

STATE OF ALABAMA §

LAUDERDALE COUNTY §

The Lauderdale County Commission convened at the Lauderdale County Courthouse in the City of Florence, Alabama at 5:00 p.m. on the 26<sup>th</sup> day of September, 2016. The meeting was called to order by the Chairman of the Lauderdale County Commission, Dewey D. Mitchell. Upon roll call, the following members answered present:

Dewey D. Mitchell Chairman of Commission

Danny Pettus Commissioner, District 1

Roger Garner Commissioner, District 1

Fay Parker Commissioner, District 2

Joe Hackworth Commissioner, District 2

Legal Counsel:

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 Danny Pettus.

Awards and Presentations: none

Chairman Mitchell stated that we had to amend the current regular business agenda due to a reference application for Solid Waste. Commissioner Hackworth moved, seconded by Commissioner Parker to allow the resolution for approval of an application to ADEM by Solid Waste to be added to the agenda. There being no discussion and upon a vote taken, motion unanimously approved to add the resolution to the regular business agenda.

Public Comments on Agenda Items: none

Commissioner Parker moved, seconded by Commissioner Pettus that all items listed on the amended 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 Garner 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 Pettus moved, seconded by Commissioner Garner that a resolution be adopted authorizing the Lauderdale County Solid Waste Management Plan. This is a contract entered into with the Terracon Consultants Inc., a consulting engineering firm for the development

of an undated Solid Waste Management Plan. The plan covers a period of ten years, including the calendar year 2016 through 2026, and the plan includes the unincorporated areas within Lauderdale County, the Town of Anderson, the Town of Killen, the Town of Lexington, the Town of Rogersville, the Town of St. Florian, and the Town of Waterloo. This was duly advertised at a public hearing and identifies the current solid waste management practices and certain procedures for public participation. 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 2016-2017 Lauderdale County Budget. The total Lauderdale County Budget is thirty-one million, five hundred forty-eight thousand, nine hundred and thirty-five dollars. Commissioner Garner stated that this was a deficit budget because we have several big ticket items such as ATRIP projects that have improved or replaced several bridges and also the animal shelter; we will not have these expenses next year. Commissioner Garner stated that he felt that the Commission had done the best possible job that could be done. Chairman Mitchell stated that this was the biggest budget in the history of the county and that this was good and bad. Chairman Mitchell stated that the good is that all employees got a raise and the bad is that we had to use reserve funds to balance the budget. Chairman Mitchell stated that two and three quarters of a million dollars was taken out of the general fund reserve. Chairman Mitchell stated that one million, two hundred and forty thousand, five hundred and five dollars of the general fund reserve was going into the general fund to balance that fund. Chairman Mitchell stated that one million, four hundred and ninety-six thousand, nine hundred and nine dollars was going into the road department budget to balance that fund. Chairman Mitchell stated that six hundred and forty-seven thousand, nine hundred and seventy-two dollars was the cost of the raise for employees, being six and one half percent, which also equals out to a step raise plus a three point fourteen percent cost of living raise. Chairman Mitchell stated that when this amount is added to last year's raise, that it is a twelve and a half percent raise over the two years and that it is now a fixed cost funded from the general fund reserves. Chairman Mitchell stated that the insurance for county employees increased four percent. Chairman Mitchell stated that the Lauderdale County is in good financial standing at present, but that has not always been the case and that getting the County in good financial shape was done by good sound financial decision making by the Commissioners, along with proper oversight. Chairman Mitchell stated that not many counties are this fortunate, and that he tried to take a pro-active approach and at present he is unaware of any new taxes for the county, therefore he sees no way to offset this budget deficit without using reserves. Chairman Mitchell stated that he had hoped this Commission did not have to use reserves, and that without good sound reserves, the county would not have been able to do ATRIP projects, partner with the city to purchase the bank next door, to buy the Veteran's Building, or to buy the parking lot; all of these were done with reserve funds. Chairman Mitchell stated that the road budget this year is greater than the entire county budget of the year when he started. Chairman Mitchell stated that he has a lot of reservations regarding this budget and that if you followed good conventional accounting principles by matching revenues with expenditures, you could retain reserves and maintain a sound financial position. Chairman Mitchell stated that he had passed twenty-one budgets and you cannot continue spending without cutting somewhere and he stated that he knew this budget would be passed anyway but a lot of hard work and saying no in certain situations has kept the County in a good financial state. Commissioner Pettus stated that he appreciated all of Chairman Mitchell's hard work and what he had done personally to help keep the County in good financial standing. Chairman Mitchell stated that there will always be opposition and complaints about where the money is spent, but the County has never failed to give the employees a raise, and he highly suggests that the Commissioners take a look at the reserves. There being no further discussion and upon a vote taken, motion unanimously approved. Resolution is herein recorded along with a copy of the budget and made part of these minutes.

