

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 24th day of May, 2010. The meeting was called to order by the Judge of Probate, Dewey D. Mitchell, 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

Absent:

Christopher A. Smith	County Attorney
----------------------	-----------------

Chairman Mitchell, upon declaration of a quorum being present, opened the meeting for the transaction of business.

The invocation was delivered by Commissioner Fay Parker.

Commissioner Irons 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 Fulmer 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 Irons moved, seconded by Commissioner Parker that a resolution be adopted authorizing payment to two staff members of the Circuit Clerk who acts as the Absentee Election Manager. The two staff members will be paid at the rate of \$10.00 for absentee election clerical assistance during the June 1, 2010 Primary and the July 13, 2010 Primary Run Off should one be

necessary. There being no further discussion and upon a vote taken, motion unanimously approved. Resolution and written request are herein recorded and made a part of these minutes.

Commissioner Fulmer moved, seconded by Commissioner Parker that a resolution be adopted authorizing the Chairman and the County Attorney to execute and finalize an agreement between the Lauderdale County Commission and AT&T for the expansion and modification of the existing telecommunications network to provide IP Broadband voice, data and video services. The agreement will call for a five percent (5%) payment to the county on a quarterly basis and shall be based on gross revenue. There will be no cost to the county. Commissioner Irons spoke regarding the increased services to the county and the increased competition. Commissioner Fulmer encouraged rapid expansion to those who do not now have adequate internet service. There being no further discussion and upon a vote taken, motion unanimously approved. Resolution and proposed agreement are herein recorded and made a part of these minutes.

Commissioner Parker moved, seconded by Commissioner Fulmer that an ad be purchased in the program book for the 9 and 10 year old Cal Ripken Baseball Tournament to be hosted by the City of Florence on July 9-13, 2010. Cost of the full page color ad is \$250.00. There being no discussion and upon a vote taken, motion unanimously approved.

Commissioner Thornton moved, seconded by Commissioner Irons that a resolution be adopted approving the Final Change Order and Notice of Substantial Completion on the Courthouse renovation project on the first floor of the Courthouse. The change order was not a monetary order but rather allowed a ninety day extension of contract time. All close out documents have been provided by the contractor and architect. Chairman Mitchell, also serving as Probate Judge expressed his appreciation for the new courtroom. Commissioners all agreed that the new facilities for Board of Registrars, State Examiners, Personal Property Appraisers and the new Probate Courtroom are an asset to the County and enhance the appearance of the Courthouse. Following further brief discussion and upon a vote taken, motion unanimously approved. Resolution and close out documents are herein recorded and made a part of these minutes.

Commissioner Thornton moved, seconded by Commissioner Fulmer that a resolution be adopted authorizing a renewal of the contract with IMS, LLC for credit card and bank card purchases in the License Commissioner's Office and authorizing a change in the processing company- from Newtek Merchant Solutions and Vericheck to Heartland Payment Systems. 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 Fulmer moved, seconded by Commissioner Thornton that FMLA leave be approved for Lisa Hayes, an employee of the License Commissioner's Office for twelve weeks beginning April 29 and ending July 22, 2010. All required documentation and departmental approval has been received. There being no discussion and upon a vote taken, motion unanimously approved.

Commissioner Parker moved, seconded by Commissioner Thornton that a resolution be adopted authorizing an agreement with the Shoals Chamber of Commerce for leadership services in the promotion of the resources and interests of the County. Contract price is \$250.00 to be paid annually. There being no discussion and upon a vote taken, motion unanimously approved. Resolution is herein recorded and made a part of these minutes.

Commissioner Parker moved, seconded by Commissioner Thornton that Commissioner Larry Irons be reappointed to the 911 Board of Directors for a term beginning June 12, 2010 and ending June 12, 2014 or whenever a successor is appointed. There being no discussion and upon a vote taken, motion unanimously approved.

Commissioner Irons moved, seconded by Commissioner Parker that Joey Mecke be appointed to the Tourism Board as the joint appointment. The City of Florence has nominated Mr. Mecke previously. Commissioner Thornton read from a written statement in which he said that the lodging properties group made a recommendation for Joey Mecke to serve on the tourism board. The recommendation was affirmed by the City of Florence. Later applications were received from Anthony Fowler from the Marriott Shoals and Sandra Killen Burroughs, an Alabama Mountain Lakes employee later applied. Mr. Thornton stated that he felt the affiliation with the hospitality industry could be a conflict of interest. He then stated that he would like to submit Sandra Killen Burroughs name to the City for their consideration. He further commented that there currently was no female on the board. Commissioner Thornton asked that his written statement be made a part of the record.

Commissioner Fulmer said that she appreciated the interest of all three candidates which were interviewed by the County – all three were qualified, experienced and has the expertise to serve. She stated that she concurred with Commissioner Thornton to submit the name of Sandra Killen Burroughs.

Commissioner Irons stated that he also appreciated the qualifications of all three candidates which were interviewed.

Commissioner Parker stated that Mr. Mecke was one of the original applicants. He further stated that he appreciated the job Mr. Hunt had done but Mr. Mecke will do a good job.

