as a bad thing
28 turned out to be a good thing.

1 And then Mayor Williams was coming into office at
2 the time. And he and his Public Works Director submitted
3 a detailed list of repairs that were needed at the time
4 right when y'all were going to turn it over to us. And
5 that's in that packet as well.

6 Mayor Williams approached the County, the
7 Commission, multiple times asking for help regarding 83.
8 And ATRIP estimates for County Road 83 repair by the
9 County were estimated from the low nine thirteen
10 (\$913,000) that I told you to a high
11 one-point-two million (\$1,200,000). And that was
12 requested in an ATRIP grant around 2014.

13 Sometime in the 2011-12 timeframe, the County
14 Commission agreed to do large-scale road and drainage
15 improvements on Bretz Lane. And this required
16 acquisition of right-of-way, huge line ditch, and road
17 paving. This was an impressive and costly project for
18 the County to undertake, and one for which the Town
19 should have been very grateful.

20 Before that gratitude could be expressed, a big rain
21 came and part of 83 was washed out. And apparently
22 litigation was threatened. The County fixed the road.

23 And, so, I think that's kind of where the wheels
24 came off the bus a little bit. So I want to apologize on
25 behalf of the Town of Elberta, as Mayor and personally as
26 well. I only remember being informed of this thing after
27 the fact. But until now, I -- I hadn't even mentioned it
28 or done anything to make it better.

1 So, gentlemen, before we start working on the road,
2 itself, it seems we might have more to repair than just
3 the road. We need to work on our relationship and get
4 the County and Elberta back where they need -- we need to
5 be to continue to work together.

6 So on another item in Fo-berta -- okay -- okay.
7 That's what folks calling the area between Foley and
8 Elberta. In the county on County Road 20 by Wilson Road,
9 there have been several major accidents at that road.

10 It looks really benign. Just a road that comes from
11 the south into 20. It looks really benign. But there is
12 a grant out there for, you know, safety things. And I
13 just wanted to put that on your radar. That's not a
14 request. Don't use up one of my requests on that. I
15 just -- just for information. So --

16 COMMISSIONER CHRIS ELLIOTT: Jim, as long as we
17 can put Fo-berta on the app.

18 MAYOR JIM HAMBY: Yes, sir. Put Fo-berta on
19 the map. That would be good.

20 COMMISSIONER CHRIS ELLIOTT: On -- on the
21 application.

22 MAYOR JIM HAMBY: So -- and then part of the
23 reason I wanted to be here was to clarify some things
24 that I had told you last time, and then also to inform
25 you of some -- some things that have happened even since
26 the -- the last time I've been here.

27 Commissioner Gruber and I had a discussion after our
28 last meeting, and he had some questions. And, so, that's

1 the reason all the documentation is in there, so you guys
2 can figure that out.

3 Now, if we'll turn on Slide Number 13 -- you can
4 find Slide Number 13. All right. This is Slide Number
5 13. This is a low-tech map; okay? We had a high-tech
6 map last time and none of us could read it, so we made a
7 low-tech map; okay?

8 This is part of our project. This is down on 20.
9 And this is the area that the Town -- the engineer X'd it
10 out. And I -- I had a lot of grief about it being X'd
11 out, like we weren't going to do it.

12 The Town of Elberta is going to take this on
13 themselves. This is -- this denotes a cross drain here.
14 So the Town of Elberta is going to take care of this and
15 this. The Town of Elberta is going to take care of this
16 paving and this drain.

17 ALDOT is going to take care of this portion. They
18 gave us a hundred and fifty thousand dollars (\$150,000)
19 towards this portion of the road. So we're thinking to
20 get right there.

21 And we are going to go out to bid on that within the
22 next week or two. So this will be the first part of the
23 project that is actually going to be paved.

24 Shortly after that, the cross drains will start
25 coming in under the -- that's -- under the USDA grant
26 that we have gotten. Thank you.

27 And, so, then this is the portion, all these roads
28 here Elberta is going to take care of, all the blacks

1 ones. And all the cross drains Elberta is going to take
2 care of; okay?

3 And the green portion is the proper part of Elberta.
4 Okay. And this is the blue portion that I use the term
5 landlocked.

6 What it is, is basically those folks right here are
7 blocked by this creek right here and they have no way to
8 get out but in here; okay?

9 The folks in the green are a hundred percent (100%)
10 Elberta, okay, and than a hundred percent (100%) Baldwin
11 County; okay? These folks over here are a hundred
12 percent (100%) Baldwin County.

