

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 27th day of February, 2017. The meeting was called to order by Chairman Pro Tem Fay Parker of the Lauderdale County Commission. Upon roll call, the following members answered present:

Roger Garner Commissioner, District 1

Brad Holmes Commissioner, District 1

Fay Parker Commissioner, District 2

Joe Hackworth Commissioner, District 2

Legal Counsel:

Christopher A. Smith County Attorney

Absent:

Danny Pettus Chairman

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

The invocation and Pledge of Allegiance was delivered by Commissioner Joe Hackworth.

Awards and Presentations: none

Public Comments on Agenda Items: Dr. James Thompson of 428 North Shore Drive, Florence, Alabama 35634 stated that he wanted to speak regarding the development that adjoins his property. Dr. Thompson stated that he did not know that the property had been sold and that no one discussed this with him. Dr. Thompson stated that he did have a thirty to forty minute conversation with the developer but concluded that he disapproves of the development and that the existing roads are substandard. Dr. Thompson stated that the road is too narrow and that something needs to be done about it and he asked the Commission not to approve the subdivision today. Marybelle Turpin of 725 North Shore Drive, Florence, Alabama 35634 stated that there are several issues that have not been addressed and she advised that she has filed a suit against the City of Florence Planning Commission. Ms. Turpin handed out copies of her request (see attached list) explaining her issues with the approval of the subdivision requests. Ms. Turpin's statements are regarding both Point Clear subdivision and Laurel Cove subdivision. John Tate of 1436 County Road 27, Florence, Alabama stated that he is an attorney hired by Walter Matthews of County Road 30, Florence, Alabama. Mr. Tate stated that there is danger and risk to the county road and he also stated that he is not sure whom to believe when he was told that the access roads were going to be improved. Mr. Tate stated that the road is not wide enough for access to the subdivision. Bill Hargett of 950 North Shore Drive, Florence, Alabama stated that he feels that his road would be used as a construction road when the new subdivision is being built and that there are three hills that are very steep which will not give trucks much room. Mr. Hargett also

stated that the road standards were built to different standards and that there are two right angles that would make it difficult for trucks to turn around. Mr. Hargett stated that there needed to be other ways to access that area. Jim Hughston of 406 Avalon Ave, Muscle Shoals, Alabama stated that he is the attorney for the developer of the new subdivisions and that the City of Florence Planning Committee had a role in the planning of the subdivisions. Mr. Hughston also stated that the role of the County is for the roads of the subdivisions and that the roads that were going to be built would be a vast improvement over any road that was built in the area over the past fifty years. Mr. Hughston stated that the road is very narrow and that the County is going to improve a portion of County Road 30 adjoining the property. Mr. Hughston stated that there was going to be better access to County Road 30 from Northshore Drive and that we were getting bogged down on issues that the County Commission had no part of.

Commissioner Hackworth moved, seconded by Commissioner Garner 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 part of these minutes.

Commissioner Holmes moved, seconded by Commissioner Garner that the minutes of the last regular meeting of the Commission be approved for recording. There being no discussion and upon vote taken, motion unanimously approved.

Commissioner Garner moved, seconded by Commissioner Hackworth that a resolution be adopted authorizing the Lauderdale County Commission to approve a grant agreement between the Lauderdale County Emergency Management Agency and the Alabama Law Enforcement Agency for a State Homeland Security Grant 5SHL 9-1-1 in the amount of twenty-three thousand nine hundred and sixty-eight dollars and sixty-five cents. The grant will be used to purchase three repeaters for the 9-1-1 department. There being no discussion and upon a vote taken, motion unanimously approved. Resolution and grant agreement is herein recorded and made part of these minutes.

Commissioner Holmes moved, seconded by Commissioner Garner that a resolution be adopted authorizing the Lauderdale County Commission to approve a grant agreement between the Lauderdale County Emergency Management Agency and the Alabama Law Enforcement Agency for the State Homeland Security Agency Grant 5SHL in the amount of twenty-four thousand one hundred and six dollars and twenty-eight cents. The grant will be used to purchase computer equipment to assist with various safety exercises. There being no discussion and upon a vote taken, motion unanimously approved. Resolution and copy of grant agreement is herein recorded and made part of these minutes.

