

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 24th day of November, 2014. The meeting was called to order by the Chairman of the Lauderdale Commission, Dewey D. Mitchell. Upon roll call, the following members answered present:

Dewey D. Mitchell	Chairman of Commission
Roger Garner	Commissioner, District 1
Danny Pettus	Commissioner, District 1
Joe Hackworth	Commissioner, District 2
Fay Parker	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 Roger Garner.

Award and Presentations: Allison Stanfield of the Florence/Lauderdale Tourism Board presented Earnest Haygood a plaque for his nineteen years of service on the Tourism Board. Ms. Stanfield read a statement on behalf of the Tourism Board expressing their gratitude. A copy of the statement is attached to these minutes. Chairman Mitchell stated that the Lauderdale County Commission wished to express their appreciation also to Earnest Haygood, and also to his wife Janie in her help over the last nineteen years, to the Tourism Board.

Public Comments on Agenda Items: None

Commissioner Hackworth 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. Agenda is herein recorded and made a part of these minutes.

Commissioner Parker moved, seconded by Commissioner Pettus 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 Hackworth moved, seconded by Commissioner Parker that a resolution be adopted authorizing the upcoming year's 2015 Holiday Schedule for the Lauderdale County Commission. There being no discussion and upon a vote taken, the motion unanimously approved. Resolution and copy of 2015 Holiday Schedule are herein recorded and made part of these minutes.

Commissioner Pettus moved, seconded by Commissioner Parker to approve a resolution that authorizes the Lauderdale County Commission meeting to be on the second and fourth Monday of each month at 5:00 p.m. on the third floor of the Lauderdale County Courthouse, with a work session to follow each meeting along with a work session the first Monday of each month at 4:00 p.m. There being no discussion and upon a vote taken, motion unanimously approved. Resolution is herein recorded and made part of these minutes.

Commissioner Garner moved, seconded by Commissioner Pettus to approve a resolution that authorizes the 2015 Severe Weather Preparedness Tax Holiday. The weekend is scheduled for February 20th through 22nd, 2015. There being no discussion and upon vote taken, motion unanimously approved. Resolution and copy of tax free brochure are herein recorded and made part of these minutes.

Commissioner Garner moved, seconded by Commissioner Hackworth to approve a resolution that authorizes the amendments authorized by the Health Care Authority of Lauderdale County and the City of Florence. Commissioner Parker stated that the escrow actually belongs to Regional Care Group, but they would get five million more dollars than the original agreement. Commissioner Parker also stated that he had not seen enough information on the property involved and that he would like to have more time. Chairman Mitchell stated that the money in escrow belongs to the Health Care Authority Board and that the original agreement was to have been five million dollars due at the commencement of construction upon the attainment of CON, fifteen

million when the project was fifty percent completed, and twenty million at completion of the project. Commissioner Pettus stated that he agreed with Fay Parker, that he had read ninety nine percent of the agreement, and that he also would like to wait on the vote. Chairman Mitchell asked County Administrator Brenda Bryant if she had given all the commissioners the proper documentation showing the amended resolutions written by the attorneys from the Law Offices of Balch & Bingham LLP of Birmingham, Alabama. Ms. Bryant replied that the commissioners had been given copies of all the legal documents. Chris Smith, Lauderdale County Attorney, stated that there were three changes in the resolution written and presented to the Hospital Board, the City of Florence and the Lauderdale County Commission. The three changes are to advance ten million dollars (not to exceed) prior to the CON being awarded to purchase properties and site preparation work, the second being the change of escrow agents from Bank of America to Sun Trust, and the third being the change of hospital beds required from three hundred to two hundred and eighty beds, due to CON board approval. Commissioner Parker stated that he thought the request from five to ten million dollars was very odd. Commissioner Garner stated that the land would come back to the county and city if the hospital backed out of the deal and that the lien stated in the agreement was not a traditional mortgage. Commissioner Parker stated that the City of Florence, Lauderdale County Commission and the Hospital Board were acting as the security of Regional Care Hospital. Chris Smith stated that the land would act as security for the ten million dollars. Chris Smith stated that the money was being used for the purchase of property and that would help speed up the process of twelve to fourteen months to the building of the hospital as soon as the CON process is completed. Mr. Smith stated and explained the procedures for postponing the vote. Commissioner Pettus stated that the land purchase was eight point six million dollars and the remaining amount of one point four million was being used for building relocation and site prep work. Chairman Mitchell stated that the money could only be used for actual work to prep the work site and for the purchase of the properties. He also stated that Regional Care would get the rest of the escrow money as stated per the original agreement, upon the final attainment of CON. Commissioner Pettus stated that Regional Care was going to get five million dollars in the original agreement for the same thing and that they were now getting five million dollars more. Commissioner Pettus asked what would happen if it cost more than the ten million dollars to clear the property. Commissioner Pettus stated that he would like to postpone the original motion to a later date. Chairman Mitchell asked for a motion and second to postpone the original motion of the amended hospital resolutions. Commissioner Pettus moved, seconded by Commissioner Parker to postpone the resolution. There being no further discussion and upon vote taken, motion failed to pass.

