

STATE OF ALABAMA §

LAUDERDALE COUNTY §

The Lauderdale County Commission convened at the Lauderdale County Courthouse in the City of Florence, Alabama at 9:00 a.m. on the 12<sup>th</sup> day of January, 2009. The meeting was called to order by the Judge of Probate who acted as Chairman. Upon roll call the following members answered present:

Dewey D. Mitchell	Judge of Probate, Ex-Officio Chairman Lauderdale County Commission
Rhea Tays Fulmer	Commissioner, District 1
D.C. Thornton	Commissioner, District 1
Fay Parker	Commissioner, District 2
Larry Irons	Commissioner, District 2

ABSENT:

Christopher A. Smith	County Attorney
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Dewey D. Mitchell, Chairman, upon declaration of a quorum being present, opened the meeting for the transaction of business.

The invocation was delivered by Commissioner Fay Parker.

Commissioner Irons moved, seconded by Commissioner Thornton that all items on the agenda be approved for immediate consideration. There being no discussion and upon a vote taken, motion unanimously approved.

Commissioner Fulmer moved, seconded by Commissioner Thornton that the minutes of the last meeting be accepted and approved for recording. There being no discussion and upon a vote taken, motion unanimously approved.

Commissioner Irons moved, seconded by Commissioner Fulmer that a resolution be adopted approving amendments to the legal descriptions for some of the fourteen volunteer fire districts thereby providing for greater efficiency and coordination between the departments. Following a brief discussion and upon a vote taken, motion unanimously approved. Resolution and

the legal descriptions for all fourteen fire districts are herein recorded and made a part of these minutes.

Commissioner Thornton moved, seconded by Commissioner Irons that a resolution be adopted authorizing approval of a cooperative grant agreement for Grant 09 DOT in the amount of \$25,000.00. The federal amount of \$20,000.00 will require a local match of \$5,000.00 Funds are to be used for a commodity flow study and planning for hazardous materials which travel through Lauderdale County. Grant dates are December 1, 2008 until September 1, 2009. There being no further discussion and upon a vote taken, motion unanimously approved. Resolution is herein recorded and made a part of these minutes.

Commissioner Thornton moved, seconded by Commissioner Parker that a resolution be adopted designating the holidays to be observed by County employees in the calendar year 2009. The proposed schedule shall be those designated by the State of Alabama subject to change. There being no further discussion and upon a vote taken, motion unanimously approved. Resolution is herein recorded and made a part of these minutes.

Commissioner Thornton moved, seconded by Commissioner Parker that a resolution be adopted authorizing participation in an energy savings project in the Florence-Lauderdale Government Building and payment of the county share of \$191,460.00. Costs are to be paid from the Alabama Trust Capital Improvement Fund. Following a brief discussion and upon a vote taken, motion unanimously approved. Resolution is herein recorded and made a part of these minutes.

Commissioner Irons moved, seconded by Commissioner Fulmer that a resolution be adopted establishing the Florence-Lauderdale Government Building an annex to the Lauderdale County Courthouse for purposes of locating certain offices in the building. There being no discussion and upon a vote taken, motion unanimously approved. Resolution is herein recorded and made a part of these minutes.

Commissioner Irons moved, seconded by Commissioner Parker that a resolution be adopted authorizing a bank account to be established at the Farmers and Merchants Bank for the purpose of holding General Reserve Funds. There being no discussion and upon a vote taken, motion unanimously approved. Resolution is herein recorded and made a part of these minutes.

Commissioner Thornton moved, seconded by Commissioner Irons that the County continue participation in the ACCA Liability Self Insurance Fund and authorize calendar year 2009 premiums to be paid in the amount of \$323,370.00. It was also discussed that a refund of

\$44,314.00 would be received shortly from the fund for the 2008 year. There being no discussion and upon a vote taken, motion unanimously approved.

Commissioner Thornton moved, seconded by Commissioner Irons that J. Richard Elliott be reappointed to the Muscle Shoals Airport Board of Directors as the appointee recommended by the City of Florence. The three year term shall begin immediately and expire January 2, 2012 or whenever a successor is appointed. There being no further discussion and upon a vote taken, motion unanimously approved.

Commissioner Parker moved, seconded by Commissioner Fulmer that Robert Kephart and Dwight Springer be reappointed to the Floodplain Review Board for additional five year terms to begin immediately and expire November 23, 2013 or whenever a successor is appointed. There being no further discussion and upon a vote taken, motion unanimously approved.

Commissioner Irons moved, seconded by Commissioner Thornton that a petition for vacation of a portion of Woodrow Street in Waymack Heights Subdivision Section 3, be accepted and that the required advertising be done. A public hearing on the matter is herein set for Monday, February 9, 2009 during the regular meeting of the Commission. Following a brief discussion and upon a vote taken, motion unanimously approved.

