

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 26<sup>th</sup> day of May, 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

Legal Counsel:

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 Parker 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.

Commissioner Irons moved, seconded by Commissioner Thornton that the minutes of the last regular meeting of the Commission 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 an agreement with the Shoals Chamber of Commerce, Inc. for promotional services in the amount of \$225.00. Said agreement will automatically renew each year under this same resolution unless terminated by the Commission. 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 approving an application and a proposed certificate of Incorporation for a public corporation to be know as The Northwest Alabama Cooperative District and appointing Dewey D. Mitchell as a director of the District. The District is being formed to acquire and develop land and improvements presently owned by Tennessee Valley Authority and located in Colbert County. This matter was reintroduced after being tabled at a prior meeting.

Commissioner Thornton stated that he had concerns that the purchase of the property would affect the TVA in lieu of taxes for Lauderdale County. He also discussed his concern for environmental issues, disproportionate board representation between Colbert and Lauderdale and concerns with pursuing development in Colbert County when there are properties in Lauderdale County which could be developed or stabilized. He also spoke of his concern that this could become a multi million dollar venture – not project.

Commissioner Fulmer stated that she had received many calls and emails regarding this matter asking how this will benefit Lauderdale County. She stated that she could not answer that question and considered the risks to outweigh the benefits.

Commissioner Irons stated that the approval of the incorporation of the District would not obligate Lauderdale County to anything except a seat on the board to enter into discussions with TVA regarding the 1380 acre property. Any governing body can walk away if not happy. He asked the County Attorney to address this matter.

Attorney Chris Smith stated that any financial obligations to be incurred would require a majority vote of the governing bodies and that dissolution can take place if there are no financial obligations and it is determined to be in the best interests of Lauderdale County to withdraw.

Commissioner Parker stated that with the current economy, any possibility of getting anything into the area should be investigated as long as it is not a risk. He went on to say that several questions need to be answered by TVA.

Commissioner Thornton stated that it is a matter of fact that if the resolution is passed, we are in the District and questioned the ability of the County to withdraw with a four to two vote in favor of Colbert.

Commissioner Fulmer again stated that she failed to see how Lauderdale County can benefit from land ownership in Colbert County. “What is it going to do to our tax base? TVA did not answer that question to my satisfaction”, she said.

Chairman Mitchell stated that he certainly understood and respected both sides of this issue and their display of caution prior to entering into the District. He pointed out that a lot of questions have been asked and will continue to be asked; however, he stated that two major concerns had been addressed – first, environment issues cannot be inherited from TVA as they cannot convey liability to any governmental entity and secondly, under no circumstances does any member of the district assume any financial liability without a vote of the respective governing bodies. Chairman Mitchell went on to say that he did not want to tear down a unity previously established with our adjoining city and county governments and that he thinks Lauderdale County needs to sit down at the table and have a say in this matter.

Commissioner Fulmer stated that future financial liability is definitely a potential and that she was not trying to tear down unity; however her ultimate responsibility is to the District 1 citizens who have spoken to her. She spoke of attending and ADEM regulatory meeting and asking about the slag pile area. She said she learned that ADEM does not regulate this area, but the NRC oversees the slag pile area due to the radiation levels.

There being no further discussion, and upon a vote taken, the following votes were cast:

Those in favor	-	Commissioner Parker
		Commissioner Irons
Those opposed	-	Commissioner Fulmer
		Commissioner Thornton

The Chairman invoked his privilege to vote in case of a tie vote and cast his vote in favor of the resolution. Motion passed. Resolution and application are herein recorded and made a part of these minutes.

Commissioner Thornton moved, seconded by Commissioner Fulmer that a resolution be adopted approving a grant agreement for Homeland Security Grant 7 DEX in the amount of \$10,000.00 and authorizing budget amendments to cover the revenue and expense associated with the grant. 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 Thornton that a resolution be adopted authorizing an agreement with Alexander Land Surveying for surveys to establish boundaries on lots located at 312 South Court Street, and the parking lot located at the corner of College and Seminary Streets. Cost estimates for the surveys are \$400.00 to \$600.00 each. 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, allowed and ordered paid upon a motion made by Commissioner Parker and seconded by Commissioner Irons. Following a brief discussion and upon a vote taken, motion unanimously approved.

Commissioner Thornton stated that he would like for the Commission to consider adding Memorial Day to the holidays observed by the Solid Waste Department in honor of the veterans. Commissioner Thornton stated that since this was a Monday holiday, the solid waste collectors could run Tuesday through Saturday to make up the day. Following a brief discussion, the Chairman asked the Solid Waste Manager to look into this proposal for further discussion.

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

#### CHECKS ISSUED MAY 11, 2009 THROUGH MAY 25, 2009

GENERAL FUND CHECK # 38881-38929	377,624.48
GASOLINE TAX FUND CHECK # 13234-13251	283,803.80
SOLID WASTE FUND CHECK # 3912-3927	150,347.72
ACCOUNTS PAYABLE FUND CHECK # 27507-27556	137,244.47
LEPA FUND CHECK # 6216-6223	3,946.62
REAPPRAISAL FUND	24,676.81

CHECK # 8682-8693	
RSVP FUND	3,852.88
CHECK # 15273-15281	
AGRI-BUSINESS FUND	646.47
CHECK # 2906-2910	
RRR GASOLINE FUND	11,002.39
CHECK # 491	
TVA TAX FUND	483,150.94
CHECK # 4267-4278	
CHILD PROTECTION FUND	2,478.60
CHECK # 1077 & 1078	
CDBG FUND	75,590.55
CHECK # 332-334	
VOID # 332	
INDUSTRIAL DEVELOPMENT TAX FUND	470,586.93
CHECK # 1021	
FIRE PROTECTION FEE FUND	577.80
CHECK # 3336	
REAPPRAISAL MONEY MARKET	100,000.00
CHECK # 312	
TOURISM, REC. & CONVENTION FUND	128.40
CHECK # 342	
SERIES 2001 DEBT SERVICE FUND	12,055.42
CHECK # 166	
GENERAL – SPECIAL	500,000.00
CHECK # 1005	
TOTAL	2,637,714.28

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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