

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 8<sup>th</sup> day of March, 2010. 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.

Commissioner Fulmer, upon her request, was granted permission to record the proceedings.

The invocation was delivered by Commissioner Larry Irons.

Commissioner Thornton moved, seconded by Commissioner Parker that all items listed on the regular business agenda be approved for immediate consideration. There being no discussion and upon a vote taken, motion unanimously approved.

Commissioner Irons moved, seconded by Commissioner Fulmer 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.

Chairman Mitchell read a proposed resolution approving and authorizing the transfer of Coffee Health Group assets to RegionalCare Hospital Partners, Inc. The interim administrator of the hospital, Mr. Jody Pigg; Bond Attorney, Mr. Hobson Presley; and Shattuck Hammond

Representative, Mr. Rich Baymon were in attendance to answer the questions and concerns of the Commissioners before they were asked to vote on the matter.

During a rather lengthy discussion the Commission voiced concerns about several points in the resolution which they felt were not presented in the original submission. Commissioner Thornton asked Mr. Presley to explain the relevance of an affiliate corporation. Mr. Presley answered that it is common practice to form sub corporations; however, the parent corporation guarantees the project. He also asked about the term “Shoals Community” when referencing the makeup of the local Board of Directors for the new hospital. Mr. Irons stated that if the hospital is to be built in Lauderdale County, then the Board should be from Lauderdale County. He also asked how many persons would serve on the board. Mr. Presley stated that the documents put no restriction on the counties which would make up the board. They felt selecting from the entire Shoals area would enhance the board makeup. He also stated that there was no definite number of members as yet for the board. It was learned that the affiliate corporation would be either a State of Alabama or Delaware corporation. Mr. Irons asked about the penalty mentioned in the resolution, item iv. Mr. Presley stated that the penalty would be on the same order of magnitude as the escrow amount. Mr. Parker again reiterated the importance of keeping the current employees, salaries and benefits and stated that he did have some reservation regarding the board makeup. Following further discussion between the Commission and Mr. Presley regarding the essential terms of the resolution, the Chair ended discussion and called for a motion and second. The resolution died for lack of a motion. No further action was taken on the issue.

Chairman Mitchell brought up a recent article which appeared in the Times Daily and quoted from Commissioner Fulmer’s statement in which she said she resented the fact that the Chairman of the Hospital Board and County Commission did not provide her with adequate information regarding the hospital issue. The Chair went on to say that the invitation and opportunity for review of the documents is available at ECM hospital. Chair stated the “for the record, you did not ask me for any information” to which Commissioner Fulmer responded that her statement to the newspaper stands and as the Chairman she felt it was his responsibility to tell them that the information is available and furthermore as a new commissioner, she felt that it was the Chair’s job to educate the new Commissioners. The Chairman reminded Commissioner Fulmer that the Commission was informed of the availability of information during a worksession on February 23. In further discussion with the Chairman, she stated that she has spoken to Mr. Jody Pigg of ECM and has reviewed the documents. The Chairman stated he had no idea of what she needed unless she asked and that he did not withhold

any information; to which Commissioner Fulmer replied that she should have been kept apprised from the beginning. The Chair asked that he not be accused of not telling her when she does not ask.

County Attorney, Chris Smith, presented a Vacation Request on behalf of Attorney Randy Winborn who became ill and had to leave the meeting. The location of the proposed property to be vacated is off County Road 8 close to Goose Shoals Bridge. All documents relative to the issue have been received and reviewed by the County Attorney, County Engineer and County Administrator. Commissioner Irons moved, seconded by Commissioner Thornton that the issue be set for a public hearing on April 12 during the regular meeting of the Commission and that proper advertising be completed. Following further brief discussion and upon a vote taken, motion unanimously approved.

Commissioner Irons moved, seconded by Commissioner Thornton that a resolution be adopted accepting and approving the plat for Gray Acres Subdivision located in the NE ¼ of Section 29, Township 1 South, Range 12 West of Lauderdale County. The County Engineer has submitted his written recommendation for the approval of the plat. 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 Parker that a resolution be adopted authorizing a revised agreement with the State of Alabama Department of Transportation for the bridge replacement project on County Road 16 over Little Cypress Creek. A similar resolution and agreement was approved in June 2009; however, the CPMS number for the utilities relocation was incorrect. This agreement contains a different CPMS number (CPMS Ref # 100053366). There being no discussion and upon a vote taken, motion unanimously approved. Resolution and Agreement are recorded herein and made a part of these minutes.

Commissioner Thornton moved, seconded by Commissioner Fulmer that the renewal proposal for the property insurance from Sam Newton Agency be accepted and ordered paid in the amount of \$17,141.00. The Great American Insurance Company underwrites the coverage. There being no further business and upon a vote taken, motion unanimously approved.