13 But I would submit to you they're a hundred percent
14 (100%) Elberta. If you ask anybody that lives over here,
15 they're going to tell you they're from Elberta.

16 They're not going to tell you, I'm landlocked
17 between Fo-berta and Elberta; okay? So there's a hundred
18 and thirty (130) pieces of property here and one hundred
19 eleven (111) in -- in -- in our part; okay?

20 This right here is where Mayor Hamby lives, right
21 here; okay? I lived here back before the road was
22 annexed and I still live here; okay?

23 My daughter is wanting to buy a piece of property
24 somewhere back in here. My son is in the real estate
25 business and has got a piece of property for sale right
26 here.

27 Right here our -- one of our council members, Steve
28 Kilpatrick, lives on the corner. We're going to pave the

1 road here and here and two sides of his house. So he was
2 actually the chairman of the annexation committee in
3 2000. So that's just a little side note.

4 This is the best end of the road. You guys did
5 fixed it perfectly to right there. I've got big
6 vehicles, trucks. I can drive down that road if it was
7 dirt; okay? So it's -- it's not an issue about me
8 wanting to get my road paved.

9 We want to pave Illinois Street next year over by
10 the school, the nice new addition that y'all are putting
11 on our school, on our high school. That road is a half
12 mile long.

13 It's -- it -- it -- it's -- in the beginning
14 blocked. It's a thirty (30) foot right-of-way with an
15 eighteen (18) road. Then it steps out to a fifty (50)
16 foot right-of-way with a sixteen (16) foot road. And you
17 can literally see the dirt through the asphalt. It's
18 about that thick.

19 Y'all are putting a culvert on the end of it right
20 now. We didn't even ask for that, and y'all are doing
21 it. So thank you.

22 We're going to pave that road. We're going to try
23 to pave that road; okay? The man that's on my Board of
24 Adjustment lives on the first lot. The next lot you go
25 down, okay, my Planning and Zoning Facilitator lives
26 there.

27 On the property behind it, accessing the same road,
28 is where one of my council members lives there. The next

1 house you come to is Mr. Gruber's house; okay? And then
2 another house down here, so another council member that
3 lives on that road.

4 And the majority of people on that road, based on
5 the signage, did not vote for Jim Hamby; okay? But we
6 need to pave that road for the school; okay? So the
7 matter of who lives where really kind of I don't guess
8 matters as much; okay?

9 Now if we could go to the next slide. All right.
10 I'm sorry.

11 COMMISSIONER TUCKER DORSEY: So, Jim, are we
12 paving a bunch of roads for elected officials?

13 MAYOR JIM HAMBY: I don't know. We -- we did
14 use some BP money one time to pave a bunch of roads in
15 Elberta. And I had nothing to do -- I promise -- with
16 the choice of the roads.

17 In fact, we vehemently opposed which roads were
18 being paved. I would have rather put the money towards
19 this project. But there was a council member that lived
20 on the every road or owned property on every road. So --

21 MR. CLIFF MCCOLLUM: Is that the one I got the
22 Press Association award for?

23 MAYOR JIM HAMBY: Well -- sir?

24 MR. CLIFF MCCOLLUM: Was that the one I got the
25 Press Association award for?

26 MAYOR JIM HAMBY: Yeah. And -- and that -- and
27 Cliff got a -- a Press Association award for that story
28 about paving the wrong road.

1 You know, that was another side to the story. I --
2 again, I -- I was fighting against that. I wasn't part
3 of it.

4 So now -- so basically what we're asking --
5 basically what we're asking for you -- for y'all's help
6 with now is -- is this or a -- a portion of this. I was
7 very encouraged -- I always want to say Tucker; okay?

8 COMMISSIONER TUCKER DORSEY: You can.
9 Everybody else --

10 MAYOR JIM HAMBY: I'm sorry.

11 COMMISSIONER TUCKER DORSEY: I told everybody
12 else to.

13 MAYOR JIM HAMBY: I know. You're like Elvis.
14 They just -- they --

15 COMMISSIONER CHRIS ELLIOTT: Or Oprah or Cher.

16 MAYOR JIM HAMBY: So I was very --

17 COMMISSIONER TUCKER DORSEY: You brought your A
18 game today. I'll give you that.

19 MAYOR JIM HAMBY: I was very encouraged that
20 you asked how much it cost to pave the rest of the road.
21 Not so impressed with your math, though, because when I
22 added -- you added eighty-one hundred z(\$8100) and I
23 added eighty-five hundred (\$8500).

