

SUMMARY OF MINUTES  
CALHOUN COUNTY COMMISSION  
FEBRUARY 12, 2009

The regular meeting of the Calhoun County Commission was called to order by Chairman Henderson and all Commissioners were present. David Talley gave an invocation.

The Commissioners approved the payment of warrants issued, to-wit:

Commissioner Downing made a motion to adopt the agenda as presented. Commissioner Dunn seconded the motion and all Commissioners voted in favor of the motion.

Kimberly Bittle, District Ranger for the Talladega National Forest, advised that plans are progressing on the Pink E. Burns Cabin Renovations project. She advised that the historically significant cabin will be a trailhead to Duggar Mountain, and will hopefully become part of the Appalachian Trail.

Sheriff Larry Amerson was recognized by members of the VFW Post 924 for outstanding work in crime prevention and apprehension. Ken Taylor – Post Commander, presented a certificate of appreciation to Sheriff Amerson. Also attending were Jim Giles – District Commander, James Lorenzo – Sr. Vice Commander, and Tim Beebee – Jr. Vice Commander.

A motion was made by Commissioner Dunn, and seconded by Commissioner Hess, to adopt the minutes of the previous meeting. All Commissioners voted in favor of the motion.

Commissioner Hess made a motion, which was seconded by Commissioner Downing, to dismiss the nuisance abatement on property located at 3601 Oakridge Avenue, Anniston, owned by Janie Odom Hicks, as recommended by Environmental Enforcement Officer David Pirritano. The motion carried by a unanimous vote of the Commissioners.

A motion was made by Commissioner Hess to continue until February 26, 2009, the nuisance abatement on property located at 270 Warrior Circle (also known as 0 Grayton Road), Ohatchee, owned by Oscar Jennings, as recommended by Mr. Pirritano. Commissioner Downing seconded the motion, and a vote of the Commissioners was unanimously in favor of the motion.

Mr. Pirritano recommended dismissing the nuisance abatement on property located at 312 Williamson Avenue, Anniston, owned by AWH Incorporated. Commissioner Hess so moved, Commissioner Downing seconded the motion, and the motion carried by a unanimous vote of the Commissioners.

An invoice in the amount of \$2,000.00 was presented by Mr. Pirritano for the cost of removing a public nuisance on property located at 230 West 42<sup>nd</sup> Street, Anniston, owned by Robert and Peggy Brooks. The owners were not present. Commissioner Downing made a motion to adopt a resolution to approve the invoice as recommended by Mr. Pirritano, and Commissioner Dunn seconded the motion. All Commissioners voted in favor of the motion. (RESOLUTION IN FILE)

A motion was made by Commissioner Downing to continue for thirty days, until March 12, 2009, the nuisance declaration on property located at 6305 Gunter Street, Anniston, owned by William C. and Ellen W. Daniel, as recommended by Mr. Pirritano. The owners were not present. Following a second to the motion by Commissioner Dunn, a vote of the Commissioners was unanimously in favor of the motion.

A motion was made by Commissioner Dunn to declare a public nuisance on property located at 0 Packard Avenue, Anniston, owned by Susie P. Garrett Estate and Eddie Peters, as recommended by Mr. Pirritano. Mr. Peters was present and asked for additional time. Commissioner Downing seconded the motion and all Commissioners voted in favor of the motion. (RESOLUTION IN FILE)

County Administrator Ken Joiner presented an agreement for employment of Candice Meshea Ginn as a Court/Jail/Commission Liaison, effective February 14, 2009. Commissioner Downing made a motion to authorize the Chairman to sign the agreement and Commissioner Dunn seconded the motion. All Commissioners voted in favor of the motion. (AGREEMENT ATTACHED)

Commissioner Downing made a motion to authorize the Chairman to sign an agreement with Ezell Dickerson for continued employment as a part-time Security Guard, effective February 16, 2009, at the compensation rate of \$11.00 per hour, for less than thirty-two hours per week. Following a second to the motion by Commissioner Dunn, all Commissioners voted in favor of the motion. (AGREEMENT IN FILE)

Mr. Joiner presented an addendum to the contract with Brent Lee Cobb for employment as a Nurse at the Calhoun County Jail. Mr. Joiner explained that the contract clarifies support for Mr. Cobb's training and books in order to become a Nurse Practitioner, which will reduce inmate medical expenses in the long term. Commissioner Downing made a motion to authorize the Chairman to sign the contract and Commissioner Abbott seconded the motion. The motion carried by a unanimous vote of the Commissioners. (CONTRACT ATTACHED)