Commissioner Hackworth moved, seconded by Commissioner Holmes to approve a resolution that authorizes the Lauderdale County Commission to authorize the EMPG Cooperative Grant Agreement for the Lauderdale County Emergency Agency in the amount of one thousand two hundred and ninety-four dollars. This grant agreement has a fifty-fifty local match. This grant will be used for the sole purpose of emergency management preparedness programs. There being no discussion and upon a vote taken, motion unanimously approved. Resolution and copy of grant agreement is herein recorded and made part of these minutes.

Commissioner Garner moved, seconded by Commissioner Holmes to approve a resolution that allows the Lauderdale County Emergency Agency to have a Professional Services Agreement with Lee Helms, LLC to conduct exercises in accordance with the provisions of the Homeland Security Exercise and Evaluation program. There will be two exercises – the first exercise will have a cost of seven thousand dollars and the second exercise will have a cost of six thousand and five hundred dollars. There being no discussion and upon a vote taken, motion unanimously approved. Resolution and Professional Services Agreement is herein recorded and made part of the minutes.

Commissioner Garner moved, seconded by Commissioner Holmes to approve a resolution that allows the application for the Point Clear Subdivision plat review to be processed in order to move forward for development of said subdivision. Commissioner Holmes stated that he wanted to thank Dr. Thompson and Mr. Hargett for their comments and concerns. Commissioner Holmes stated that there were two issues to discuss which are the road and the bridge. Commissioner Holmes stated that the concerns regarding construction traffic and the safety of the road are items need to be addressed and that he felt confident that we can handle these issues. Commissioner Holmes further stated that Mr. Hargett and Dr. Thompson have valid concerns regarding whether the County Engineer has done his due diligence in recommending the project. Commissioner Holmes asked the Lauderdale County Engineer, Eric Hill, about the concerns regarding the bridge that Ms. Turpin described in her statement. Mr. Hill stated that he was aware of the complaint and that the drainage structure shown on the current plans is equivalent to the structure shown on earlier plans. Commissioner Holmes asked Mr. Hill to address or clarify the easement issues of the right of way that was brought up by Ms. Turpin. Mr. Hill stated because the property borders an existing County road, the developer is required to dedicate a 30 foot right of way from the center of the road on the south side, which is shown on the plat and Mr. Hill stated that he had no issues or concerns. Commissioner Holmes asked Lauderdale County Attorney Christopher Smith if the County has done its due diligence and he stated that he has to review the rules and regulations with the commissioners, attorneys, and landowners in order to confirm that we meet the certification to move forward with the approval. Mr. Smith stated that one of the issues is the right of way and how one half of the street is divided into the thirty feet. Mr. Smith stated that he believed all the county regulations had been met. Commissioner Holmes stated that Dr. Thompson and Mr. Hargett were accustomed to using County Road 30 and that the County would make sure to fix any damages that were done to North Shore Drive. Eric Hill stated that he planned to have signs put up on County Road 30 and County Road 27 to direct construction traffic. John Tate asked who is going to fix County Road 30. Commissioner Garner stated that he understood the concern but the public can use whatever access that they wish to use as we cannot force anyone to travel a certain road. Commissioner Garner added that the County has plans to upgrade County Road 30. Commissioner Hackworth stated that he wished to thank Dr. Thompson and Mr. Hargett for their comments concerning the roads. Commissioner Hackworth then asked Eric Hill if the developers had met all of the requirements, filed the correct paperwork, and if he feels that we completed the policy requirements for approving the subdivision development. Eric Hill stated that the developers had met all the requirements. Commissioner Hackworth asked Mr. Hill if the developers had met the city requirements and Mr. Hill stated that they had. Commissioner Parker asked if the developers could be held accountable for the road maintenance. Mr. Hill stated that our regulations did not hold the developer liable for damage done to existing County roads but that the Road Department would be monitoring the existing roads. Commissioner Parker asked Mr. Hill if County Road 30 could carry the traffic and Mr. Hill stated that there are only three houses and they had plenty of right of way. Dr. Thompson stated that there would be three or four hundred yards where you could not see while getting out on the road and that there was no right of way. The attorney for the developer, Mr. Hughston, stated that they would be opening up a new way to enter onto County Road 30 which will help with the issue of limited sight. There being no further discussion and upon a roll call vote:

Commissioner Garner	aye	Commissioner Holmes	aye
Commissioner Parker	nay	Commissioner Hackworth	aye

Motion approved. Resolution and copy of application is herein recorded and made part of these minutes.