24 And then our engineer was telling us that ALDOT --
25 we asked for five thousand (5,000) feet here and they're
26 saying the money that ALDOT is providing is only going to
27 do forty-five hundred (4500).

28 But we'll know for sure soon, because we're going

1 out to bid. So there's about nine thousand (9,000) feet
2 from here to there is what I'm getting at.

3 And -- okay. Now, if we can now look -- if I could
4 show you how, for about two hundred thousand dollars
5 (\$200,000), y'all could pay for half of this total
6 project, would you be interested? And if you do, I've
7 got some vacuum cleaners in the car I want to sell you
8 afterwards.

9 All right. If you can go to Slide Number 9, please.
10 All right. This is where -- this is where we're at. We
11 started at nine hundred and fifty-one thousand
12 (\$951,000). All right.

13 When we first started, we just -- we don't have the
14 money. Let's go borrow the money, okay, nine hundred and
15 fifty-one thousand (\$951,000). What's the payments;
16 okay? The payments are eighty thousand dollars (\$80,000)
17 a year. So we realized we had to do something else.

18 We went through a bunch of different scenarios. And
19 this is where we're at now. This area right here is
20 where we're at now. We did get this loan and grant.

21 And -- and I told you this wrong last time, I have
22 to say. I was saying a hundred and forty-two thousand
23 dollar (\$142,000) grant and a hundred and eighty thousand
24 dollar (\$180,000) loan. It's actually a hundred and
25 eighty thousand dollar (\$180,000) loan and a hundred and
26 forty-two thousand dollar (\$142,000) grant.

27 The significance of that is if we don't spend the
28 hundred and eighty (\$180,000), we don't get the hundred

1 and forty-two (\$142,000); okay? That'll come in play
2 here in a minute.

3 So if you take this payment for that hundred and
4 eighty thousand dollar (\$180,000) loan -- ALDOT gave us
5 that hundred fifty thousand (\$150,000); okay? And then
6 we applied for a six hundred and twenty-nine thousand
7 dollar (\$629,000) combination guarantee, a five hundred
8 and seventy-nine thousand dollar (\$579,000) loan, a fifty
9 thousand dollar (\$50,000) grant and we got that. We got
10 that since we were here last time.

11 We -- This is more money than we need to do the
12 project; okay? And what happened is we applied for this
13 and this. And this would have done the project by
14 itself. ALDOT came along and gave us the hundred and
15 fifty thousand (\$150,000) in here. So we've been awarded
16 all of this.

17 And, so, that's going to leave a hundred thousand
18 dollars (\$100,000) left over and the fifty thousand
19 dollar (\$50,000) grant. Because unless we spend five
20 hundred and seventy-nine thousand dollars (\$579,000)
21 first, we don't get the fifty thousand dollar (\$50,000)
22 grant.

23 So using just four hundred and seventy-nine thousand
24 dollars (\$479,000) of all this money, the payment would
25 be thirty-nine thousand dollars (\$39,000).

26 So doing that -- take that and add it to that, it
27 comes with an annual payment of fifty-four thousand
28 dollars (\$54,000) for the Town of Elberta.

1 And that's amortized over the next fifteen (15)
2 years. It's still good because we started at eighty
3 thousand (\$80,000) a year and now we're down to
4 fifty-four thousand (\$54,000). So we're headed in the
5 right direction, folks.

6 Now, this is what I -- what I wanted to show you;
7 okay. We had always intended to get this grant, reduce
8 it to a hundred fifty thousand dollar (\$150,000) loan and
9 a fifty thousand dollar (\$50,000) grant because that is
10 the maximum.

11 I mean, that's the sweet spot. That's where you get
12 all the grant money and the loan money. So if we -- if
13 we take the three twenty-two (\$322,000), we're down to
14 this.

15 ALDOT took a hundred and fifty (\$150,000) off.
16 We're up to four seventy-nine (\$479,000). If we get
17 y'all in this two seventy-nine (\$279,000) okay -- I told
18 you two hundred (\$200,000) -- and you said, this dadgum
19 guy, he's lied already -- we have in our construction, we
20 have a -- a construction contingency of almost
21 seventy-five thousand dollars (\$75,000).

