

STATE OF ALABAMA §

LAUDERDALE COUNTY §

The Lauderdale County Commission convened at the Lauderdale County Courthouse in the City of Florence, Alabama at 11:00 a.m. on the 10<sup>th</sup> day of December, 2012. The meeting was called to order by the Commission Chairman, Dewey D. Mitchell. Upon roll call, the following members answered present:

Dewey D. Mitchell	Chairman of Commission
Roger Garner	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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Chairman Mitchell declared a quorum of the Commission to be present and the meeting open for the transaction of business.

The invocation was delivered by Commissioner Fay Parker.

Commissioner Irons moved, seconded by Commissioner Garner that the regular business agenda be approved for immediate consideration during this meeting. 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. There being no discussion and upon a vote taken, motion unanimously approved.

Commissioner Thornton moved, seconded by Commissioner Garner that a resolution be adopted authorizing the demolition of the Cypress Creek Bridge. This resolution had been discussed at a recent work session. Commissioner Thornton stated that he wished to bring up a couple of issues about the bridge such as the length of time the bridge had been closed and the liability issue for the county. Chris Smith, County Attorney, stated that the county had been put on notice about

the conditions and defects of the bridge. He also stated he had seen a video on the internet on YouTube that shows teenagers crossing the bridge and running under the bridge, with the large holes in the bridge showing.

Commissioner Irons stated that the land on either side of the bridge was vacated and asked who owns the water under the bridge? Lena Hale of Florence, stated that her family has owned property up from the creek since 1937 and that she would like to see the County spend the money on the repairs of the bridge instead of the demolition of the bridge.

Chairman Mitchell stated that the road department would be overseeing the bridge project and that County Engineer, Ken Allamel, would be in charge of the project. Ms. Hale asked what would be the cost to repair the bridge. Commissioner Irons asked what ADEM and the Army Corp of Engineers had required for the demolition of the bridge.

Commissioner Parker stated he would be in favor of giving the bridge to a private organization if they would take responsibility or liability of the bridge. Commissioner Irons asked Ms. Hale if her family would be willing to give land for a park at the bridge site. Ms. Hale stated that she did not say she would donate land for a park and she felt the county was rushing the bridge project.

Evan Tidwell of Tuscumbia stated that he had talked to Ms. Hale's relatives and they said that they would be willing to donate land for a park at the bridge. Commissioner Parker asked Mr. Tidwell if had any figures or costs of such a bridge/park project. Mr. Tidwell stated he was looking into the situation. Commissioner Parker asked Mr. Tidwell about security of the bridge and park and Mr. Tidwell stated that they would form a neighborhood watch program.

Deborah Glass, History professor at UNA, told the story of ghost bridge and how a group of federal and confederate soldiers met and did battle, hand to hand combat at the bridge.

Hank Thomas, Waterloo resident, stated that it was apparent that there were a lot of questions about the bridge project and he felt the commissioners should table the project to a later date. Commissioner Irons at this time asked for a motion to table the Cypress Bridge Project to see what requirements the county needed from ADEM and the Corp of Engineers, and to take another look at the project in thirty days. Chairman Mitchell then asked for a second, at which time Commissioner Parker seconded the motion to table the bridge project for thirty days. Upon a vote taken, Commissioner Garner vote yea and Commissioner Thornton abstained from voting. Chairman Mitchell then declared the motion passed and made a part of these minutes.

Chairman Mitchell stated that for more than sixteen years the Cypress Creek Bridge has been barricaded and attempts have been made to keep people away from the bridge, but all the barricades have been torn down and the bridge still sits in its current condition. He also stated that the County had been put on notice by the property owners over time and that brings up the liability issue and the negligence issue the county would be held accountable for. Chairman Mitchell asked Deputy Sergeant David Ray about the amount of calls the county receives about this bridge and Sergeant Ray answered that Deputies are called out to the area quiet often. Ms Hale asked Chairman Mitchell what was the county going to do with the road when they have the bridge torn down. Chairman Mitchell answered the county would follow the requirements set forth by the ADOT with signs or barricades or whatever was legally required. Commissioner Irons asked Mr. Allamel to get with ADEM and make sure we had everything in order.

