

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 26th day of April, 2011. The meeting was called to order by the Judge of Probate who acted as Chairman. Upon roll call the following members answered present:

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| 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:

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| 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 Rhea Tays Fulmer.

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.

Commissioner Thornton moved, seconded by Commissioner Irons that the minutes of the previous meeting be approved for recording. Commissioner Parker asked for a typographical error on page one to be corrected to read as follows: "Commissioner Parker said that he did not want to see a division of the two counties." Commissioner Parker also said that Mr. Hank Thomas had called him and said that there was nothing in the minutes about his discussion of the Henry King contract. Commissioner Fulmer asked for an addition to page four relevant to Mr. Thomas's discussion of the Henry King contract to read as follows: "Commissioner Fulmer stated that she did not have a copy of the agreement." Commissioner Parker moved, seconded by Commissioner

Fulmer to approve the minutes as amended for recording. There being no further discussion and upon a vote taken, motion unanimously approved.

Commissioner Thornton moved, seconded by Commissioner Parker that a Leave without Pay under the Family and Medical Leave Act be approved for Sheriff's Department employee, Kelly Muston for a period of twelve weeks. Planned return to work date is July 1, 2011. There being no discussion and upon a vote taken, motion unanimously approved.

Commissioner Thornton moved, seconded by Commissioner Fulmer that the opening of a bank account at Compass Bank be tabled for further review. Chairman Mitchell stated that after further correspondence from another banking institution and pursuant to discussion in the brief agenda review prior to the meeting it appeared that other options may be available. Chairman Mitchell and Commissioners felt that a security transport service should be investigated for the transport and delivery of county deposits. There being no further discussion and upon a vote taken, motion unanimously approved.

Commissioner Irons moved, seconded by Commissioner Parker that a resolution be adopted authorizing a contract with Nelson Construction Company, Inc. of Florence as the low bidder on the CDBG Project CY-CM-PF-10-005 for a contract price of \$118,993.07. Project engineer, Don Price, was in attendance to discuss his recommendation of the award with Commissioners. Greenhill and Chisholm Heights Water Authorities have both submitted resolutions concurring in the bid award to Nelson Construction Company. Mr. Price also pointed out to Commissioners that concurrence in the award has been received from Mr. Jim Tinney, ADECA Engineer. Commissioner Irons said he was proud that this project is under contract and that soon people will be taken off wells in both areas of the county covered by this project. Commissioner Parker said he too, was proud for these folks to get water. He stated that some wells are in bad condition and he hoped that sometime in the near future we can do more. Mr. Price, in further brief discussion with the Commission said he was satisfied that this company is qualified to perform the work and that performance bonds will be executed. There being no further discussion and upon a vote taken, motion unanimously approved. Resolution is herein recorded and made a part of these minutes.

The invoiced bills were audited, approved and ordered paid upon a motion made by Commissioner Thornton and seconded by Commissioner Fulmer. Commissioner Parker inquired as to whether the products purchased from Hager Oil were bid. The County Engineer told

Commissioner Parker that the products were on the Lubricants bid. There being no further discussion and upon a vote taken, motion unanimously approved.

CHECKS ISSUED APRIL 11, 2011 THROUGH APRIL 25, 2011

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| GENERAL FUND CHECK # 42371-42418 | 413,614.57 |
| GASOLINE TAX FUND CHECK # 14025-14040 | 367,805.73 |
| SOLID WASTE FUND CHECK # 4631-4644 | 186,985.72 |
| REAPPRAISAL FUND CHECK # 9258-9269 | 25,671.83 |
| RSVP FUND CHECK # 15717-15724 | 4,181.76 |
| ACCOUNTS PAYABLE FUND CHECK # 30408-30444 VOID # 30439 | 143,796.00 |
| AGRI-BUSINESS FUND CHECK # 3035 & 3036 | 260.92 |
| RRR GASOLINE TAX FUND CHECK # 532 | 388,763.63 |
| LEPA FUND CHECK # 6598-6605 | 4,215.25 |
| TVA TAX FUND CHECK # 4577-4590 | 507,140.59 |
| CHILD PROTECTION FUND CHECK # 1123 & 1124 DATED 4/7 MISSED LAST TIME | 2,476.65 |
| TOTAL | 2,044,912.65 |