22 We hope that you can help us with the detours. So
23 if you could help us through -- And we -- we'll have to
24 look at legal on this -- some kind of purchase
25 agreement -- which, the way I'm reading the Attorney
26 General's opinion, that can be done with an agreement,
27 and you can help us purchase some of these materials
28 cheaper, then maybe this construction contingency goes

1 away.

2 Plus the cost of the detours for y'all is
3 considerably less than us. Take that off the two
4 seventy-nine (\$279,000). Now you're down to
5 approximately two hundred thousand dollars (\$200,000) it
6 would cost the County.

7 That would leave us two hundred thousand dollars
8 (\$200,000) left for Elberta to pay. And then we would
9 refuse this high-dollar grant, possibly and reapply for
10 this one; okay?

11 And if we -- all that happens, okay -- And that's a
12 big if. I understand. If all that happened, the
13 payments would go down to twenty-seven thousand dollars
14 (\$27,000) a year instead of fifty-four thousand dollars
15 (\$54,000).

16 So for -- for two hundred thousand dollars
17 (\$200,000), you -- you guys could reduce the cost on the
18 citizens by half.

19 This four thousand dollars (\$4,000) we'd have to add
20 to that twenty-seven thousand (\$27,000) if we were not
21 able to get this grant because that's what the payments
22 are on the fifty thousand (\$50,000).

23 So, anyway, that's where we're at. And that's
24 what -- what we're asking. And, if you would, skip over
25 to Slide Number 15, please. All right.

26 That's -- this is -- I assume you guys all know
27 this, but I highlighted this: The County Commission of
28 any county with consent or permission of the city council

1 governing body and municipality may establish -- or
2 whatever.

3 I just put this up here to show you Slide Number 17,
4 I believe it is, that we passed a resolution giving you
5 that permission. So that's no longer a roadblock.

6 If you go to Slide Number 18, this is a resolution
7 that I asked my council to give me to ask for an Attorney
8 General's opinion if there's any legal issues, any
9 reasons you guys think that we can't do, you know, some
10 agreement or anything we need to get clarified to
11 accomplish the agreement.

12 That's -- I -- I have the authority given by my
13 council to ask for a legal opinion, Attorney General's
14 opinion on that.

15 And if you'll go to Slide Number 19, this -- this is
16 a relatively minor amount that you see. But this is what
17 we've done to try and maintain these roads, you know,
18 since October of 2016. So you can see a timeline of
19 where we've actually tried to do some things.

20 And then Slide Number 22 -- 20 to 22, this is just
21 what the road looks like. That's what that culvert looks
22 like right there at the south end by 20. It has huge
23 holes in it.

24 We had to take it off and put a piece -- a piece of
25 metal over and put concrete over it, refill it. And --
26 and it's really scary. It -- it looks like it's -- I'd
27 be scared to drive a big truck over it. And I'm
28 responsible for that. There -- there's the hole in the

1 culvert.

2 And then, if you would, go to Slide Number 23. And
3 I don't know if you have sound. But if y'all will be
4 real quiet and push play -- well, I don't guess it's
5 going to do it.

6 But that's my granddaughter. She's the one that got
7 on to me and said, fix the road, Paw-Paw. So -- and I --
8 and I'm going to ad lib a little bit and add some words
9 that she didn't say; okay?

10 If you don't fix the road, Paw-Paw, you know, I have
11 to ride my pony down there because you can't drive the
12 truck.

13 And that -- that's all I have. I'd ask for any help
14 that you can give us on that. If you guys could do that
15 nine thousand (9,000) feet, that would be absolutely
16 incredible.

17 And I know you did some work, you know, to come up
18 with some prices on that. It'd be great if we would do
19 that. And here's your pointer. Any questions.

20 (No response.)

21 MAYOR JIM HAMBY: Thank you.

22 COMMISSIONER CHRIS ELLIOTT: Thanks, Mayor.

23 CHAIRMAN FRANK BURT: Good presentation, Mayor.

24 MAYOR JIM HAMBY: Well, thank you.

25 CHAIRMAN FRANK BURT: You covered it all.

26 Okay.

27 MAYOR JIM HAMBY: Thank you.

28 COMMISSIONER CHARLES "SKIP" GRUBER:

1 Mr. Chairman, I think, you know, we've -- we've -- we've
2 told the Town of Elberta before, you know, that we have
3 budget coming up in July, in that time period. And
4 that's when we would have to make that consideration.

5 Because they don't have it budgeted this year. So
6 that would have to be something that would have to be
7 looked at during that budget time.