A motion was made by Commissioner Dunn to authorize the Chairman to sign an agreement, effective October 23, 2008, with Calhoun County 9-1-1 District, to provide Homeland Security Grant Program (HSGP) funding in the amount of \$18,000.00, to purchase a generator. The motion was seconded by Commissioner Hess and the motion carried by a unanimous vote of the Commissioners. (AGREEMENT IN FILE)

Mr. Joiner presented a letter addressed to FEMA, through AEMA and FEMA Region IV, requesting approval to divide the 800 MHz system between Calhoun and Talladega Counties after the end of the Chemical Stockpile Emergency Preparedness Program (CSEPP). Commissioner Downing made a motion to authorize the Chairman to sign the letter, along with officials from Talladega County. Commissioner Dunn seconded the motion and all Commissioners voted in favor of the motion. (LETTER ATTACHED)

Commissioner Downing made a motion to authorize the Chairman to sign the Chemical Stockpile Emergency Preparedness Program (CSEPP) Grant Award Agreement for Fiscal Year

2009, as presented by Mr. Joiner. The initial award for FY 2009 is \$3,727,507.00, and the period of performance is October 1, 2008, through September 30, 2010. Following a second by Commissioner Dunn, all Commissioners voted in favor of the motion. (AGREEMENT IN FILE)

Mr. Joiner requested authorization for the Chairman to sign an agreement with Motorola to provide for the renewal of a comprehensive maintenance plan for the CSEPP 800 MHz Radio System, for the period March 1, 2009, through February 28, 2010, at a cost of \$1,099,996.44. Commissioner Downing so moved, Commissioner Dunn seconded the motion, and all Commissioners voted in favor of the motion. (AGREEMENT IN FILE)

A motion was made by Commissioner Abbott to re-appoint Charles Parks, of Anniston, as the citizen appointee to the Calhoun County Community Punishment & Corrections (CCCP&C) Board of Directors, for a one-year term beginning January 1, 2009. Since the appointment of Mr. Parks is a joint appointment of the Calhoun County Commission and the Calhoun County Legislative Delegation, the members of the Calhoun County Legislative Delegation will be contacted for their concurrence. Commissioner Downing seconded the motion and a vote of the Commissioners was unanimously in favor of the motion.

Commissioner Dunn recommended appointing Jerome Freeman to represent District 1 on the Calhoun County Water & Fire Protection Authority, and Commissioner Downing recommended reappointing Wilkes Scarbrough to represent District 2 on this board. Commissioner Abbott made a motion to accept the recommendations and to appoint Mr. Freeman and Mr. Scarbrough to six-year terms beginning March 1, 2009. Commissioner Hess seconded the motion and all Commissioners voted in favor of the motion.

A motion was made by Commissioner Downing to reappoint Eugene Smallwood to represent District 2 on the Calhoun County 911 District Board of Directors. Commissioner Dunn seconded the motion, and the motion carried by a unanimous vote of the Commissioners.

An agreement with Jacksonville State University to provide funding in the amount of \$20,000.00 for the purchase of a new scoreboard for the girls' softball field was presented by Mr. Joiner. Commissioner Hess made a motion to authorize the Chairman to sign the agreement, and Commissioner Abbott seconded the motion. A vote of the Commissioners was unanimously in favor of the motion. (AGREEMENT IN FILE)

Commissioner Downing made a motion to authorize the Chairman to sign an agreement with Anniston Runners Club to provide funding in the amount of \$1,000.00 for advertising and promotion of the Woodstock 5K and UCP Kidstock 1 Mile Run/Walk to be held in August 2009. The motion was seconded by Commissioner Dunn and the motion carried by a unanimous vote of the Commissioners. (AGREEMENT IN FILE)

Mr. Joiner presented an ABC Board application for a Lounge Retail Liquor – Class II (Package) license in the name of Sissys Grocery, Mary K. Platt dba, located at 5105 Choccolocco Road, Anniston, Alabama 36207. This was the first reading and no further action was taken.