Commissioner Hackworth moved, seconded by Commissioner Garner to approve a resolution that allows the application for the Laurel Cove Subdivision plat review to be processed to move forward for development of said subdivision. Commissioner Holmes asked Eric Hill, Lauderdale County Engineer, if the application meets all of the regulations of the Lauderdale County Commission. Mr. Hill stated that it did. There being no further discussion and upon a vote taken, motion unanimously approved. Resolution and copy of application is herein and recorded made part of these minutes.

Sheriff Rick Singleton has requested that Jason Butler, Lauderdale County Jail Director, be allowed to travel out of state to the 36<sup>th</sup> Annual Conference and Jail Expo in Orlando, Florida from April 7<sup>th</sup>, 2017 through April 13<sup>th</sup>, 2017. Commissioner Hackworth moved, seconded by Commissioner Garner to allow the out of state travel. There being no discussion and upon a vote taken, motion unanimously approved. The approval for out of state travel is herein approved and made part of these minutes.

The Lauderdale County Commission has asked Commissioner Joe Hackworth to attend the Legislative Conference in Washington D.C. The conference will be March 21<sup>st</sup>, 2017 through March 24<sup>th</sup>, 2017. Commissioner Garner moved, seconded by Commissioner Holmes to allow Commissioner Hackworth to travel out of state. There being no discussion and upon a vote taken, motion unanimously approved. The approval for out of state travel is herein approved and made part of these minutes.

The Lauderdale County Commission would like to appoint Chairman Danny Pettus to the Northwest Alabama Cooperative District. The term to begin immediately and expire on May 26<sup>th</sup>, 2021. Commissioner Holmes moved, seconded by Commissioner Hackworth to approve the board appointment. There being no discussion and upon a vote taken, motion unanimously approved. Board appointment 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 Garner. There being no discussion and upon a vote taken, motion unanimously approved.

CHECKS ISSUED FEBRUARY 13<sup>th</sup>, 2017 THROUGH FEBRUARY 26<sup>th</sup>, 2017

GENERAL-SPECIAL CHECK # 51717-51759	457,228.21
AGRI-BUSINESS FUND CHECK # 3543 & 3544	263.75
LEPA FUND CHECK # 7748-7755	5,427.96
GASOLINE TAX FUND CHECK # 16268-16282	256,738.68

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 # 323	12,750.00
RRR GASOLINE TAX FUND CHECK # 637	9,265.65
REAPPRAISAL FUND CHECK # 11004-11015	38,907.10
REAPPRAISAL MONEY MARKET CHECK # N/A	0.00
TOURISM, REC. & CONVENTION FUND CHECK # N/A	0.00
RSVP FUND CHECK # 16877-16884	2,916.93
CHILD PROTECTION FUND CHECK # N/A	0.00
SERIES 2001 DEBT SERVICE FUND CHECK # N/A	0.00
CDBG FUND CHECK # N/A	0.00
SOLID WASTE FUND CHECK # 6768-6782	148,056.19
ACCOUNT PAYABLE FUND CHECK # 38610-38643	326,968.79
FIRE PROTECTION FEE FUND CHECK # 4282-4295	82,702.76
INDUSTRIAL DEVELOPMENT TAX FUND CHECK # N/A	0.00
TOBACCO TAX FUND CHECK # N/A	0.00
TVA TAX FUND CHECK # 5453-5464	385,558.09
TOTAL	1,726,784.11

Scheduled Public Hearings: none

Staff Reports: none

Public Comment Period: none

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

LAUDERDALE COUNTY COMMISSION

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ABSENT  
Danny Pettus, Chairman

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Brad Holmes, 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