8 Also, during the -- in the same thing, you know, the
9 money would have to come from -- from the County's
10 Highway Department. So you'd be competing for projects
11 that's in the county, also.

12 MAYOR JIM HAMBY: I understand.

13 COMMISSIONER CHARLES "SKIP" GRUBER: Yeah. So,
14 I mean -- so, you know, we've got projects, too. So, I
15 mean, you -- it'd be a -- you'd be in competition with
16 them. So --

17 MAYOR JIM HAMBY: Right.

18 COMMISSIONER CHARLES "SKIP" GRUBER: But, I
19 mean, you know, I think that's -- your -- your request
20 was to do that. And we told you we would -- in -- when
21 it comes budget time, we would -- we would consider
22 it at -- at that point.

23 MAYOR JIM HAMBY: Okay. And here's -- I guess
24 here's what I would like to ask. And, of course, you
25 know, I always ask for more than a lot of times I get.
26 But that doesn't bother me.

27 I would ask you to consider paving the road and to
28 vote on that and to fund it out of next year's budget,

1 but commit to it before the timeframe you're talking
2 about for this reason: We would like to reapply for that
3 loan and grant, that hundred thousand (\$100,000) and
4 fifty thousand dollar (\$50,000) grant. We would like to
5 reapply for that. And that would give us time to do
6 that.

7 And, so, we -- we can't refuse the grant and the
8 loan that we've got and take a chance on y'all not doing
9 anything. Because if y'all made a decision to do
10 something for us ahead of that time, we would have time
11 to reapply for that grant and effectively get fifty
12 thousand dollar (\$50,000) grant money from the Federal
13 Government. We -- we would have a really good shot at
14 that.

15 If we wait until the next budget year and y'all vote
16 on it then, we would be -- we would be forced to keep the
17 existing loan that we've got in place, which would throw
18 away a -- the chance at getting that fifty thousand
19 dollar (\$50,000) grant.

20 And there is documentation in your book that that --
21 that is a possibility for us to reapply for that grant.
22 It's not a hundred percent (100%) guaranteed by any
23 stretch of the imagination.

24 But I would like to think if -- you know, if you
25 agreed -- already agreed to give me a five hundred and
26 seventy-nine thousand dollar (\$579,000) and a fifty
27 thousand dollar (\$50,000) grant, if I'd have said, whoa,
28 whoa, wait a minute. All I need is a hundred and fifty

1 thousand dollar (\$150,000) loan and a fifty thousand
2 dollar (\$50,000) grant, I would think you would be
3 inclined to do that. I could be wrong.

4 COMMISSIONER TUCKER DORSEY: Your five hundred
5 and seventy-nine thousand dollar (\$579,000) loan is just
6 about free money. And that's the best deal on the Planet
7 Earth for financing a road project.

8 MAYOR JIM HAMBY: Yeah. Right.

9 COMMISSIONER TUCKER DORSEY: I mean, y'all are
10 at less than point-one-three percent (.13%) in interest.
11 I mean, there isn't anything to talk about. You got an
12 extra hundred grand (\$100,000) in that loan.

13 MAYOR JIM HAMBY: But --

14 COMMISSIONER TUCKER DORSEY: You can go do
15 roads with it.

16 MAYOR JIM HAMBY: We are -- we are limited to
17 the scope of the project that we -- that we submitted.
18 And the interest rate is two-point-seven-five percent
19 (2.75%). And it possibly may be three (3%) by the time
20 we close the loan, which is still cheap money. But it's
21 not free money.

22 COMMISSIONER TUCKER DORSEY: Well, then that
23 one is not a fifteen (15) year am then.

24 MAYOR JIM HAMBY: Yeah, it is. And -- and the
25 reason we came up with a fifteen (15) year amortization,
26 I made that decision, myself, based on the recommendation
27 of the engineers.

28 COMMISSIONER TUCKER DORSEY: No. I think

1 that's a good --

2 MAYOR JIM HAMBY: They said --

3 COMMISSIONER TUCKER DORSEY: I think that's a
4 good call.

5 MAYOR JIM HAMBY: -- fifteen (15) to
6 twenty (20) years, you know. And the road, I -- the
7 other thing I would say about, you know, competing with
8 the other projects in -- in the county is the road needed
9 to be paved in 2000, which would -- and -- and I have no
10 data to back this up.

11 But if you guys were looking at paving it in 2000,
12 then I would say it was fifteen (15) to twenty (20) years
13 old at that point. And, if it was, then it's eighteen
14 (18) years since. So it -- it's -- it's -- it's pretty
15 long in the tooth. It -- it -- it need to be repaired.

