

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 28th day of March, 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 Fulmer 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 Parker and seconded by Commissioner Thornton. There being no discussion and upon a vote taken, motion unanimously approved.

Commissioner Parker moved, seconded by Commissioner Thornton that a resolution be adopted declaring April 28, 2011 as *Workers Memorial Day* in Lauderdale County in recognition of workers killed, injured and disabled on the job. Commissioner Fulmer stated that as a result of the resolution last year, an article in the Times Daily spoke of her daddy's on the job death and she received a great deal of positive feedback. She stated that she appreciated the other Commissioners

participation in the resolution. 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 Fulmer that a resolution be adopted designating April 10-16, 2011 as *Public Safety Telecommunications Week*. Commissioner Fulmer stated that she was grateful for the people who served in this capacity and appreciates what they do. Lauderdale County dispatch facilities include the Lauderdale County 911, Lauderdale County Sheriff's Department, Florence Police Department and Lauderdale EMS. 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 Irons moved, seconded by Commissioner Parker that a resolution be adopted designating the month of April 2011 as "County Wide Clean-up Month". Commissioner Irons stated that this cleanup effort is important to our county. He has been working with the Judges in the Assign-a-Highway Program which has removed thousands of pounds of garbage from the roadsides. "God created this earth clean and green and it should remain that way", he said. Commissioner Parker agreed saying that he appreciates the cleanup efforts. Commissioner Thornton pointed out that Solid Waste will furnish bags to citizens who will be responsible for cleaning up the roadsides and will pick up the bags from the roadsides. Chairman Mitchell agreed with the importance of the cleanup efforts but stated that roadsides can be picked up everyday but it is up to the citizens to keep our many scenic routes clean. He went on to say that citizens must display their civic pride and exercise discipline or the cleanup is a futile effort. 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 Irons that an ad be purchased from the Alabama National Fair to be held in Montgomery on October 7-16. The Fair is an agricultural exposition and awards premiums to the exhibitors. In 2010 Lauderdale County citizens won \$1,365.00 in prizes. The ad may be purchased from the general fund. There being no discussion and upon a vote taken, motion unanimously approved.

Commissioner Fulmer moved, seconded by Commissioner Thornton that an ad be purchased in the East Lauderdale Vacation Guide to be published in May. Cost is estimated to be \$990.00 and may be paid from tourism funds. There being no further discussion and upon a vote taken, motion unanimously approved.

Commissioner Irons moved, seconded by Commissioner Parker that Dr. Joy Borah be appointed to the Board of Directors for the Lauderdale County Department of Human Resources to serve the unexpired term of Bobbie Kimbrell who resigned from the Board. Dr. Borah's term will begin immediately and expire September 1, 2013 or whenever a successor is appointed. There being no further discussion and upon a vote taken, motion unanimously approved.

Commissioner Thornton moved, seconded by Commissioner Irons that a resolution be adopted authorizing and approving a grant agreement for AEMA Grant 11 DOT in the amount of \$49,687.50 - \$39,750.00 Federal Funds and \$9,937.50 local match. This funding will come through the Department of Transportation and will be used for various emergency response exercises tied to transportation issues. Following a brief discussion and upon a vote taken, motion unanimously approved. Resolution and grant 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 Fulmer and seconded by Commissioner Parker. Following a brief discussion and upon a vote taken, motion unanimously approved.

CHECKS ISSUED MARCH 14, 2011 THROUGH MARCH 27, 2011

GENERAL FUND	391,021.31
CHECK # 42161-42205	
VOID # 42205, 42162	
GASOLINE TAX FUND	243,334.42
CHECK # 13992-14010	
SOLID WASTE FUND	257,291.19
CHECK # 4602-4616	
REAPPRAISAL FUND	26,534.72
CHECK # 9235-9246	
RSVP FUND	4,114.94
CHECK # 15697-15704	
ACCOUNTS PAYABLE FUND	140,414.17
CHECK # 30280-30327	
AGRI-BUSINESS FUND	654.85
CHECK # 3031 & 3032	

RRR GASOLINE TAX FUND CHECK # 530	14,884.99
LEPA FUND CHECK # 6583-6590	4,215.25
GENERAL-SPECIAL CHECK # 1033	500,000.00
TVA TAX FUND CHECK # 4563-4576	507,140.59
TOURISM, REC. & CONV. FUND CHECK # 369	1,301.00
PUBLIC BUILDING, R&B SPECIAL CHECK # 356	500,000.00
TOTAL	2,590,907.43

The Chairman brought up for discussion the issue of the sale of the 191 acre tract of property on Highway 157. The selected auction company submitted a proposed agreement which has been reviewed by the County Attorney and the Commissioners. The Attorney stated that he had no legal issues with the agreement which address all costs of the sale. Commissioner Irons moved, seconded by Commissioner Thornton that the agreement be accepted and that the Chairman be authorized to execute an agreement with King Realty and Auction Company for the sale of the property. During the brief discussion of the matter, Commissioner Fulmer said she would like to pursue a more equitable way of handling auctions. She said that she had no doubt that Mr. King was qualified, but she would like to perhaps see what other counties do in this area. Commissioner Irons said the Commission has not just stuck to one company but rather, for the last three auctions, three companies have been used – namely Holland, Behel and King. The Chairman suggested to Commissioner Fulmer that anytime she would like to research this issue and put her findings in writing, it would be considered. He further stated that auctioneering is considered a professional service, not subject to bid. There being no further discussion and upon a vote taken, motion unanimously approved.