There being no further discussion on the motion and upon a vote taken, the motion died in a tie vote as follows:

Irons - aye	Fulmer - nay
Parker - aye	Thornton - nay

The Chairman opened the floor to other nominations for the seat on the Tourism Board. Commissioner Thornton moved, seconded by Commissioner Fulmer that Sandra Killen Burroughs be appointed to the board to serve the unexpired term of Mr. Bill Hunt. Term would begin immediately and expire September 30, 2013 or whenever a successor is named pending like action by the City of Florence.

Commissioner Irons and Parker addressed Ms. Burroughs who was seated in the audience by saying that their support of Mr. Mecke was nothing personal against her and thanked her for her interest and service to the community thus far.

Chairman Mitchell stated that this has been a very lengthy and time consuming process, to wit: Mr. Hunt was reappointed by the County based upon his consent but was rejected by the City Council, who then submitted Jan Ingle who was rejected by the County. The County then submitted Bob Hendon, also rejected by the Council. Now the City has recommended Joey Mecke who may have a potential conflict of interest in the hospitality industry. He further stated that Ms. Burroughs has been involved in tourism for a long time. He went on to say that all candidates have been good individuals and he appreciates them all. Chairman Mitchell summed up his remarks by stating that he hated this confusion but precedent in the appointment process was broken and that caused the problems.

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

Fulmer - aye	Parker - nay
Thornton - aye	Irons - nay

Chairman Mitchell in exercising his right to vote in case of a tie, voted in the affirmative to submit the name of Ms. Sandra Killen Burroughs to the City Council. Motion passed. Commissioner Thornton's written statement is herein recorded and made a part of these minutes.

In compliance with competitive bid laws of the State of Alabama, sealed bids were advertised for Bid No. 2010-20, "Reinforced Bridge Culvert on County Road 76 over First Creek". Bids were

received, publicly opened and read aloud on May 19, 2010. A bid tabulation was prepared for Commission review. Bids were received from seven companies. Commissioner Parker moved, seconded by Commissioner Thornton that the bid be awarded to MSE, Birmingham in the amount of \$128,183.73. Following a brief discussion with the County Engineer and upon a vote taken, motion unanimously approved. Bid tabulation is herein recorded and made a part of these minutes.

In compliance with competitive bid laws of the State of Alabama, sealed bids were advertised for Bid No. 2010-21 "Boom Mower". Bids were received, publicly opened and read aloud on May 19, 2010 and a bid tabulation was prepared for Commission review. The County Engineer informed the Commission that the low bid from Joe Money Machinery did not meet specifications. Commissioner Fulmer moved, seconded by Commissioner Parker that the bid be awarded to the lowest responsive bidder, Highway Systems Inc. in the amount of \$37,774.44. 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.

Commissioner Fulmer moved, seconded by Commissioner Parker that a resolution be adopted authorizing an application for the 2010 Bureau of Justice Assistance law enforcement disparity grant in the amount of \$23,264.00. This grant is shared equally with the City of Florence. Resolution calls for a Memorandum of Understanding between the City of Florence and Lauderdale County which will designate the County as the financial administrator of the grant. The Commissioners all agreed that this grant will further enhance the safety of our citizens. 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 Thornton and seconded by Commissioner Parker. Following a brief discussion of the invoices and upon a vote taken, motion unanimously approved.

The Chairman opened a public hearing on the Lauderdale County Multi Hazard Mitigation Plan. The hearing was advertised in the Times Daily on May 18. No comments have been received either verbal or written. Melissa Bailey, City of Florence Planning Department, was on hand to discuss the plan with the Commission. The County has contracted with City of Florence Planning to actually prepare the updated plan in conjunction with EMA. Ms. Bailey explained to the Commission that the plan was a living document and must be updated periodically to remain current to the area.

All participating jurisdictions will adopt the plan in July. There being no further discussion or comments, the hearing was closed.

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

CHECKS ISSUED May 10, 2010 THROUGH May 23, 2010

GENERAL FUND CHECK # 40698-40749	358,223.89
GASOLINE TAX FUND CHECK # 13649-13663	306,933.59
SOLID WASTE FUND CHECK # 4298-4310	133,577.60
REAPPRAISAL FUND CHECK # 8975-8985	20,557.61
RSVP FUND CHECK # 15502-15508	3,189.78
INDUSTRIAL DEVELOPMENT TAX FUND CHECK # 1033	431,258.88
LEPA FUND CHECK # 6417-6423	3,192.71
ACCOUNTS PAYABLE FUND CHECK # 29017-29071 VOID # 29024	164,794.63
RRR GASOLINE TAX FUND CHECK # 515	17,028.53
AL. TRUST CAPITAL IMPROVEMENT FUND CHECK # 227	4,800.00
CHILD PROTECTION FUND CHECK # 1101 & 1102	2,257.44

TOURISM, REC. & CONVENTION FUND 650.00
CHECK # 358

AGRI-BUSINESS FUND 453.96
CHECK # 2974-2977

TOTAL 1,446,918.62

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