16 COMMISSIONER CHRIS ELLIOTT: Mayor, there's no
17 question the road is in bad shape and needs to be
18 repaired. I will tell you from a -- you're -- you're
19 asking us to approve, at least tacitly, funding or making
20 a commitment at this point outside of our budget cycle.
21 And that's the -- really the whole point of our budget
22 cycle is to --

23 MAYOR JIM HAMBY: Yeah.

24 COMMISSIONER CHRIS ELLIOTT: -- go through
25 and -- and make those decisions. We spend all summer, it
26 seems --

27 MAYOR JIM HAMBY: Yeah.

28 COMMISSIONER CHRIS ELLIOTT: -- doing that.

1 It's just I -- it's not something I can do, is to make a
2 guarantee to you that that'll be -- that that -- I can't
3 make that guarantee to you now.

4 MAYOR JIM HAMBY: Yeah.

5 COMMISSIONER CHRIS ELLIOTT: I understand the
6 need. I understand the road. I travel it frequently.
7 I -- I got it. I just can't commit funds from a budget
8 that we haven't even had the budget negotiations on, much
9 less adopted the budget and appropriated the money.
10 We're just --

11 MAYOR JIM HAMBY: Yeah.

12 COMMISSIONER CHRIS ELLIOTT: I -- I -- I mean,
13 I don't think this body can do that.

14 MAYOR JIM HAMBY: Okay. Well, I -- I -- I can
15 certainly understand that. I -- I think that you're --
16 you guys are doing a great job paving roads. And I think
17 you shoot to pave a hundred (100) or a hundred and ten
18 (110) miles of roads a year.

19 And -- and this is less than two (2) miles of road.
20 And I would submit that it's the worst two (2) miles of
21 road --

22 COMMISSIONER TUCKER DORSEY: It's also your
23 road.

24 MAYOR JIM HAMBY: -- that you would pave. So
25 that's -- you know, I -- I -- you know. I -- I think
26 that there's an argument that we should be towards the
27 front of the line, if -- if you guys want to help us with
28 it. And we would appreciate anything you can do.

1 COMMISSIONER CHRIS ELLIOTT: I think especially
2 when we start looking at detours and things like that,
3 there may be some ways we can help.

4 We've got to look at the material and the -- you
5 know, that's -- that's going to get us in, you know -- in
6 some trouble, legally, I think.

7 Don't you?

8 MR. JOEY NUNNALLY: Yeah. There -- there is an
9 Attorney General's opinion out there where we can't
10 really supply them materials. And which is a little
11 different that the Attorney General that the Mayor had
12 brought up here earlier.

13 To help them out with the detours, signage. That's
14 not a big deal for us. We can do that pretty -- pretty
15 conveniently.

16 COMMISSIONER CHRIS ELLIOTT: Uh-huh.
17 (Indicates affirmatively.)

18 MR. JOEY NUNNALLY: We don't want to get into,
19 you know, flagging traffic for a contractor or for
20 someone else from a liability standpoint. But to -- to
21 put up detour signs is something we can help with.

22 MAYOR JIM HAMBY: Yeah. From our engineer's
23 standpoint, he said during the paving process, the
24 flagging, that's no problem. The contractor is normally
25 used to doing that.

26 The main thing they wanted the detours for was when
27 we do the cross drains, you know, when the road is
28 completely shutdown. And, so, that's -- that's when

1 we -- when we needed to have it.

2 MR. JOEY NUNNALLY: We -- we can put up signs
3 and then let your -- and bag them and then let your
4 contractor just pull the bags on and put them off when --
5 as needed, you know. We -- I mean, that's -- that's --
6 that's not a problem.

7 COMMISSIONER CHRIS ELLIOTT: And -- and it's
8 likely the detours will be on county roads, anyway;
9 correct?

10 MR. JOEY NUNNALLY: That's correct.

11 MAYOR JIM HAMBY: I would like to ask this
12 question. Tucker -- Commissioner Dorsey asked how much
13 it would pave -- cost -- to pave that road. Did -- Were
14 you able to come up with those figures? And I -- and did
15 you -- did you figure eighty-one hundred (8100) feet or
16 nine thousand (9,000) feet or whatever, what --

17 MR. JOEY NUNNALLY: We --

18 MAYOR JIM HAMBY: -- what it would cost? I'm
19 interested in that to know if I'm getting a good deal
20 from when -- when we pave the other portion.

