

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 14th day of February, 2011. 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

Legal Counsel:

Christopher A. Smith	County Attorney
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Dewey D. Mitchell, Chairman, declared a quorum of the Commission to be present and the meeting open for the transaction of business.

The invocation was delivered by Commissioner Fay Parker.

Commissioner Irons moved, seconded by Commissioner Thornton that all items listed on the agenda be approved for immediate consideration. There being no discussion and upon a vote taken, motion unanimously approved. Agenda is herein recorded and made a part of these minutes.

The minutes of the last regular meeting were approved for recording upon a motion made by Commissioner Thornton and seconded by Commissioner Fulmer. There being no discussion and upon a vote taken, motion unanimously approved.

Commissioner Thornton moved, seconded by Commissioner Fulmer that a resolution be adopted authorizing and accepting an amended grant agreement in the amount of \$62,457.00 for Grant Number 9ICL (ALDHS-11-1339) which provides for replacement of the Regional Communication Vehicle. Commissioner Irons pointed out that this is 100 percent federal funding.

There being no further discussion and upon a vote taken, motion unanimously approved. Resolution and grant agreement are herein recorded and made a part of these minutes.

Commissioner Irons moved, seconded by Commissioner Thornton that a resolution be adopted establishing and levying the tax rate for the regular February term 2010-2011. The tax levy includes no changes. Rates remain 10.5 mills for General County taxes and 18.5 for Education for a total of 28.5 mills. There being no discussion and upon a vote taken, motion unanimously approved. Levy is herein recorded and made a part of these minutes.

In compliance with competitive public works bid laws of the State of Alabama, sealed bids were advertised for "Underwood Landfill Site Improvements", Thompson Engineering Project Number 10-2116-0091. The bids were publicly opened on January 26, 2011. There were nine bids received and all were evaluated by Thompson Engineering who prepared a certified bid tabulation and recommendation for the Commissioners' review. The project bids were discussed with the solid waste manager and Thompson Engineering during a work session held on February 8. Commissioner Irons moved, seconded by Commissioner Fulmer that the bid be awarded to Joe Keenum Excavation & Construction Company in the amount of \$1,693,620.00. During a brief discussion, Commissioner Irons predicted that the expansion of the landfill will take care of inert materials for fifty to sixty years. The bid does include a transfer station and access road. There being no further discussion and upon a vote taken, motion unanimously approved. Certified bid tabulation and recommendation 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-2011-1, "Various Printing Jobs". Bids were publicly opened and read aloud on February 11 and a bid tabulation was prepared for Commission review. Commissioner Thornton moved, seconded by Commissioner Fulmer that the bid be awarded to Southern Accounting Systems, low bidder for each job. Commissioner Thornton asked about much lower pricing from this vendor. The County Administrator assured Commissioners that the vendor had seen the sample and had detailed his response. Product is subject to approval by the respective offices. There being no further discussion and upon a vote taken, motion unanimously approved. Bid tabulation is herein recorded and made a part of these minutes.

Commissioner Fulmer moved, seconded by Commissioner Thornton that a resolution be adopted authorizing submission of Project No. BRZ-3900(14), a box culvert bridge on County Road 10 over North Fork Creek, to the Alabama Department of Transportation for removal from

its annual maintenance review. There being no discussion and upon a vote taken, motion unanimously approved. Resolution and map attachment are herein recorded and made a part of these minutes.

Commissioner Thornton moved, seconded by Commissioner Fulmer that a resolution be adopted authorizing submission of two resurfacing projects to the Alabama Department of Transportation for removal from its annual maintenance review. The projects are ST-039-888-010 on County Road 69 and County Road 117. Commissioner Parker asked the engineer to explain if this was an advantage for the county. A brief discussion followed detailing the advantage to the removal. There being no further discussion and upon a vote taken, motion unanimously approved. Resolution and maps are herein recorded and made a part of these minutes.

Commissioner Parker moved, seconded by Commissioner Fulmer that the names submitted by the Greenhill Volunteer Fire Department for board members be approved as follows: Jeffrey Quillen, Board President and Jason Reed, Board Secretary and that the amended by-laws be accepted for the record. There being no discussion and upon a vote taken, motion unanimously approved. By-laws amendments are herein recorded and made a part of these minutes.