Commissioner Fulmer moved, seconded by Commissioner Parker that an increase in the NAHSO grant in the amount of \$1,500 be approved and accepted. Total grant is now \$9,500.00 and will be used by the Sheriff's Department under the direction of the North Alabama Highway Safety Office. There being no discussion and upon a vote taken, motion unanimously approved.

Commissioner Parker moved, seconded by Commissioner Thornton that a resolution be adopted changing the road department work schedule to four 10-hour workdays, Monday through

Thursday to take advantage of the longer daylight hours to be effective March 15, 2010. 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 Parker that a resolution be adopted authorizing the part time clerk in the Sheriff's Department (Misty Melton) to work forty hours per week while a regular full time employee (Lanette Wood) is on extended leave. The resolution allows the full time temporary work for a period not to exceed six months with no additional benefits until the full time clerk returns to work. There being no further discussion and upon a vote taken, motion unanimously approved. The resolution is herein recorded and made a part of these minutes.

Commissioner Fulmer moved, seconded by Commissioner Thornton that a ad in the Times Daily Explore the Shoals Magazine be purchased at a cost of \$650.00 for a one-half page horizontal ad. The cost may be paid from the Tourism Fund. There being no discussion and upon a vote taken, motion unanimously approved.

Commissioner Thornton moved, seconded by Commissioner Parker that Susan Adams be reappointed to a three year term on the Lauderdale County Regional Library Board with term to begin immediately and expire February 4, 2013 or whenever a successor is appointed. There being no discussion and upon a vote taken, motion unanimously approved.

In compliance with competitive bid laws of the State of Alabama, sealed bids were advertised for "Various Printing Jobs", LA-2010-1. Bids were received and publicly opened and read aloud on March 5, 2010. A bid tabulation sheet was prepared for Commissioners' review. Commissioner Thornton moved, seconded by Commissioner Fulmer that the bid be awarded to Printers and Stationers, Inc. as the only responsive bidder. 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.

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

Larry Bowser, representing the hotel operators of Lauderdale County presented a written recommendation for Joey Mecke to be appointed to the joint vacancy on the Florence/Lauderdale Tourism Board. The recommendation was signed by numerous lodgings representatives.

Mr. Norman Ross, a Lauderdale County resident briefly spoke to the Commission regarding the sale of the hospital and stated that he agreed that this was a critical decision. He discussed his concern regarding parts of the resolution with the Chairman.

Commissioner Fulmer said that the discussion today regarding the hospital only underscores the fact that the Commission was not ready to vote and that waiting two weeks will not ruin the deal. She stated that she needed more time to perform her due diligence.

Commissioner Parker told Mr. Ross he appreciated his concern and input.

Commissioner Irons stated that he felt the Commission had no choice but to approve the sale; however, there is a problem with some of the verbiage which he would like to be changed. Commissioner Irons further said that he would support the resolution, having talked to various doctors about the transaction; but he did want the resolution corrected.

Commissioner Thornton also stated that with certain corrections, the Commission can move ahead with a vote at the next meeting.

Chairman Mitchell said that he personally had worked for six months with the board members to negotiate terms and that the Commission had appointed three members to the board who would be glad to talk to any member of the Commission. He further stated that this was a great opportunity for our county if the offer stays on the table for the next two weeks. He went on to say that he thought the Commission was ready to proceed as of the February 23 and March 2 worksessions and was disappointed that they were not able to proceed.

Commissioner Thornton stated that he has only received the resolution on Saturday and there were variances from the original bullet sheet which had been presented.

Commissioner Fulmer indicated that she also was concerned with the variances but that from all she had read RCHP is a good high caliber company.

Commissioner Irons again reiterated his concern with the board makeup.

All Commissioners agreed that this is a very important and critical decision.

There being no further business to come before the Commission and upon a motion made by Commissioner Thornton and seconded by Commissioner Parker the meeting was duly adjourned until the next regular meeting subject to call.

CHECKS ISSUED FEBRUARY 22, 2010 THROUGH MARCH 7, 2010

GENERAL FUND CHECK # 40275-40346 VOID # 40281, 40295, 40329, 40339	412,869.51
GASOLINE TAX FUND CHECK # 13558-13575	139,175.26
SOLID WASTE FUND CHECK # 4209-4223	108,060.56
REAPPRAISAL FUND CHECK # 8903-8914	30,459.83
RSVP FUND CHECK # 15449-15457	4,295.38
AGRI-BUSINESS FUND CHECK # 2965	264.40
LEPA FUND CHECK # 6371-6378	4,113.31
ACCOUNTS PAYABLE FUND CHECK # 28674-28757	262,846.59
RRR GASOLINE TAX FUND CHECK # 510	20,031.08
TOBACCO TAX FUND CHECK # 2771-2773	14,183.80
GENERAL- SPECIAL CHECK # 1018	750,000.00
REAPPRAISAL MONEY MARKET CHECK # 317	100,000.00
SERIES 2001 DEBT SERVICE CHECK # 176	12,142.08
TOTAL	1,858,441.80

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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