Commissioner Hackworth moved, seconded by Commissioner Garner that a resolution be adopted authorizing the Lauderdale County Commission to change the regularly scheduled Commission meeting from Monday, October 10<sup>th</sup>, 2016 to Tuesday, October 11<sup>th</sup>, 2016, due to the

Columbus Day Holiday. There being no discussion and upon a vote taken, motion is unanimously approved. Resolution is herein recorded and made part of these minutes.

Commissioner Parker moved, seconded by Commissioner Garner to approve a resolution that allows the Lauderdale County Commission to enter into an agreement with the State of Alabama acting by and through the Alabama Department of transportation on the construction of a bridge replacement over County Road 10 over Cypress Creek Project #ACBRZ62120, ATRIP #39-05-20. There being no discussion and upon a vote taken, motion unanimously approved. Resolution and a copy of the agreement is herein recorded and made part of these minutes.

Commissioner Parker moved, seconded by Commissioner Garner to approve a resolution that authorizes an amendment of a line item only for the Reappraisal Department for the fiscal year of 2015-2016. The overages occurring in line items shall be reconciled by excess funds in "Tires and Tubes." There being no discussion and upon a vote taken, motion unanimously approved. Resolution and a copy of the line item budget revision is herein recorded and made part of these minutes.

Chairman Mitchell stated that at this time he was going to hand over the meeting to Eric Hill, the Lauderdale County Engineer, to go over the annual road bids.

In compliance with competitive bid laws of the State of Alabama, sealed bids were advertised for Bid No. 2017-1 "Circular Concrete Roadway Pipe." Bid responses were received, publicly opened, and read aloud on September 20<sup>th</sup>, 2016. A bid tabulation sheet was prepared for Commissioner's review. Mr. Hill recommended that the low bidder, Foley Products Company of Clanton, Alabama be awarded the bid.

In compliance with competitive bid laws of the State of Alabama, sealed bids were advertised for Bid No. 2017-2 "Crushed Stone." Bid responses were received, publicly opened, and read aloud on September 20<sup>th</sup>, 2016. A bid tabulation sheet was prepared for Commissioner's review. Mr. Hill recommended that the low bidder, Rogers Group of Tuscumbia, Alabama, be awarded the bid.

In compliance with competitive bid laws of the State of Alabama, sealed bids were advertised for Bid No. 2017-3 "Sign Post." Bid responses were received, publicly opened, and read aloud on September 20<sup>th</sup>, 2016. A bid tabulation sheet was prepared for Commissioner's review. Mr. Hill recommended that the low bidder, G&C Supply of Atwood, Tennessee, be awarded the bid.

In compliance with competitive bid laws of the State of Alabama, sealed bids were advertised for Bid No. 2017-4 "Lubricants." Bid responses were received, publicly opened, and read aloud on September 20<sup>th</sup>, 2016. A bid tabulation sheet was prepared for Commissioner's review. Mr. Hill recommended that the low bidder, W. H. Thomas Oil of Decatur, Alabama, be awarded the bid.

In compliance with competitive bid laws of the State of Alabama, sealed bids were advertised for Bid No. 2017-5 "Ready Mix Concrete." Bid responses were received, publicly opened, and read aloud on September 20<sup>th</sup>, 2016. A bid tabulation sheet was prepared for

Commissioner's review. Mr. Hill recommended that the low bidder, USA Blue Star Ready Mix of Florence, Alabama, be awarded the bid.

In compliance with competitive bid laws of the State of Alabama, sealed bids were advertised for Bid No. 2017-6 "Corrugated High Density Polyethylene." Bid responses were received, publicly opened, and read aloud on September 20<sup>th</sup>, 2016. A bid tabulation sheet was prepared for Commissioner's review. Mr. Hill recommended that the low bidder Harvey Culvert Company of Cleveland Alabama be awarded the bid on sizes 15, 18, 30, 36, and 42 inch pipe only and that the low bidder Construction Materials of Huntsville, Alabama be awarded the bid on sizes 24, 48, and 60 inch pipe only.

In compliance with competitive bid laws of the State of Alabama, sealed bids were advertised for Bid No. 2017-7 "Traffic Signs, Reflectors and Pavement Markers." Bid responses were received, publicly opened, and read aloud on September 20<sup>th</sup> 2016. A bid tabulation sheet was prepared for Commissioner's review. Mr. Hill recommended that the low bidder, Traffic Signs, Inc. of Jacksonville, Alabama, be awarded the bid.

In compliance with competitive bid laws of the State of Alabama, sealed bids were advertised for Bid No. 2017-8 "Liquid Bituminous Material." Bid responses were received, publicly opened, and read aloud on September 20<sup>th</sup>, 2016. A bid tabulation sheet was prepared for Commissioner's review. Mr. Hill recommended that the low bidder, Hunt Refining of Tuscaloosa, Alabama, be awarded the bid. Commissioner Garner moved, seconded by Commissioner Pettus that the bids be awarded to all recommendations by Eric Hill. There being no discussion and upon a vote taken, motion unanimously approved. A copy of all bid tabulation sheets is herein recorded and made part of these minutes.