County Engineer Charles Markert presented four resolutions for DOT resurfacing projects on (1) Choccolocco Road, (2) Nisbet Lake Road, (3) Boiling Springs Road, and (4) Friendship Road. Commissioner Abbott made a motion to adopt all four resolutions, as recommended by the County Engineer. Commissioner Dunn seconded the motion and a vote of the Commissioners was unanimously in favor of the motion. (4 RESOLUTIONS ATTACHED)

Commissioner Abbott made a motion, which was seconded by Commissioner Dunn, to adopt a resolution providing for construction of the McClellan Industrial Park access road to benefit AmPro Molding, LLC (formerly Hunjan International, Inc.). The motion carried by a unanimous vote of the Commissioners. (RESOLUTION ATTACHED)

Mr. Joiner presented a resolution in support of the construction of the Cane Creek Waste Water Treatment Plant at McClellan, as requested by the Anniston Water Works and Sewer Board. James Miller, General Manager for the Anniston Water Works and Sewer Board, advised that the project is needed to replace the old McClellan treatment plant, and would support new business along the Hwy 431 corridor as well as the Anniston Army Depot. Commissioner Dunn made a motion to adopt the resolution as read, Commissioner Downing seconded the motion, and all Commissioners voted in favor of the motion. (RESOLUTION ATTACHED)

A motion was made by Commissioner Downing, and seconded by Commissioner Hess, to adopt a resolution, as presented by Mr. Joiner, which authorizes the Chairman to sign any and all documents necessary to finalize a financing agreement with BancorpSouth Equipment Finance, for the purchase of 8 Mack Dump Trucks and 2 Mack Tractors, for the Calhoun County Highway Department, totaling \$1,090,332.00. The motion carried by a unanimous vote of the Commissioners. (RESOLUTION ATTACHED)

Mr. Joiner recommended authorizing the Chairman to sign a contract with J. M. Wood Auction Co., Inc., for the auction of surplus equipment at the Calhoun County Highway Department. The gross financial guarantee for the sale of the equipment is \$842,000.00, with a 6% absolute commission rate being charged to gross sales. Commissioner Hess so moved, Commissioner Abbott seconded the motion, and all Commissioners voted in favor of the motion. (CONTRACT IN FILE)

Seven task order resolutions for work being performed by various contractors at McClellan were presented by Mr. Joiner, as follows: (1) USA Environmental Inc. – total price \$367,534; (2) PIKA International Inc. – total price \$1,670,245; (3) Matrix Environmental Services, L.L.C. – total lump sum \$20,000; (4) Matrix Environmental Services, L.L.C. – total cost \$28,000; (5) Harmon Engineering – total cost \$113,569; (6) NAEVA Geophysics, Inc. – not-to-exceed \$481,029.19; and (7) PIKA International Inc. – total price \$635,111.08. Commissioner Dunn made a motion to adopt resolutions to ratify Mr. Joiner's signature on the seven task orders. Commissioner Downing seconded the motion and a vote of the Commissioners was unanimously in favor of the motion. (7 TASK ORDER RESOLUTIONS ATTACHED)

Commissioner Dunn made a motion to authorize the Chairman to sign a consulting agreement with EGS Commercial Real Estate, Inc., to conduct an assessment at McClellan, as presented by

Mr. Joiner. The motion was seconded by Commissioner Abbott and the motion carried by a unanimous vote of the Commissioners. (AGREEMENT IN FILE)

A motion was made by Commissioner Dunn, and seconded by Commissioner Hess, to adopt a resolution in support of passage of legislation to create the McClellan Development Authority, in substantially the draft form as prepared by attorneys representing Calhoun County and the City of Anniston dated February 9, 2009. A vote of the Commissioners was unanimously in favor of the motion. (RESOLUTION AND DRAFT LEGISLATION IN FILE)

As recommended by County Attorney Tom Sowa, and upon motion duly made by Commissioner Hess and seconded by Commissioner Dunn, the following resolution was adopted by a unanimous vote of the Commissioners present, levying taxes for the ad valorem tax year commencing on October 1, 2008, also fixing license fees for the sale, storage and distribution of alcoholic beverages, and fixing other license, franchise and privilege taxes, and fixing certain permit fees and certain county privilege, license and excise taxes, and certain sales taxes and use taxes. (TAX LEVY RESOLUTION ATTACHED)

Commissioner Hess made a motion to adjourn. Following a second to the motion by Commissioner Downing, the meeting was adjourned by a unanimous vote of the Commissioners.

The next meeting was announced for Thursday, February 26, 2009, at 10:00 a.m.