

SUMMARY OF MINUTES  
CALHOUN COUNTY COMMISSION  
APRIL 9, 2009

The regular meeting of the Calhoun County Commission was called to order by Chairman Hess. Also present were Commissioner Downing, Commissioner Henderson, and Commissioner Abbott. The Chairman asked that bids be submitted and Ezell Dickerson gave an invocation.

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

Commissioner Henderson made a motion to adopt the agenda as presented. Commissioner Abbott seconded the motion and all Commissioners present voted in favor of the motion.

Kevin Mixon, with the Wellborn Baseball for Youth – 11-12 year old Dixie Mart Detroit Tigers, was presented a certificate by Commissioner Henderson in recognition of pitching a perfect game on March 30, 2009.

The Chairman presented a resolution proclaiming April as National Community College Month in Alabama, and urging all Alabamians and business and industry leaders committed to developing Alabama's workforce for the 21<sup>st</sup> century to use and support their local two-year colleges. Eric Stringer, with Gadsden State Community College, was present to accept the resolution.

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

Commissioner Downing made a motion to award the bid for certain food and non-food items purchased for the Calhoun County Jail, as recommended by the Calhoun County Sheriff, to the low bidders as follows, and to authorize the Chairman to sign any and all documents relative to the bid award. The bids are to be awarded for one year, beginning on the date of award, with the option to extend annually for two additional years, if agreeable with the vendors. Commissioner Abbott seconded the motion and all Commissioners present voted in favor of the motion.

- Category 01: Canned, Dried and Fresh Fruits – Osborn Brothers
- Category 02: Dried, Frozen, Canned and Fresh Vegetables – Osborn Brothers
- Category 03: Milk, Cheese & Other Dairy Items – Red Diamond
- Category 04: Meat – Osborn Brothers
- Category 05: Breads – Interstate Brands
- Category 06: Beverages – Osborn Brothers
- Category 07: Sections I-IV – Osborn Brothers
- Category 08: Non Food Supplies – Osborn Brothers

A motion was made by Commissioner Henderson to award the bid for CSEPP Siren System Maintenance and Service to the low bidder, McCord Communications, for three years effective April 27, 2009, for the bid amount of \$99,087.24 the first year, and no increases if the option to

extend for years two and three are executed, as recommended by the EMA Director, and to authorize the Chairman to sign any and all documents relative to the bid award. Following a second to the motion by Commissioner Abbott, a vote of the Commissioners present was unanimously in favor of the motion.

Commissioner Henderson made a motion to declare a public nuisance on property located at 6305 Gunter Street Anniston, owned by William C. and Ellen W. Daniel, as recommended by Environmental Enforcement Officer David Pirritano. The owners were not present. There was a second to the motion by Commissioner Downing, and all Commissioners present voted unanimously in favor of the motion. (RESOLUTION IN FILE)

A motion was made by Commissioner Abbott, and seconded by Commissioner Downing, to dismiss the public nuisance abatement on property located at 0 Holland Finley Road, Jacksonville, owned by Willie Crook, as recommended by Mr. Pirritano. The motion carried by a unanimous vote of the Commissioners present.

Mr. Pirritano recommended dismissing the public nuisance abatement on property located at 201 Holland Finley Road, Jacksonville, owned by Beatrice Weatherspoon. Commissioner Henderson so moved, Commissioner Downing seconded the motion, and all Commissioners present voted in favor of the motion.

Commissioner Downing made a motion, which was seconded by Commissioner Henderson, to dismiss the public nuisance abatement on property located at 220 Arthur Drive, Ohatchee, owned by Kevin Edmondson, as recommended by Mr. Pirritano. A vote of the Commissioners present was unanimously in favor of the motion.

Commissioner Henderson made a motion to declare a public nuisance on property located at 203 N. Ledbetter Street, Anniston, owned by Catherine A. Odell, as recommended by Mr. Pirritano. The owner was not present. Following a second to the motion by Commissioner Downing, all Commissioners present voted in favor of the motion. (RESOLUTION IN FILE)

County Administrator Ken Joiner opened bids received for a heating and cooling unit for the Saks Community Center building. Bids were received from Bell Heating & Air Conditioning, of Ohatchee; Wildes Air Conditioning Co., of Anniston; Grimes A/C & Heating, of Anniston; and Laney Air Conditioning Co., of Anniston. Mr. Joiner recommended awarding the bid to the lowest bidder, Grimes A/C & Heating, for the bid amount of \$8,850, subject to review and approval by the County Administrator and County Attorney. Commissioner Abbott so moved, Commissioner Henderson seconded the motion, and the motion carried by a unanimous vote of the Commissioners present.

A resolution was presented by Mr. Joiner to award a portion of the bid for Public Nuisance Demolition/Removal No. 09-01, for 0 Parkwood Drive, Anniston, to the second lowest bidder, Woodard Brothers Grading, because the lowest bidder, Quality Dirt Works has declined the contract. Commissioner Abbott made a motion to adopt the resolution, Commissioner Downing seconded the motion, and all Commissioners present voted in favor of the motion. (RESOLUTION ATTACHED)

A motion was made by Commissioner Abbott and seconded by Commissioner Henderson to adopt a resolution, as presented by Mr. Joiner, authorizing an application for funding under the COPS Hiring Recovery Program. The resolution was adopted by a unanimous vote of the Commissioners present. (RESOLUTION ATTACHED)

Commissioner Henderson made a motion to appoint Jan Henderson, 204 Holley Lane, Anniston, AL 36201, to represent District 3 on the Beautification Board. Commissioner Abbott seconded the motion and all Commissioners present voted in favor of the motion.

