

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 28th day of May, 2013. 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, upon declaration of a quorum being present, opened the meeting for the transaction of business.

The invocation was delivered by Commissioner Larry Irons.

Public Comment on agenda items: none

Awards and Presentations: none

Commissioner Irons moved, seconded by Commissioner Thornton 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. Agenda is herein recorded and made a part of these minutes.

Commissioner Thornton moved, seconded by Commissioner Parker 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 Parker moved, seconded by Commissioner Garner that a resolution be adopted authorizing the Back to School Tax Free Weekend August 2nd through August 4th, 2013. There being no 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 an agreement between the Shoals Chamber of Commerce and the Lauderdale County Commission to promote our community through education, workforce development and youth leadership. There being no further discussion and upon a vote taken, motion unanimously approved. Resolution and agreement is herein recorded and made a part of these minutes.

Commissioner Irons moved, seconded by Commissioner Parker that a resolution be adopted to authorize the Global Fire Sprinkler Company to add additional fire protection to the Lauderdale County Detention Center. There being no further discussion and upon a vote taken, motion unanimously approved. Resolution and bid is herein recorded and made part of these minutes.

In Compliance with competitive bid laws of the State of Alabama, sealed bids were advertised for Bid No. LA-2013-15 "Reinforced Concrete Bridge Culvert on County Road 11 over Little Cypress Creek". Bid responses were received, publicly opened and read aloud on May 22, 2013. Bid tabulation sheet was prepared for Commission review. Chairman Mitchell asked Ken Allamel County engineer for his recommendation. Mr. Allamel recommended that the County Commission accept the low bidder Shotcrete of America's bid. Commissioner Irons moved, seconded by Commissioner Parker that the bid be awarded to the low bidder Shotcrete of America. Commissioner Irons stated that this bridge project had saved the county five thousand dollars by rebidding this contract due to the first bid being rejected due to Brooks and Son Construction being unable to fulfill the contract. Mr. Irons stated that Shotcrete has done good work for the county

before. Commissioner Thornton asked Mr. Allamel when would Shotcrete be able to start construction on the bridge. Mr. Allamel stated that they had thirty days to start and seventy -five working days to complete the project. Commissioner Parker stated that he was glad the county received a lower bid price and that this bridge would save the school buses over twenty-six miles in travel when complete. 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. There being no discussion of the invoices and upon a vote taken, motion unanimously approved.

Checks Issued May 13, 2013 through May 27, 2013

GENERAL - SPECIAL CHECK # 46088-46131 VOID #46088,46104	391,648.63
GASOLINE TAX FUND CHECK # 14854-14873	440,427.47
SOLID WASTE FUND CHECK # 5387-5401	172,834.05
REAPPRAISAL FUND CHECK # 9898-9909	28,773.95
RSVP FUND CHECK # 16146-16154	4,600.25
ACCOUNTS PAYABLE FUND CHECK # 33478-33515	117,753.40
LEPA FUND CHECK # 7007-7015	4,862.03
AGRI-BUSINESS FUND	822.11

CHECK #3204-3208

RRR GASOLINE TAX FUND CHECK # 569	840,167.75
CHILD PROTECTION FUND CHECK # 1156	1,768.48
INDUSTRIAL DEVELOPMENT TAX FUND CHECK # 1070	351,332.72
TVA TAX FUND CHECK #4929-4942	484,945.69
TOURISM, REC. & CONVENTION FUND CHECK #392	21,000.00
SERIES 2001 DEBT SERVICE FUND CHECK 3 213	12,249.79
TOTAL	2,873,186.32

Public Hearing: none

Staff Reports: none

Public Comment Period;

Greg Johnston County Road 458 requested that the commissioners consider paving the part of his road that did not get paved a few years back. Mr. Johnston stated that all the property owners had signed a petition to pave the road and since one land owner had changed his mind that had ended the project. Ken Allamel county engineer stated that this right of way project had been discussed and the reason of stoppage was due to one of the land owners stating that they had not agreed to the project. Chairman Mitchell asked if anyone had tried to talk to this person and Mr.

Johnston stated that it would do no good. Mr. Johnston offered to the county any of his property needed to help finish up the road. Mr. Allamel stated that was not an option due to the drainage issues of the road and also due to the hills it was not feasible. Mr. Allamel stated that Mr. Spankie Davis the property owner is not willing to neither sign over nor move his fence for the road paving. Chris Smith Lauderdale County Attorney stated the county would have to go to court for the condemnation of the land. Mr. Johnston stated that Mr. Davis would meet people at his road with a gun. Chairman Mitchell asked Mr. Johnston what he has a gun for. Mr. Johnston stated he threatens people who come to his property. Commissioner Thornton stated that the county had over two hundred miles of gravel roads and that the county had to pave the roads that have no issues. Commissioner Irons asked how many houses were past that unpaved section in the road Mr. Johnston stated there were five houses. Commissioner Thornton stated that the issues with this road paving are all on the side of Mr. Davis's property. Commissioner Garner asked if the drainage problem would be worse if the road was paved. Mr. Allamel stated that it would have drainage problems, but paving and not following the correct protocol would be worse for the drainage issues. Mr. Johnston stated that Mr. Davis would always build a mound so that the water and trash would always drain on his side of the road. Chairman Mitchell stated that this was not a unique situation for the county to pave up to a certain point and then quit and move farther down and start over due to the fact that the land owner would not agree to the right of way and that sometimes the land owner would change their mind after they saw the final product, however this was not the case with Mr. Davis. Commissioner Parker stated that this paving in question had been done about three years. Chairman Mitchell asked how much of the road was not paved. Mr. Johnston stated about a one quarter mile. Mr. Johnston stated that Mr. Davis sometimes comes out and video records the road workers. Melba Fortner County Road 458 stated that she has grandchildren on that road and it

was not right that one person could block the construction and threaten the safety for everyone who lives on that road. Mr. Spankie Earl Davis was the land owner and he would threaten people who would come down that road and she was afraid for her grandchildren. Ms. Fortner wanted her comments about Mr. Davis to be on record that someone could be killed with the road not being paved and that the road should be paved. Ms. Fortner stated that the school buses had a hard time on that road and she would like the county to fix this problem.

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

Dewey D. Mitchell, Chairman
Lauderdale County Commission

D.C. Thornton, Commissioner
District 1

Roger Garner, Commissioner
District 1

Fay Parker, Commissioner
District 2

Larry Irons, Commissioner
District 2

ATTEST:

Brenda Bryant, County Administrator