21 MR. JOEY NUNNALLY: Yeah. We -- we figured it
22 from here to here; okay? We were taking out the -- the
23 asphalt, the -- the ALDOT section in here, so we just
24 figured whole length.

25 MAYOR JIM HAMBY: Okay.

26 MR. JOEY NUNNALLY: And -- and it's going to be
27 right at three hundred grand (\$300,000). And that's for
28 an inch and a half overlay with a -- with milling.

1 Because it -- it would need to be milled with the
2 condition of the existing asphalt.

3 MAYOR JIM HAMBY: All right. So the -- so the
4 County can do it considerably cheaper than we can.
5 Because that is nine thousand (9,000), ten thousand
6 (10,000), fifteen thousand (15,000) feet approximately,
7 the whole road is. And forty-five hundred (4500) feet is
8 going to cost us half of what you just said.

9 So, again, that's the argument for us. You know, if
10 there is some legal way that we can work together to
11 accomplish this, that would -- that would -- that -- that
12 would help tremendously.

13 And if there is an area that we need to get a
14 specific Attorney General's opinions for this project, we
15 can certainly request that. I -- I -- I just need to
16 know what -- what -- you know, what your issue is or, you
17 know -- or what -- you know, what your concern is.

18 And -- and I know when you have an Attorney
19 General's opinion that's related to another case, and
20 then you take it and apply it to your circumstance, so
21 this is, in many ways, a unique circumstance.

22 Some ways are similar to others. But, in many ways,
23 it's a unique circumstance that I think that requires an
24 Attorney General's opinion. But we would be happy to do
25 that. We just want to make sure that when we make the
26 request, we address the particular issue that y'all -- is
27 of your concern.

28 MR. JOEY NUNNALLY: Just to -- just -- just

1 food for thought, I just wanted to clarify a couple of
2 things the Mayor said about the school and the school
3 traffic and the signaling when you first began.

4 We -- we -- just past this week, we did get a letter
5 from Superintendent Eddie Tyler about requiring --
6 requesting some assistance with the traffic conditions
7 down there.

8 So we're actually looking at that right now and
9 coming up with a -- with an estimate and a plan. The --
10 the -- the layout that you saw that you said was done by
11 ALDOT was actually done by us.

12 MAYOR JIM HAMBY: Okay.

13 MR. JOEY NUNNALLY: We -- we drafted that out
14 in just a really broad scope plan to handle the traffic
15 and handed that to Ms. Brazil, which is the principal at
16 the elementary school there.

17 And -- but they've -- they've increased the number
18 of students there dramatically. And it has caused a
19 traffic problem there at 87 and 98. And we did do some
20 traffic signal adjustments, which handled that for a long
21 time.

22 She just told me last week that we're getting more
23 issues, so we're sending the guys back down to look at
24 the signal timing again to make some fine tune
25 adjustments.

26 But she's also, through the Superintendant, has
27 asked for some assistance on making some traffic
28 improvements down there. And we're looking at developing

1 a cost for that. And we'll bring that to you in the near
2 future.

3 COMMISSIONER CHRIS ELLIOTT: Good. Because
4 Ms. Warner isn't just bothering you, by the way.

5 MAYOR JIM HAMBY: Well -- oh, no. This was --
6 I had redacted the name. And, like I said, I -- I do get
7 blamed for things that sometimes I have no control over.
8 But -- but, anyway, that happened since the last time we
9 were out here. So --

10 COMMISSIONER CHRIS ELLIOTT: Got you.

11 MAYOR JIM HAMBY: -- there are folks that are
12 upset about it. There are -- The school size did double
13 from four hundred (400) students to eight hundred (800)
14 students. I don't know how many parents that equates to.
15 But I'm pretty sure all of -- all of them would
16 appreciate anything that you could do to help.

17 MR. JOEY NUNNALLY: All of them are car riders.
18 So --

19 MAYOR JIM HAMBY: There are an inordinate
20 number of car riders at that school. And -- and the
21 school maybe could speak to that. But it does seem like
22 everybody wants to drive their kids --

23 MR. JOEY NUNNALLY: Yeah.

24 MAYOR JIM HAMBY: -- to school instead of
25 sending them on the bus.

26 COMMISSIONER TUCKER DORSEY: Terry, do you need
27 a pen to write that down with?

28 MR. TERRY WILHITE: No. I got it.

1 COMMISSIONER TUCKER DORSEY: Okay.

2 MR. TERRY WILHITE: It's locked in.

3 CHAIRMAN FRANK BURT: And we have, in times
4 past, if the municipality furnished the asphalt, paid for
5 the asphalt, then we would furnish the labor and
6 equipment. We've done that on many occasions.

