STATE OF ALABAMA

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LAUDERDALE COUNTY

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The Lauderdale County Commission convened at the Lauderdale County Courthouse in the City of Florence, Alabama at 9:00 a.m. on the 23<sup>rd</sup> day of May, 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

D.C. Thornton

Commissioner, District 1

Fay Parker

Commissioner, District 2

Larry Irons

Commissioner, District 2

Legal Counsel:

Christopher A. Smith

**County Attorney** 

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 Larry Irons.

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.

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

Commissioner Fulmer moved, seconded by Commissioner Thornton that a resolution be adopted authorizing a service agreement with the Shoals Chamber of Commerce in the amount of \$250.00 to be paid on an annual basis. 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 Fulmer that a resolution be adopted authorizing the transfer of a surplus dump truck from the road department to the solid

waste department for use in the landfill and authorizing the sum of \$2500.00 to be transferred from the solid waste fund into the gasoline tax 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 Thornton moved, seconded by Commissioner Irons that a resolution be adopted concurring in the appointment of an investigator in the District Attorney's office and setting compensation at \$12,000.00 per year pursuant to Legislative Act 476, 1976 Acts of Alabama. The position is approved in lieu of an Assistant District Attorney who received the same compensation from the county and the position will be reconsidered at budget time or whenever funding is restored to the District Attorney's office. 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 authorizing a \$10.00 per month rental fee to park in the Seminary Street Lot. Collections from the parking fees are to be deposited in the General Fund of the county. 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 a resolution be adopted authorizing the General Special Account to be moved from CB&S Bank to BBVS Compass Bank. There being no further discussion and upon a vote taken, motion unanimously approved. Resolution is herein recorded and made a part of these minutes.

In compliance with competitive bid laws of the State of Alabama, sealed bids were received for "Lubricants", Bid No. 2011-20. This bid was a re-bid due to the non compliance of the vendor previously awarded the "lubricants" bid—contract. Bid packages were furnished to four companies and one response was received from Carter Oil Company. Commissioner Thornton moved, seconded by Commissioner Irons that the bid be awarded to the only bidder, Carter Oil. Commissioner Parker questioned the fact that the bid was only sent to four companies and said that he knew of other companies. Following further brief discussion and upon a vote taken, motion passed with the following votes cast:

Fulmer – aye Thornton – aye

Parker – nay Irons – aye

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 of the bills and upon a vote taken, motion unanimously approved.

## CHECKS ISSUED MAY 9, 2011 THROUGH MAY 22, 2011

GENERAL FUND CHECK # 42468-42516 VOID # 42482, 42495	353,119.01
GASOLINE TAX FUND CHECK # 14056-14069	213,945.97
SOLID WASTE FUND CHECK # 4657-4671	161,899.49
REAPPRAISAL FUND CHECK # 9282-9292	20,228.44
RSVP FUND CHECK # 15734-15741	5,229.63
ACCOUNTS PAYABLE FUND CHECK # 30502-30561 VOID # 30521, 30556	1,054,906.97
AGRI-BUSINESS FUND CHECK # 3039-3041	797.36
RRR GASOLINE TAX FUND CHECK # 534	9,766.17
LEPA FUND CHECK # 6614-6620	3,204.65
TVA TAX FUND CHECK # 4591-4604	507,140.59
GENERAL-SPECIAL CHECK # 1036	500,000.00
TOURISM, REC. & CONVENTION FUND CHECK # 372	182.40

CHILD PROTECTION FUND CHECK # 1125 & 1126	2,090.90
CDBG FUND CHECK # 341 & 342	21,737.24
AL TRUST CAPITAL IMPROVEMENT FUND CHECK # 240	191,460.00
INDUSTRIAL DEVELOPMENT TAX FUND CHECK # 1045	384,554.44
TOTAL	3,430,263.26

Mr. Barry Rupp, Paradise Drive, Waterloo, thanked Solid Waste Manager for his letter of response regarding recycling.

Mr. Rupp then addressed the issue of Paradise Drive saying that he had made several attempts to get work done on the road. He stated that there are piles of gravel in the middle of the road, loose gravel in the corners of the road and huge potholes over three feet deep in the road.

Mr. Hank Thomas, Paradise Drive, Waterloo, asked how much the timber cruise cost on the George property. The Chairman addressed this issue with Mr. Thomas. Mr. Thomas then stated that the minutes of the meetings after April are not posted on the website. Minutes are not posted on the web until they are approved by the Commission at the next meeting. Mr. Thomas then said that backup generators should be purchased by the Emergency Management Agency and also asked about the status of the EOP. The Chairman called upon the EMA Director, who explained that the plan is on target for a fall implementation. Mr. Thomas then asked about the status of the general fund bank account and asked why it was changed and observed that a bid would have been prudent. Banking proposals were solicited for this account. He asked if the meeting could be changed to the afternoon to meet the public needs and inquired as to how to submit a petition regarding this matter. Chairman Mitchell informed Mr. Thomas that he was free to submit his request in whatever form he chose, either petition or letter.

Commissioner Fulmer stated that when she last spoke with Lee Helms he said plans would be ready to look at within 60 days. She asked if that was ready. The EMA Director responded by referring to issues which arose during recent tornado outbreak which should be addressed in the plan. He stated that they are "back and forth" with Helms on inclusion of these issues and completion of the plan.

A brief discussion was held regarding the public input into meetings and where that is addressed in the adopted guidelines.

Mr. Barry Rupp then asked the status of the contractor discussed during a previous meeting. Commissioner Parker stated that when he first contracted the contractor (Charlie Watts), he immediately said no due to the terrain, but he is going to come up here to look at the road.

Commissioner Fulmer stated that she would like the public to be educated on how they can speak during a Commission meeting. She addressed the issue of the bank account by saying that there was a great deal of discussion during two work sessions. She said she would be willing to look at moving the meeting.

Commissioner Fulmer recognized Killen Mayor, Jerry Mitchell who was in attendance at the meeting and thanked him for his quick response in using the town's trucks and employees for debris removal after the recent storms.

The County Attorney, Chris Smith, referred to Page 4, section C; Page 5, section F and pages 8-10, section 7 regarding public input into County Commission meetings and led a further discussion regarding rules of procedure including recording. The Chairman suggested that any audio or video recording of the meeting be handled with the submission of a detailed plan in advance.

Commissioner Parker asked the EMA Director if he foresaw any changes in the plans being developed by Lee Helms due to the past month's events. EMA Director Grabryan stated that he did. Commissioner Parker stated that we have been without an updated plan for a while and asked if it could be updated more frequently. The response of the EMA Director was that this plan is not updated frequently but there are many other plans which are updated regularly.

Commissioner Irons recognized Mayor Jerry Mitchell, Killen and thanked him for loaning two trucks to the road department during recent events.

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	