Commissioner Hackworth moved, seconded by Commissioner Parker to reappoint John Allgood, Emma Sue Watkins, Horace Gray, and Chip Kasmeier to the NACOLG non-elected Board of Directors. This is a one-year term beginning on October 1<sup>st</sup>, 2016 and expiring on September 30<sup>th</sup>, 2017. There being no discussion and upon a vote taken, motion unanimously approved. The reappointment is herein recorded and made part of these minutes.

The invoiced bills were audited, allowed, and ordered to be paid upon a motion by Commissioner Parker and seconded by Commissioner Hackworth. There being no discussion and upon a vote taken, motion unanimously approved.

CHECKS ISSUED SEPTEMBER 12<sup>TH</sup>, 2016 THROUGH SEPTEMBER 25<sup>TH</sup>, 2016

GENERAL-SPECIAL CHECK # 51103-51170	438,216.18
AGRI-BUSINESS FUND CHECK # 3509-3514	1,318.77
LEPA FUND	4,198.99

CHECK # 7664-7670	
GASOLINE TAX FUND	227,994.36
CHECK # 16093-16108	
PUBLIC BLDG., R & B SPECIAL	0.00
CHECK # N/A	
PUBLIC HIGHWAY & TRAFFIC FUND	0.00
CHECK # N/A	
AL. TRUST CAPITAL IMPROVEMENT FUND	20,668.36
CHECK # 320	
RRR GASOLINE TAX FUND	244,396.61
CHECK # 631	
REAPPRAISAL FUND	30,349.19
CHECK # 10887-10896	
REAPPRAISAL MONEY MARKET	0.00
CHECK # N/A	
TOURISM, REC. & CONVENTION FUND	0.00
CHECK # N/A	
RSVP FUND	2,683.42
CHECK # 16796-16803	
CHILD PROTECTION FUND	1,659.62
CHECK # 1197	
SERIES 2001 DEBT SERVICE FUND	12,490.63
CHECK # 250	
CDBG FUND	0.00
CHECK # N/A	
SOLID WASTE FUND	169,984.19
CHECK # 6604-6619	
ACCOUNT PAYABLE FUND	178,720.28
CHECK # 38092-38154	
FIRE PROTECTION FEE FUND	0.00
CHECK # N/A	
INDUSTRIAL DEVELOPMENT TAX FUND	238,933.97
CHECK # 1113 &1114	
TOBACCO TAX FUND	0.00
CHECK # N/A	
TVA TAX FUND	416,651.11
CHECK # 5393-5404	
TOTAL	1,988,265.68

Scheduled Public Hearings: none

Staff Reports: none

Public Comment Period:

Sheriff Singleton stated that he would like to thank the Commission for the hard work that they had done on the budget and that a six and one half percent raise goes toward helping the pay scale and that it helps all employees of the County, not just his. It helps the Road, Solid Waste, and Jail employees; all County employees. The Sheriff stated that he did not agree with the comments made about the budget, and he just did not understand how you could save money when you adopted a budget that is in a deficit.

Jeff Harper of 181 County road 298 stated that he had come to the last Commission Meeting and asked if the County Commissioners had made a decision on the gun signage issue that he had addressed at the last meeting. Chairman Mitchell stated that he was referring the meeting to Chris Smith, the Lauderdale County Attorney. Mr. Smith stated that he had researched Alabama law in regards to the assertion by the Shoals Second Amendment Group that the rule against carrying firearms in the County parks was not legal. Mr. Smith stated that the amended law gives exception where carrying a gun can be prohibited, and the best and most common examples are courthouses, schools and sporting events. Mr. Smith stated that there are other exceptions but none of these exceptions included public parks so he therefore agrees that we should remove that rule from the signs at Brush Creek and Wheeler Park. Mr. Smith added that none of this exempts the ability to limit the discharge of firearms or the applicability of other state laws regarding firearms and the discharge thereof. Mr. Smith stated that TVA actually owns the property and we only lease the property and that his research showed that TVA is unclear about whether their rules or regulations changed the analysis as previously stated. Chris Smith called TVA and placed them on notice about the issue and TVA said they would contact us if they felt differently about the issue. Mr. Harper thanked the Sheriff and the Commission for helping him with this issue.

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

LAUDERDALE COUNTY COMMISSION

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Dewey D. Mitchell, Chairman

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Danny Pettus, Commissioner

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Roger Garner, Commissioner

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Fay Parker, Commissioner

ATTEST:

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Joe Hackworth, Commissioner

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Brenda Bryant, County Administrator