

SUMMARY OF MINUTES
CALHOUN COUNTY COMMISSION
JULY 14, 2011

Chairman Dunn called the regular meeting of the Calhoun County Commission to order and asked that bids be submitted. Also in attendance were Commissioner Henderson, Commissioner Hess, and Commissioner Abbott. County Engineer Brian Rosenbalm gave an invocation.

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

Commissioner Hess made a motion to adopt the agenda as presented. Following a second to the motion by Commissioner Henderson, all Commissioners present voted in favor of the motion.

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

County Administrator Ken Joiner presented for the second reading an ABC Board application for the sale of Retail Beer, off premises only, submitted by Roger Davis and Julie Vaughn, dba Jewelz Grocery, located at 3737 Roy Webb Road, in Jacksonville. Commissioner Abbott made a motion to table the matter for further review and Commissioner Henderson seconded the motion. A vote of the Commissioners present was unanimously in favor of the motion.

A motion was made by Commissioner Henderson to dismiss the nuisance abatement of property located at 1117 Wildoak Drive, Anniston, owned by Jeffery C. Williams, as recommended by Environmental Enforcement Officer David Pirritano. Commissioner Abbott seconded the motion and the motion carried by a unanimous vote of the Commissioners present.

Commissioner Abbott made a motion to proceed with the nuisance abatement of property located at 3906 Pelham Road, Anniston, owned by Harvey C. Laney, as recommended by Mr. Pirritano. The owner was not present. Commissioner Henderson seconded the motion and a vote of the Commissioners present was unanimously in favor of the motion. (RESOLUTION IN FILE)

Mr. Pirritano recommended proceeding with the nuisance abatement of property located at 6834 AL Hwy 21, Piedmont, owned by Lothar G. Hughes. The owner was not present. Commissioner Abbott so moved and Commissioner Hess seconded the motion. All Commissioners present voted in favor of the motion. (RESOLUTION IN FILE)

Commissioner Abbott made a motion that was seconded by Commissioner Henderson to proceed with the nuisance abatement of property located at 75 Fieldstone Way, Jacksonville, owned by Mark and Larry Hamlin, as recommended by Mr. Pirritano. Larry Hamlin was present and asked for an extension. The motion carried by a unanimous vote of the Commissioners present. (RESOLUTION IN FILE)

A motion was made by Commissioner Hess to proceed with the nuisance abatement of property located at 4217 Wellborn Avenue, Anniston, owned by Brian K. Israel, as recommended by Mr.

Pirritano. The owner was not present. Following a second to the motion by Commissioner Abbott, all Commissioners present voted in favor of the motion. (RESOLUTION IN FILE)

Commissioner Henderson made a motion to declare a public nuisance on property located at 4221 Wellborn Avenue, Anniston, owned by Curtis Turley Estate, as recommended by Mr. Pirritano. No one was present to represent the owners. Commissioner Abbott seconded the motion and all Commissioners present voted in favor of the motion. (RESOLUTION IN FILE)

A motion was made by Commissioner Hess and seconded by Commissioner Abbott to declare a public nuisance on property located at 3118 West 14th Street, Anniston, owned by Community Home Banc, as recommended by Mr. Pirritano. No one was present to represent the owners. The motion carried by a unanimous vote of the Commissioners present. (RESOLUTION IN FILE)

Mr. Pirritano recommended declaring a public nuisance on property located at 741 Wellington Road, Wellington, owned by Eddie Lee Woodruff. Mr. Woodruff was present and stated that he is working to clean up the property. Commissioner Henderson made a motion to accept the recommendation of Mr. Pirritano and Commissioner Hess seconded the motion. All Commissioners present voted in favor of the motion. (RESOLUTION IN FILE)

Commissioner Hess made a motion that was seconded by Commissioner Abbott to declare a public nuisance on property located at 68 Mount View Lane, Wellington, owned by James David Livingston, as recommended by Mr. Pirritano. The owner was not present. A vote of all Commissioners present was in favor of the motion. (RESOLUTION IN FILE)

A single bid was received and opened by Mr. Joiner for the purchase of an IBM Power 720 Computer with operating system software and hardware/software maintenance. Commissioner Hess made a motion to refer the bid, from Premise, Inc., to IT Manager James Poe for review and a recommendation. Commissioner Abbott seconded the motion and all Commissioners present voted in favor of the motion.

Mr. Joiner opened bids received for Janitorial Services for the Calhoun County Highway Department Complex (Bid No. FY12-40). Bids were received from Select Cleaning, Mercy and Oasis, Opportunity Center, and Rite Way Service, Inc. Commissioner Abbott made a motion to refer the bids to the County Engineer and County Administrator for review and a recommendation. Commissioner Hess seconded the motion and a vote of the Commissioners present was unanimously in favor of the motion.