Mr. Gilbert Parrish, of Paradise Drive, Waterloo asked the Commission what has been done regarding Paradise Drive since the last meeting. Chairman Mitchell answered that to his knowledge, nothing has been done. Mr. Parrish asked if there was a reason that nothing has been done. Chairman Mitchell said there was just no activity. Mr. Parrish stated that a general contractor has contacted Charlie Watts Paving for a cost estimate and asked the Commission if they had considered contacting Mr. Watts. The Chairman explained that any paving would be a bid project. Commissioner Parker then said that sometimes things take a long time and that he hoped to be able to do something with the road but that a timeframe was hard to determine. He pointed out that the road had been graded last week. Commissioner Parker went on to say that we are just going to do the best we can. He said the road department had torn up a piece of equipment last week on the road; however, the Commission would keep the road passable until something is done. Mr. Parrish again asked why it had not been bid. Commissioner Parker said the Commission only has so much money to spend on the list of road priorities give to them by the Engineer and they do not want to waste the money on something they may not be able to act on. Mr. Parrish asked if a bid costs something. The Chairman stated that when you sign a contract you are committing to pay. Mr. Parrish asked if it was common to go through a survey for road projects. The Chairman said that if it involves a substantial amount of dollars and a difference of opinion, then you would certainly want to get a survey and cost estimate. Mr. Parrish said the County Engineer has come up with figures that are ten times larger than they should be according to a contractor. He referred to a letter received from a previous Commissioner. Commissioner Thornton said that by choice the road was accepted in 1981 for minimal maintenance and that he was not going to vote to change that. He stated that the Commission had the County attorney write a letter stating the Commission's position some time ago. He went on to say that he could not ask all others to wait and abide by the specifications adopted by the Commission and not this road. Mr. Parrish asked again why the Commission will not put it out for bid. He said Charlie Watts will do it for \$30,000.00. Commissioner Parker said he regretted the fact that the Commission is relaying the image that we live in the past, but there are other roads in the County which also need work. He asked Mr. Parrish a question – If the County spends \$22,500.00 on a cost estimate and it comes back too high, what would Mr. Parrish suggest the Commission do – Mr. Parrish stated that in his estimation it would be wasting money. He said there was a man in the room who should be able to say how much it will cost. Mr. Parker said he and Commissioner Irons will talk during the week

and see what they come up with. Commissioner Irons asked Mr. Parrish if he thought the ditches now are sufficient. Mr. Parrish said yes he did think they are sufficient and that there was no standing water except where Hank Thomas lives. Commissioner Irons said he has been involved in several projects in the Waterloo Area and named projects such as water projects, road improvements, weather sirens, flooding issues, tennis courts and others. He said he has done a lot of work in the area. Mr. Parrish said this is the time to get on with paving Paradise Drive and due to work done by an individual, not the County; it is much improved over the last two years. Janice Parrish, Paradise Drive, Waterloo, said we cannot go back for 31 years and that the County has got to get up to date with the times. She stated that her son was involved with a project elsewhere and said the County estimate for paving Paradise Drive, based on the estimate of a road project he did, was too high. Commissioner Fulmer asked if there was another road in the County with similar issues of paving and she also asked if the engineer has considered contacting other counties to look for solutions. The Engineer stated that there was no other road in the county paved or unpaved similar to Paradise Drive. There was further brief discussion of the road.

Commissioner Fulmer asked the County Attorney if, under the Regular Business section on page four of the Rules of Procedure, the public can comment on issues of debate. The answer was yes. She then had a brief discussion of the Public Comment period with the County Attorney.

Mr. Parrish asked to speak again. The Chair recognized Mr. Parrish, who asked why the residents of Paradise Drive do not get tax relief since they receive no services from the County.

There being no further discussion to come before the Commission and upon a motion made by Commissioner Thornton and seconded by Commissioner Fulmer 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