Commissioner Parker moved, seconded by Commissioner Irons that Donna Rogers, an employee of the Legislative Office be approved for Family and Medical Leave until January 20, 2009 or whenever return to work is permitted, not to exceed twelve weeks and that Steve Scott, and employee of the Road Department, be approved for Family and Medical Leave for a period of twelve weeks. Both employees' requests are due to personal illness. All required documentation is on file in the County Commission Office. There being no further discussion and upon a vote taken, motion unanimously approved.

Commissioner Thornton moved, seconded by Commissioner Fulmer that Bid No. LA-2009-4, "New Trucks and Rear Loaders", be awarded to Premier Truck Centers, Tuscumbia, Alabama in the amount of \$114,575.00. This bid was tabled in two previous meetings. The bid from Premier was the only bid to meet all specifications. There being no further discussion and upon a vote taken, motion unanimously approved. Bid tabulation as prepared by the Solid Waste Manager is herein recorded and made a part of these minutes.

Commissioner Thornton moved that Bid No. LA-2009-7, "One New Track Hoe" be rejected entirely. Motion died for lack of a second.

Commissioner Thornton stated that he felt the Commission should reconsider the required specifications and any options available for this piece of equipment.

Commissioner Parker made a motion to award the bid to Tractor & Equipment Co. in the amount of \$139,850.00 for a Komatsu excavator. Motion died for lack of a second.

Chairman Mitchell stated that the motion to reject had died as had the motion to award and further asked the Commission to make a decision on this bid which already had been tabled in two previous meetings. He then asked the Solid Waste Manager, Robert Bevis for a recommendation based solely upon the bid specification and the responses received. The Solid Waste Manager recommended the bid be awarded to Thompson Tractor as the only vendor who met all specifications. The bid was for a Caterpillar 320-DL for a price of \$151,750.00.

Commissioner Parker then made a motion to award the bid to Thompson Tractor based on the recommendation of the Solid Waste Manager. Commissioner Fulmer seconded the motion. There was no discussion and upon a vote taken, the following votes were cast:

Fulmer -	aye	Parker -	aye
Thornton -	nay	Irons -	nay

The Chairman, exercising his right to cast the deciding vote in the case of a tie vote by the Commission, cast his vote to award the bid to Thompson Tractor as the only bidder to comply with specifications and contingent upon the vendor holding the price at \$151,750.00. Motion passed with three aye votes and two nay votes. The bid tabulation sheet as prepared by the Solid Waste Manager is herein recorded and made a part of these minutes.

In compliance with competitive bid laws of the State of Alabama, sealed bids were advertised for Bid No. LA-2009-1, "Various Printing Jobs". Bids were received, publicly opened and read aloud on January 9, 2009. Bid tabulations were prepared and distributed to the Commissioners for review. Commissioner Thornton moved, seconded by Commissioner Fulmer to award the bid to three bidders, Printers & Stationers, Mitchell Printing and Southern Accounting Systems. There being no discussion and upon a vote taken, motion unanimously approved. Tabulation sheet is herein recorded and made a part of these minutes.

The invoiced bills were audited, allowed and ordered paid upon a motion made by Commissioner Fulmer and seconded by Commissioner Thornton. Following a brief discussion and upon a vote taken, motion unanimously approved.

There being no further business to come before the Commission, and upon a motion made by Commissioner Irons and seconded by Commissioner Thornton, it was adjourned until the next regular meeting subject to call.

CHECKS ISSUED DECEMBER 22, 2008 THROUGH JANUARY 11, 2009

GENERAL FUND CHECK # 38103-38270 VOID # 38154	860,816.45
GASOLINE TAX FUND CHECK # 13081-13093	102,535.43
SOLID WASTE FUND CHECK # 3772-3782	129,208.17
ACCOUNTS PAYABLE FUND CHECK # 26871-26944 VOID # 26881, 26884-26887	171,065.65
LEPA FUND CHECK # 6142-6147	3,105.41
REAPPRAISAL FUND CHECK # 8559-8569	20,214.28
RSVP FUND CHECK # 15185-15192	3,140.31
AGRI-BUSINESS FUND CHECK # 2891-2893	370.87
AL. TRUST CAPITAL IMPROVEMENT FUND CHECK # 188 & 189	3,609.16
FIRE PROTECTION FEE FUND CHECK # 3249-3262	100,819.18
ECONOMIC DEVELOPMENT FUND CHECK # 1006	46,229.24
TOBACCO TAX FUND CHECK # 2730-2732	14,674.50

RRR GASOLINE TAX FUND CHECK # 483	15,449.20
GENERAL-SPECIAL CHECK # 655-670	8,000,000.00
SERIES 2001 CONSTRUCTION FUND CHECK #1041-1044 VOID # 1041-1043	338,350.00
SERIES 2001 DEBT SERVICE FUND CHECK # 164	13,512.00
TOTAL	9,823,099.85

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Dewey D. Mitchell, Chairman  
Lauderdale County Commission

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D.C. Thornton, Commissioner  
District 1

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Rhea Tays Fulmer, Commissioner  
District 1

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Fay Parker, Commissioner  
District 2

ATTEST:

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Larry Irons, Commissioner  
District 2

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Administrator