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

CHECKS ISSUED JANUARY 24, 2011 THROUGH FEBRUARY 13, 2011

GENERAL FUND CHECK # 41961-42051	922,360.44
GASOLINE TAX FUND CHECK # 13933-13959	265,641.41
SOLID WASTE FUND CHECK # 4551-4572	135,525.08
REAPPRAISAL FUND CHECK # 9183-9206	47,433.67
RSVP FUND CHECK # 15662-15676	7,495.64

ACCOUNTS PAYABLE CHECK # 30064-30158 VOID # 30072, 30076-30080, 30155, 30156	299,586.60
TOURISM, REC. & CONVENTION FUND CHECK # 368	5,000.00
CHILD PROTECTION FUND CHECK # 1119 & 1120	1,877.51
AGRI-BUSINESS FUND CHECK # 3025 & 3026	489.33
AL. TRUST CAPITAL IMPROVEMENT FUND CHECK # 237	9,900.00
RRR GASOLINE TAX FUND CHECK # 527	22,200.47
INDUSTRIAL DEVELOPMENT TAX FUND CHECK # 1042	372,488.68
GENERAL - SPECIAL CHECK # 1031	750,000.00
FIRE PROTECTION FEE FUND CHECK # 3533-3546	243,672.66
LEPA FUND CHECK # 6552-6566	7,417.30
SERIES 2001 DEBT SERVICE FUND CHECK # 188	12,202.50
TOBACCO TAX FUND CHECK # 2798-2800	12,202.15
TOTAL	3,115,493.44

Mr. Hank Thomas, Paradise Drive, Waterloo, Alabama addressed the Commission saying that he had asked that the Administrator provide all Commissioners with copies of emails he has sent; however, he has received no reply. He asked the Commission to acknowledge that they had indeed received the emails. Mr. Thomas went on to say that the issue was a recent snow event during which he and his neighbors were trapped for four days on Paradise Drive. He spoke of this as an emergency situation and called out portions of the Emergency Operations Plan with which he took exception. He referred to the initial date of the 1988 plan and referred to a 1998 revision. Mr. Thomas informed the Commission that in a previous career, he wrote emergency plans which he believed should be a living document. Mr. Thomas further expressed his dismay that no one had answered his emailed questions and stated that he was offended.

Mr. Barry Rupp, Paradise Drive, Waterloo, Alabama also addressed the Commission regarding the same matter and asked George Grabryan, EMA Director who was responsible for the Emergency Operations Plan. George Grabryan stated that the best way to address these concerns was to have the State EMA Director, Art Faulkner to come from Montgomery and meet with the Commission regarding these issues and answer questions which Commissioner Fulmer has. Mr. Rupp chided EMA Director George Grabryan for his attitude in answering the question.

Commissioner Fulmer stated that she, too, has concerns regarding the plan and has gone to other sources for additional information which she plans to discuss in the work session to follow.

EMA Director George Grabryan was recognized by the Chairman. Grabryan explained that there are many facets of Emergency Management. He referred to a meeting on Friday with AT&T to further the efforts to gain cellular service in Waterloo. He stated that he had been in touch with Ted Kavich, Waterloo Volunteer Fire Department, to ensure that residents of Paradise Drive can be reached. Grabryan went on to explain to Mr. Thomas and Mr. Rupp that the Commission supports EMA just as they do the Road Department. State Agencies provide oversight to EMA. Grabryan apologized to the two men if he had offended them as they had stated. He offered to give the two men his home and cellular phone numbers.

Chairman Mitchell invited Mr. Thomas and Mr. Rupp to further address the matter during a work session to follow shortly.

The County Attorney, Chris Smith, addressed the Commission regarding the necessity of calling an executive session. Smith stated that after looking at the subject matter to be discussed with Christy Dowdy, and attorney representing the county's liability insurance fund, it was his

opinion that an executive session is necessary to discuss potential litigation as detailed under Section Seven, Item Three of the executive session guidelines in the open meetings act. Attorney Smith recommended that the session be held in the meeting chambers.

Commissioner Irons moved that the meeting be adjourned into executive session. Commissioner Thornton seconded and upon a vote taken, the following votes were cast:

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

The Chairman declared the motion to be passed unanimously and there being no further business to come before the Commission, the meeting is adjourned into executive session. He further stated that the meeting would not be reconvened. A work session will follow the executive session.

Dewey D. Mitchell, Chairman
Lauderdale County Commission

D.C. Thornton, Commissioner
District 1

Rhea Tays Fulmer, Commissioner
District 1

Fay Parker, Commissioner
District 2

ATTEST:

Larry Irons, Commissioner
District 2

Administrator