Commissioner Thornton moved, seconded by Commissioner Garner that a resolution be adopted to enter into a grant agreement with the Federal Emergency Management Agency for approval of four sirens and to give George Grabryan the authority to execute all relevant grant documents. There being no discussion and upon a vote taken, motion unanimously approved. Resolution and grant agreement are herein recorded and made a part of these minutes.

Commissioner Thornton moved, seconded by Commissioner Irons that a resolution be adopted to enter into a grant agreement with the Federal Emergency Management Agency for approval of thirty siren upgrades and to give George Grabryan the authority to execute all relevant grant documents. After a brief discussion and upon a vote taken, motion unanimously approved. Resolution and grant agreement are herein recorded and made a part of these minutes.

Commissioner Parker moved, seconded by Commissioner Thornton to adopt a resolution that authorizes the sale or disposal of vehicles which have been declared unusable for any county department. This list of vehicles was discussed at a recent work session. There being no discussion and upon a vote taken, resolution and list of vehicles are herein recorded and made a part of these minutes.

Commissioner Irons moved, seconded by Commissioner Parker that a resolution be adopted to approve this year's list of County Depositories for the placement of County Funds. There being no discussion and upon a vote taken, motion unanimously approved. Resolution is herein recorded and made a part of these minutes.

In compliance with the competitive bid laws of the State of Alabama, sealed bids for LA-2013-1, "Various Printing Jobs" were advertised, received, and publicly read aloud on December 7<sup>th</sup>. Bid tabulations were prepared for Commissioners review. Commissioner Thornton moved, seconded by Commissioner Irons that the bid be awarded to the lowest bidder on each item. Following a brief discussion and upon a vote taken, motion unanimously approved. Bid tabulation is herein recorded and made a part of these minutes.

In compliance with the competitive bid laws of the State of Alabama, sealed bids were received and publicly opened on November 27<sup>th</sup> for Bid No. LA-2013-3, "Cleaning and Chemical Products". Bid tabulations were prepared for Commissioners review. Commissioner Irons moved, seconded by Commissioner Garner that the bid be awarded to the lowest bidder for each item. Following a brief discussion and upon a vote taken, motion unanimously approved. Bid tabulation is herein recorded and made a part of these minutes.

In compliance with the competitive bid laws of the State of Alabama, sealed bids were received, publicly opened and read aloud on November 27<sup>th</sup> for Bid No. LA-2013-4, "New Cab/Low Boy Tractor". Only one bid was received. Commissioner Thornton moved, seconded by Commissioner Garner to award the bid to Nextran Truck Center as the only bidder. Following a brief discussion and upon a vote taken, motion unanimously approved. Bid tabulation is herein recorded and made a part of these minutes.

In compliance with the competitive bid laws of the State of Alabama, sealed bids were received, publicly opened and read aloud on November 27<sup>th</sup> for Bid No. LA-2013-5, "New Front Mowing Tractor". There were two bids received and a bid tabulation sheet was prepared for Commissioners review. Commissioner Thornton moved, seconded by Commissioner Garner that the bid be awarded to Brown Equipment Company as the lowest bidder. Following a brief 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, approved and ordered paid upon a motion made by Commissioner Irons and seconded by Commissioner Thornton. Following a brief discussion of the bills and upon a vote taken, motion unanimously approved.

Checks Issued October 22, 2012 through November 13, 2012

GENERAL - SPECIAL CHECK # 45040-45114	1,159,847.46
GASOLINE TAX FUND CHECK # 14655-14675	412,240.54
SOLID WASTE FUND CHECK # 5190-5206	246,225.55
REAPPRAISAL FUND CHECK # 9741-9753 VOID # 9744	96,447.70
RSVP FUND CHECK # 16044-16051	4,797.60
ACCOUNTS PAYABLE FUND CHECK # 32703-32797 VOID # 32717-32721, 32738, 32790	411,011.25
LEPA FUND CHECK # 6901-6908	6,646.87
AGRI-BUSINESS FUND CHECK #3180-3183	653.08
CHILD PROTECTION FUND CHECK # 1150	1,981.73
REAPPRAISAL MONEY MARKET CHECK # 339	200,000.00
TOURISM, REC. & CONVENTION FUND CHECK # 387	500.00
TOBACCO TAX FUND CHECK # 2851	17,505.00
FIRE PROTECTION FEE FUND CHECK # 3774-3787	82,511.94
RRR GASOLINE TAX FUND CHECK # 560	13,999.66
SERIES 2001 DEBT SERVICE FUND CHECK # 206 & 207	24,480.00

TOTAL

2,678,848.38

During the Public Comment period, Mr. Hank Thomas, Waterloo stated that the county had liabilities at Paradise Drive that had not been addressed. He stated on May 30, 2012 a young man was killed on Paradise Drive and he had read the state troopers report and the road was part of the reason for the wreck. Mr. Thomas also asked the Commissioners to consider having the meeting later in the day so more people could attend and he stated that the County Ambulance Bid should go to the lowest bidder because it would save the county citizens over two million dollars.

