

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 23<sup>rd</sup> day of June, 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
D.C. Thornton	Commissioner, District 1
Larry Irons	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 Fay Parker.

Public Comment on agenda items: Don Strait, Mayor of St. Florian stated that he would like to know who asked for the vacation to go forward when the local land owners had denied the previous request. Chairman Mitchell stated that this was not the time to debate the issues of the vacation that this was the first steps in a process of the vacation and that the time for debate and questions would be in about four to six weeks during the public hearing. Jean Elliot, resident of St. Florian, stated that this property was next to her family property and that closing the road would devalue their property and Ms. Elliot stated that she hoped the commissioners would keep an open mind on all issues involved.

Award and Presentations: None

Commissioner Irons 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 a part of these minutes.

Commissioner Thornton 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 a vote taken, motion unanimously approved.

Commissioner Irons moved, seconded by Commissioner Parker that a resolution be adopted authorizing an additional five thousand dollars appropriated along with the five thousand dollars regularly requested from the W.C. Handy Festival for a grand total of ten thousand dollars; with the extra money being a onetime appropriation to cover the cost of a Headliner concert. There being no discussion and upon a vote taken, motion unanimously approved. Resolution is herein recorded and made part of these minutes.

Commissioner Irons moved, seconded by Commissioner Thornton that a resolution be adopted that authorizes the approval of a fifty thousand dollar appropriation to One Place of the Shoals. This money will be put toward the purchase of a building for One Place which will be one location for the citizens of Lauderdale County to come for services such as domestic violence, adult rape and sexual assault, child abuse and physical abuse and elder abuse issues. Chairman Mitchell recognized Angie Hamilton, Assistant Lauderdale County District Attorney, and Ms. Hamilton stated that she wanted to thank the commissioners for their support of One Place and that One Place was going to be a very important part of our community. There being no further discussion and upon a vote taken, motion passed unanimously approved. Resolution is herein recorded and made part of these minutes.

Commissioner Thornton moved, seconded by Commissioner Garner that a resolution be adopted that authorizes a one year contract renewal with BFI Waste

Services. This is the last one year renewal allowed on the three year contract with no price changes. The one year period will expire on September 30, 2015. There being no discussion and upon a vote taken, motion passed unanimously approved. Resolution is herein recorded and made part of these minutes.

Commissioner Garner moved, seconded by Commissioner Thornton that a resolution be adopted that authorizes a transfer of a 1998 Ford F150 VIN# 1FTZF1729WB1628 from the Lauderdale County Sheriff's Department to the Lauderdale County Road Department. There being no discussion and upon a vote taken, motion passed unanimously approved. Resolution is herein recorded and made part of these minutes.

Commissioner Thornton moved, seconded by Commissioner Garner that a resolution be adopted authorizing the beginning of a vacation process of a 100 foot easement on a 160 acre parcel on Parkway Drive in the Florence-Lauderdale Industrial Park. Commissioner Irons stated that he thought the property could be sold without the easement being vacated and in 2007 he was a big supporter of the half-cent tax that was passed for economic development. Mr. Irons also stated he was a big supporter of the road that was to be built but did not happen due to historical issues so in return the Alabama Department of Transportation had to cancel the project. Commissioner Parker stated he was a supporter of the economic development for Lauderdale County and once the easement is given up it will gone and that he believed that the property could be developed and also keep the easement. Commissioner Thornton stated today was not the public hearing that this was just the beginning of the process and the county would follow the process. Chairman Mitchell explained the process stating that along with the four weeks that the notice would be posted in the paper but abutting land owners would be contacted also with the public hearing notice. There being no further discussion and upon a vote taken:

Commissioner Parker: Nay                      Commissioner Garner: Aye

Commissioner Irons: Nay                      Commissioner Thornton: Aye

The vote being a split decision Chairman Mitchell cast his vote: Aye

Motion passed. Resolution is herein recorded and made part of these minutes.

Commissioner Irons moved, seconded by Commissioner Parker that the Lauderdale County Commission approve the Insolvents, Errors and Taxes in Litigation for 2013 and uncollected insolvents and taxes in litigation for previous year reported by Lauderdale County Revenue Commissioner Danny Hendrix. After a brief discussion and upon a vote taken, motion passed unanimously. Insolvents, Error and Taxes in Litigation report is herein recorded and made part of these minutes.

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

Scheduled Public Hearings: None

Staff Reports: None

Public Comment Period:

Jean Elliot, resident of St. Florian, asked the County Commission not to go forward with the vacation process. Chairman Mitchell stated that the County Commission can initiate a vacation of a public road or right of way pursuant to Title 23 Section 4-2. Angelina Foster, resident of St. Florian, asked the County Commission why could they not do an easement and set up a road in another part of that industrial area. Chairman Mitchell stated the issue was for this particular vacation and that the county had put a lot of effort and money into this project and the Alabama Department of Transportation had spent one hundred and ninety thousand dollars and Lauderdale County Commission had spent thirty-eight thousand dollars. Chairman Mitchell also stated that in September 2013 the county received a letter from Alabama Department of Transportation stating that this project was cancelled. Chairman Mitchell stated that any easement would not and could not be used for economic development and can not be marketed with the easement in place. Don Strait, resident of St. Florian, asked that the easement not be granted and

thanked the commissioners for their time. Jean Elliot stated that this easement is a part of the town. Ms. Elliot stated that she had lived in different parts of the country and she was not a big supporter of SEDA, she did not believe if you build it, they will come. Ms. Elliot thanked Commissioner Parker and Irons for voting against the vacation. Horace Gary, resident of St. Florian, asked to see the letter of the citizens that had signed the petition that stopped the road project. Chairman Mitchell stated that he had not seen the petition of opposition either. Commissioner Parker stated that he was glad that the District Attorney's office was going to receive the money to proceed with One Place of the Shoals and he thanked the DA for what they do for our county. Commissioner Irons stated that he was proud to be part of the One Place of the Shoals.

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