7 Now, it takes three votes out of four to do that.
8 But that certainly is A possibility.

9 MAYOR JIM HAMBY: Well, if y'all are interested
10 in doing that, it's now or at some point in the future we
11 are going out to bid on that hundred and fifty thousand
12 (\$150,000) ALDOT portion is going to be paved.

13 And then once, you know, we need to do that with
14 y'all or with a -- a contractor. But then the cross
15 drains will come in next. And then all the rest of the
16 paving will be probably done at one time.

17 So, at that point, if -- if the Town paid for the
18 asphalt and then the County did the labor, that would --
19 you know, that would be a help. However, we can get
20 there from here. Mr. Chairman, we need a motion.

21 COMMISSIONER TUCKER DORSEY: Well, we've
22 already proven that we're much more expensive doing it
23 inhouse than having a contractor do it. I don't know
24 that that's the right answer.

25 MAYOR JIM HAMBY: Our engineer is saying --
26 which a hundred and fifty thousand (\$150,000) will do
27 about forty-five hundred (4500) feet. But they're
28 bidding it by unit price.

1 And, so, in other words, if it'll pave five thousand
2 (5,000) feet, we're going to pave five thousand (5,000)
3 feet. You know, we -- what we're -- we're asking our
4 contractors to bid how far can you -- essentially, not
5 specifically, but essentially, how far can you go for a
6 hundred and fifty thousand (\$150,000), not to bid on
7 forty-five hundred (4500) foot of road.

8 So we should have the answer to that question, you
9 know, within two months. You know, we should know what
10 it costs us.

11 Now, I don't know what it costs you -- costs y'all.
12 But -- but we will know what it will cost us at least on
13 the initial portion.

14 I'm finished if y'all are.

15 CHAIRMAN FRANK BURT: All right. Well, I --
16 I'm -- I'm certainly supportive of helping any way that I
17 could. I mean, you've got school kids and you've got
18 people who live in the -- in the municipality and out of
19 it that use the road.

20 It's in that bad of shape that it needed it
21 eighteen (18) years ago. I -- I haven't ridden over it
22 lately, but I will before the day is over. And that's
23 where I am. Any way we can work with you and help you,
24 I'd like to do it.

25 MAYOR JIM HAMBY: I would suggest you borrow
26 Tucker's car to ride over it.

27 All right, sir. Sirs, thank you very much.

28 COMMISSIONER CHARLES "SKIP" GRUBER: Okay.

1 MAYOR JIM HAMBY: I appreciate your time.
2 CHAIRMAN FRANK BURT: Thanks.
3 COMMISSIONER CHRIS ELLIOTT: Thank y'all.
4 COMMISSIONER CHARLES "SKIP" GRUBER: Thank you.
5 MAYOR JIM HAMBY: All right. I tried to make
6 it short.
7 COMMISSIONER TUCKER DORSEY: Thank you, sir.
8 COMMISSIONER CHRIS ELLIOTT: Thank you.
9 MAYOR JIM HAMBY: Thank you, sir.
10 COMMISSIONER CHRIS ELLIOTT: Thank you.
11 MAYOR JIM HAMBY: I appreciate it, man.
12 MR. RON CINK: All right. Thank you, sir.
13 COMMISSIONER CHARLES "SKIP" GRUBER: Thank you.
14 MAYOR JIM HAMBY: I appreciate anything you can
15 do.
16 MR. RON CINK: Mayor, thank you, sir.
17 MAYOR JIM HAMBY: Thank you. All right, Skip.
18 COMMISSIONER CHARLES "SKIP" GRUBER: Thank you,
19 Mike.
20 MAYOR JIM HAMBY: Appreciate it.
21

22 **C-4 - BELL SOUTH TELECOMMUNICATIONS, LLC, D/B/A AT&T ALABAMA -**
23 **EASEMENT ALONG BERCANT DRIVE RIGHT-OF-WAY**

24 CHAIRMAN FRANK BURT: All right. Next,
25 Mr. Cink.
26 MR. RON CINK: Joey.
27 CHAIRMAN FRANK BURT: Joey.
28 MR. JOEY NUNNALLY: The next item, C-4, this is