Commissioner Parker voted aye Commissioner Hackworth voted nay
Commissioner Pettus voted aye Commissioner Garner voted nay

Due to the tie in the vote, Chairman Mitchell stated that he would vote to break the tie and Chairman Mitchell voted nay. Chairman Mitchell stated that since the motion was not passed the original resolution could now be voted on. Commissioner Pettus stated that he wanted to read the resolution before it was passed so he could know all about it. Chairman Mitchell stated that he had been involved with the whole process of the hospital purchase and it had been a long and hard process. He further went on to say that a lot of consideration and hard work had been done, and at the time of the sale in 2010 the board and the city and the commission were all in agreement. Chairman Mitchell added that this is one of the most important projects for our community and the healthcare needs for the citizens of Lauderdale County. Chairman Mitchell next stated that he hoped to have an answer from the CON in early 2015 for the two hundred and eighty beds, and that he has the utmost confidence in Regional Care Hospital to do as they have said. Chairman Mitchell stated that in the worst case scenario, the city and county would be left with thirty million dollars and a valuable piece of property in addition to a debt free hospital, if CON was attained and the hospital was not built. Chairman Mitchell stated that the commissioners needed to promote a good relationship with Regional Care and as of today, Regional Care has upheld all of their promises along with building a two hundred and fifty million dollar hospital. Chairman Mitchell asked for any further comments, and there being no more discussion, and upon a vote taken motion passed. Upon vote taken Commissioner Pettus voted aye and then changed his vote to nay stating that he had meant to vote against the hospital. Chris Smith, Lauderdale County Attorney, stated that since there was confusion in the vote, Chairman Mitchell should do a roll call vote.

Commissioner Garner voted aye Commissioner Pettus voted nay
Commissioner Parker voted nay Commissioner Hackworth voted aye

Due to the tie vote Chairman Mitchell stated that he would vote to break the tie and Chairman Mitchell voted aye. Motion passed and resolution is herein recorded and made part of these minutes.

The invoiced bills were audited, allowed and ordered to be paid upon a motion made by Commissioner Parker and seconded by Commissioner Garner. After a brief discussion and upon a vote taken, motion unanimously approved.

CHECKS ISSUED NOVEMBER 12, 2014 THROUGH NOVEMBER 23, 2014

GENERAL-SPECIAL CHECK # 48697-48734	230,446.90
AGRI-BUSINESS FUND CHECK # 3360-3362	455.37
LEPA FUND CHECK # 7309-7310	2,818.39
GASOLINE TAX FUND CHECK # 15423-15429	263,430.29
PUBLIC BLDG., R & B SPECIAL CHECK # N/A	0.00
PUBLIC HIGHWAY & TRAFFIC FUND CHECK # N/A	0.00
AL. TRUST CAPITAL IMPROVEMENT FUND CHECK # 288	55,220.65
RRR GASOLINE TAX FUND CHECK # 597	4,675.21
REAPPRAISAL FUND CHECK # 10356-10359	24,109.61
REAPPRAISAL MONEY MARKET CHECK # N/A	0.00
TOURISM, REC. & CONVENTION FUND CHECK # 419	286.00
RSVP FUND CHECK # 16443-16445	2,949.79
CHILD PROTECTION FUND CHECK # 1175	1,541.45

SERIES 2001 DEBT SERVICE FUND CHECK # 230-231	25,462.08
CDBG FUND CHECK # N/A	0.00
SOLID WASTE FUND CHECK # 5935-5943	286,038.83
ACCOUNT PAYABLE FUND CHECK # 35665-35709	242,945.06
FIRE PROTECTION FEE FUND CHECK # 4016-4029	132,820.66
INDUSTRIAL DEVELOPMENT TAX FUND CHECK # 1090	628,541.74
TOBACCO TAX FUND CHECK # N/A	0.00
TVA TAX FUND CHECK # N/A	0.00
TOTAL	1,901,742.03

Scheduled Public Hearings: None

Staff Reports: None

Public Comments:

Rick Singleton, Sheriff Elect, stated that he had eleven applicants for his Chief Deputy position and he had picked Richard Richey for the position due to the fact he had over thirty two years of service and experience.

Richard Richey stated that he was honored that Mr. Singleton had picked him and he was excited to see where the department was going.

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

Dewey D. Mitchell, Chairman
Lauderdale County Commission

Roger Garner, Commissioner
District 1

Danny Pettus, Commissioner
District 1

Joe Hackworth, Commissioner
District 2

ATTEST:

Fay Parker, Commissioner
District 2

Brenda Bryant, Administrator