Mr. Hank Thomas, Paradise Drive, Waterloo, was recognized to address the Commission. Mr. Thomas alleged that if the Commission had bid the auction they might have gotten a cheaper price and went on to inform them that they did a disservice to the County. He said that Mr. Walker has not been given an opportunity to do anything in Lauderdale County. Mr. Thomas then distributed to the Commission a list of previously asked questions and asked Commissioners Parker and Irons and Chairman Mitchell for answers. Mr. Thomas said he had received a phone call from Commissioner Fulmer who informed him that if he did not feel his questions were adequately answered, he should return to the meeting and ask again for the answers. He then distributed other documents to the Commissioners and asked if it was allowable to have traffic on roads which are not up to standards. The County Attorney explained to Mr. Thomas that the Commission's job is to see that county roads meet minimum standards. He stated that the public can travel on any road. Mr. Thomas then addressed Commissioner Thornton and stated that Thornton had been on the Commission for seventeen years and he (Thomas) was amazed that nothing had been done to the roads. He asked why roads were not being repaired systematically by choosing one road each year to repair. Commissioner Thornton answered Mr. Thomas by saying the County repairs the roads as the money allows.

Diane Davis, 350 Lamar Road, Rogersville was recognized to address the commission. Ms. Davis said she had been talking to the Commission for seventeen years regarding a one lane road to her house. Ms. Davis said the road was approximately two tenths mile and had no culverts for drainage. Mr. Thomas reminded Ms. Davis that she also has a tree at the end of her road. Commissioner Thornton said he was very familiar with the road and had tried to get the road paved by getting right of way signed. Two residents refused to sign right of way. Commissioner Thornton also stated that the tree Ms. Davis referred to was not on county right of way. Ms. Davis said that the citizens may have changed their minds about giving right of way. Mr. Thomas and Ms. Davis engaged in further conversation with the County Attorney regarding the road.

Mr. Barry Rupp, Paradise Drive, Waterloo, was recognized to address the Commission and stated that it was very intimidating for common folk to come in and speak to the Commission, even for a college dean. He stated that he appreciated Hank Thomas taking his time to come to the meetings. He told the Commission that there are 16 families on Paradise Drive and they pick up trash every week. He stated that the county does not do any recycling. Mr. Rupp relayed a story regarding local weather broadcast on a Huntsville TV station and in response to the broadcast, Mr.

Rupp called Lauderdale EMS and asked where to go in the event of a tornado. Mr. Rupp was referred to a church on CR 220. Mr. Rupp also said he would like to see a list of the shelters published.

Shelly Pettus, 603 County Road 414, Florence was recognized by the Chairman and she asked questions regarding the previously authorized grant agreement and the uses of the money.

In further discussion regarding the shelters during bad weather, George Grabryan, EMA Director, explained to Commissioners that the EMA Office has volunteer shelter agencies. When a watch is called by the weather service, EMA calls the shelter contact and asks them to open the shelter. The shelters are not open all the time and people are not notified of the shelters until they are opened for fear of sending the public to shelters which are closed.

Commissioner Fulmer asked Mr. Thomas if, when he spoke to the Mayor of Waterloo, she offered anything in the Waterloo area for shelter. Further discussion of plans and emergency shelters by Mr. Thomas followed.

Commissioner Fulmer informed the meeting attendees that the County does offer recycling at schools and is in the process of conducting an education campaign with joint grant funding shared by the City of Florence and Lauderdale County. It is a pilot program which is also now in two communities- Killen and Rogersville.

Commissioner Fulmer clarified the reason she called Mr. Hank Thomas by saying she knew he was upset when he left the last meeting. She said she did not want any citizen to come before the Commission and not get answers. Commissioner Fulmer said she asked Mr. Thomas to resubmit his questions and she had full intentions of coming to the Chairman about getting the answers, but she forgot about it due to a two day out of town training opportunity.

Commissioner Fulmer spoke to Mr. Rupp and told him it was not her intent to intimate anyone. She told the citizens in attendance that this is their Commission.

Commissioner Parker said he appreciated it when folks come before the Commission. He said it may not be his problem or the Commission's problem, but I will get everything answered; if I or we have not answered the questions, then I have not done my job. He told the citizens that to his knowledge there was not a shelter in Waterloo and asked if it would not be good for folks to know about the shelters.

EMA Director, George Grabryan answered and explained to Mr. Parker how shelters are opened during weather watch periods.

Commissioner Parker asked if the County could build community shelters like Colbert County. Mr. Grabryan explained that the shelters were built with grant funding and Lauderdale County used their grant funds for weather sirens. At present, there are no more grant funds available for these type projects. Following further discussion of the shelters, Commissioner Irons directed the EMA Director to publish a list of the shelters in the Times Daily, the East Lauderdale News and the Courier Journal. A statement should be added to the publication stating the policy for opening the shelters.

Shelly Pettus asked for further information on the AEMA Grant approved in today's meeting.

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

Dewey D. Mitchell, Chairman
Lauderdale County Commission

Rhea Tays Fulmer, Commissioner
District 1

D.C. Thornton, Commissioner
District 1

Fay Parker, Commissioner
District 2

ATTEST:

Larry Irons, Commissioner
District 2

Administrator