A motion was made by Commissioner Abbott to appoint Lexter Douthard, 985 Grayton Road, Ohatchee, AL 36271, to represent District 1 on the Calhoun County Water & Fire Protection Authority, as recommended by Commissioner Dunn. This is a six-year term to expire March 1, 2015. Following a second to the motion by Commissioner Downing, a vote of the Commissioners present was unanimously in favor of the motion.

Mr. Joiner presented a resolution to authorize the McClellan Development Authority (MDA) Chief Executive Officer to approve the use of certain McClellan properties on a temporary basis, as recommended by the MDA Advisory Board. Commissioner Henderson made a motion to adopt the resolution and Commissioner Abbott seconded the motion. The motion carried by a unanimous vote of the Commissioners present. (RESOLUTION ATTACHED)

Commissioner Abbott made a motion to authorize funding from the MDA escrow account in the amount of \$25,000 for Music at McClellan, and to authorize the Chairman of the Calhoun County Commission to enter into a contract for disbursement of these funds, as recommended by the MDA Advisory Board, once a contract is in a final form that is acceptable to the Chairman, County Administrator, and County Attorney. Commissioner Downing seconded the motion and all Commissioners present voted in favor of the motion.

A motion was made by Commissioner Downing, and seconded by Commissioner Henderson, to authorize the Chairman of the Calhoun County Commission to sign a contract with the Alabama Symphony Orchestra, as presented by Mr. Joiner, in the amount of \$24,500, for a performance on June 23, 2009, at an outdoor concert series referred to as Music at McClellan, subject to final review and approval by the Chairman, County Administrator, and County Attorney. All Commissioners present voted in favor of the motion. (PROPOSED CONTRACT IN FILE)

The Chairman was authorized to sign a contract with Jacksonville State University for educational support in the amount of \$45,500, for the purpose of developing an outdoor concert series referred to as "Music at McClellan," subject to final review and approval by the Chairman, County Administrator, and County Attorney. Commissioner Abbott made a motion to authorize the Chairman to sign the contract once it is in final form, Commissioner Downing seconded the motion, and all Commissioners present voted in favor of the motion. (PROPOSED CONTRACT IN FILE)

Mr. Joiner presented an engagement confirmation letter from William Morris Agency, LLC, agent for RCS Touring, LLC f/s/o Ruben Studdard, for a Music at McClellan event to be held on

June 6, 2009. Commissioner Downing made a motion to ratify and approve the signing of the letter by Mr. Joiner, *for and on behalf of Calhoun County, as successor to the Joint Powers Authority and its court ordered receiver of properties at McClellan*. The motion was seconded by Mr. Abbott and the motion carried by a unanimous vote of the Commissioners present. (LETTER IN FILE)

Mr. Markert presented a resolution and revised agreement with the Alabama Department of Transportation providing for munitions and explosives of concern remediation of approximately eleven acres at the intersection of the Anniston Eastern Bypass and Iron Mountain Road. Mr. Markert advised that additional ALDOT funding for this project is necessary to complete the project. Commissioner Abbott made a motion to adopt the resolution and Commissioner Downing seconded the motion. All Commissioners present voted in favor of the motion. (RESOLUTION AND AGREEMENT ATTACHED)

A resolution was presented by Mr. Markert providing for a Metropolitan Planning Organization (MPO) resurfacing project on Morrisville Road. Commissioner Downing made a motion to adopt the resolution and Commissioner Abbott seconded the motion. A vote of the Commissioners present was unanimously in favor of the motion. (RESOLUTION ATTACHED)

Commissioner Henderson made a motion to adopt a resolution, as presented by Mr. Joiner, to observe Confederate Memorial Day as an additional Calhoun County holiday on Monday, April 27, 2009, and to close all county offices on this date, except in those areas where it is essential to maintain personnel. This motion was seconded by Commissioner Downing, and the motion carried by a unanimous vote of the Commissioners present. (RESOLUTION ATTACHED)

A motion was made by Commissioner Downing to approve Mountainview Phase #3 and Mountainview Phase #5 Subdivisions. County Engineer Charles Markert advised that the proposed subdivisions, located in District 2 in the Choccolocco area off Liberty Lane, meet the provisions of the subdivision regulations of Calhoun County and recommended approval of the subdivisions. Commissioner Henderson seconded the motion and all Commissioners present voted in favor of the motion.

County Attorney Tom Sowa presented a resolution concerning the settlement of a dispute with WRScompass (WRS), and recommended adopting the resolution. Commissioner Downing so moved, Commissioner Abbott seconded the motion, and all Commissioners present voted in favor of the motion. (RESOLUTION ATTACHED)

Hobson City Mayor Alberta McCrory asked the Commission to assist the Town of Hobson City with an application for funding a COPS Hiring Recovery Program grant for the Hobson City community. Discussion followed. Commissioner Henderson made a motion to amend the agenda to consider a resolution to authorize an application for a grant. Commissioner Downing seconded the motion and all Commissioners present voted to amend the agenda as requested. Commissioner Downing then made a motion to authorize the Chairman to sign an application for a COPS Hiring Recovery Program grant for Hobson City, subject to final details being worked out between the County Administrator, County Attorney, Sheriff and Mayor McCrory. This

motion was seconded by Commissioner Henderson, and the motion carried by a unanimous vote of the Commissioners present.

Commissioner Downing made a motion to adjourn the meeting, followed by a second from Commissioner Henderson. All Commissioners present voted to adjourn.

The next meeting was announced for Thursday, April 23, 2009, at 10:00 a.m.