David Charles Killen stated that he had heard rumors that the Center Star Volunteer Ambulance Service would no longer be in place and he wanted to state that they had been in service for over thirty years and the Center Star Service could answer calls within ten minutes and had better equipped trucks than the service that Lauderdale County had in place now.

Jay Golliver, Killen, thanked Commissioners Thornton and Garner for speaking with the town of Killen about the ambulance situation and stated that he realizes nothing has been decided yet but that he hopes the county will go with the low bidder. He also stated that if the county joins the city on a joint bid it has been a complete waste of time and money. Mr. Golliver also stated that if Commissioners took campaign money from doctors who supported the new ambulance service, would that not be a conflict of interest. Chairman Mitchell stated that he always felt that his supporters knew that he had a conviction that he would do the right thing and that the political areas would stay outside the money support. Commissioner Garner stated that any resident in Lauderdale County could state that there was a conflict of interest on many issues.

Sue Charles, Center Star, stated that she had been a resident of Center Star since 1977 and she was very upset with the Commissioners for doing away with the Center Star Ambulance Service. She suggested that the Commissioners research and see how much money the residents of that area donate to keep their services in the area, and since the service was free we needed to keep it.

Phillip Brewer, Center Star, stated that he had worked for the Center Star Ambulance Service for 13 years and that a lot of the residents did volunteer work to keep their licenses and if

we let the service go, the county would lose several qualified EMT's because they could not keep their license current.

Linda Monroe asked the Commission to keep the Center Star Ambulance Service and not let it go.

Chairman Mitchell stated that the ambulance service contract has an issue that involves over ninety-two thousand citizens of Lauderdale County and that there is an Attorney General of Alabama opinion on a 911 issue for Colbert County that references bid laws and that opinion will affect the bidding of Lauderdale County Ambulance Service.

Ken Harrison, Killen stated that the Attorney General statement was just an opinion and may not speak about Lauderdale County, it was only an opinion.

Chairman Mitchell stated the bottom line was to identify the excluded area and to now if it is subject to the bid laws process and if you use the Attorney General's opinion on Colbert County it would mean that the excluded area does have to follow the bid law.

John McGee, Killen stated that the Lauderdale County Commission should get the Attorney General's opinion for Lauderdale County.

Phillip Brewer, Killen stated that using a different service would increase the wait time for emergencies up to twenty to thirty minutes, where as now the Killen Center Star Ambulance can be there much quicker, around ten minutes on most calls.

Evan Tidwell, Tuscumbia stated that he wished to thank the County commission for giving them more time on the Cypress Creek Bridge project and listening to the concerns of the citizens. Commissioner Irons stated that he asked for the matter to be tabled to make sure everything was done to ADEM and the Corp of Engineers before the start of the project and that was his major concern. Commissioner Parker added he also had concerns about the bridge and he was in favor of giving more time however, he wants everything done in a speedy manner.

Karen Bevis, Killen stated that the Center Star Ambulance service from January 1, 2009 to November 2012 had written off over \$409,217.62 of billable payments. Commissioner Parker asked what was their collectable rate and Ms. Bevis stated 57.91% and that over the past four years they had collected \$842,868.00 in billable calls. Commissioner Parker asked how many EMT's were on staff and she answered; 46 EMT's and 29 Paramedic's. Commissioner Thornton stated that Bruce Carson said that they had 71 calls that had to be transferred from Center Star to Lauderdale EMS, but Jay Golliver stated that the number was only 31 calls had to be transferred. Commissioner

Thornton asked George Grabryan to check that number and Commissioner Parker asked David Charles if they paid the Paramedic's for working and he answered yes.

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

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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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Roger Garner, 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