A single bid was received and opened by Mr. Joiner, from Wastequip Mfg. Co., LLC, for the purchase of Recycling Containers. Commissioner Abbott made a motion to refer the bid to the Recycling Coordinator and County Administrator for review and a recommendation. Following a second to the motion by Commissioner Henderson, all Commissioners present voted in favor of the motion.

Bids were received and opened by Mr. Joiner for the purchase of 95-Gallon Universal Solid Waste Refuse Containers. Bids were received from Rehrig Pacific Co., and Toter Inc. Mr.

Joiner noted that the bid bond for Rehrig Pacific Co. was submitted under a separate cover and not in the envelope containing the bid as specified in the invitation to bid. Commissioner Abbott made a motion that was seconded by Commissioner Hess, to refer the bids to the Recycling Coordinator and County Administrator for review and a recommendation. The motion carried by a unanimous vote the Commissioners present.

Mr. Joiner opened a single bid received from Thompson Tractor Co., Inc. for the purchase of a Skid Steer for the Calhoun County Recycling Office. Letters stating "No Bid" were received from Cowin Equipment Co., Warrior Tractor & Equipment, and Tractor & Equipment Co. Commissioner Hess made a motion to refer the bid to the Recycling Coordinator and County Administrator for review and a recommendation. Commissioner Henderson seconded the motion and all Commissioners present voted in favor of the motion.

Bids were received and opened for the removal of specified items from properties that have been declared to be a public nuisance. Bids were received from Teague Hauling and Emtex Mechanical Contractors. A motion was made by Commissioner Hess and seconded by Commissioner Henderson to refer the bids to the Environmental Enforcement Officer and County Administrator for review and a recommendation. A vote of the Commissioners present was unanimously in favor of the motion.

Commissioner Henderson made a motion that was seconded by Commissioner Hess, to adopt a resolution to change the mileage rate paid for official travel by Calhoun County employees to 55.5¢ per mile effective July 1, 2011. The resolution was adopted by a unanimous vote of the Commissioners present. (RESOLUTION ATTACHED)

A motion was made by Commissioner Hess and seconded by Commissioner Abbott to adopt a resolution as presented by Mr. Joiner to submit the following nominations for consideration as members of the Calhoun County Board of Equalization: Gene L. Howard, Richard Stubbs, and Dennis Reaves. All Commissioners present voted in favor of the motion. (RESOLUTION ATTACHED)

County Attorney Tom Sowa presented a settlement agreement with Kronospan concerning a dispute as to the taxation of certain personal property granted by the City of Oxford for the 2008 tax year. Revenue Commissioner Karen Roper advised that the dispute involved the abatement of non-educational property taxes on both real and personal property listed as "construction in progress," pursuant to the Tax Incentive Reform Act. Settlement will include the refund of \$317,313, with it being spread over a four-year period. Ms. Roper and Mr. Sowa recommended authorizing the Chairman to sign the agreement for and on behalf of Calhoun County. Commissioner Henderson so moved, Commissioner Abbott seconded the motion, and all Commissioners present voted in favor of the motion. (AGREEMENT IN FILE)

Agreements for Mutual Aid for Emergencies and Disasters with Cleburne County, Cherokee County, Etowah County, St. Clair County, Talladega County, and Jefferson County were presented by Lee Helms, County Consultant for Tornado Disaster Assistance. Mr. Helms advised that the agreements will establish operating procedures to share resources in affected areas during an emergency. Commissioner Henderson made a motion to authorize the Chairman

to sign the six agreements for and on behalf of Calhoun County and Commissioner Hess seconded the motion. All Commissioners present voted in favor of the motion. (AGREEMENTS IN FILE)

Mr. Helms presented an Agreement for Mutual Aid for Emergencies and Disasters in Calhoun County between local governments, special purpose districts and other independent departments with public safety responsibilities within Calhoun County. Commissioner Hess made a motion to authorize the Chairman to sign the agreement for and on behalf of Calhoun County, as recommended by Mr. Helms. The motion was seconded by Commissioner Abbott, and the motion carried by a unanimous vote of the Commissioners present. (AGREEMENT IN FILE)

Commissioner Abbott made a motion to adopt a resolution as presented by Mr. Joiner to provide Legislative Community Services Grant funding assistance for the White Plains Youth Athletic Organization, in the amount of \$10,000, as requested by Rep. K. L. Brown. Commissioner Hess seconded the motion and all Commissioners present voted in favor of the motion. (RESOLUTION ATTACHED)

A motion was made by Commissioner Hess, and seconded by Commissioner Abbott, to adopt a resolution as presented by Mr. Joiner to provide Legislative Community Services Grant funding, in the amount of \$5,000, for the Alabama Scenic River Trail, as requested by Rep. K. L. Brown. The motion carried by a unanimous vote of the Commissioners present. (RESOLUTION ATTACHED)

Commissioner Abbott made a motion to authorize the Chairman to sign an agreement, for and on behalf of Calhoun County, with Anniston Runners Club, to provide funding in the amount of \$1,000 to support promotion of the Woodstock 5K and UCP Kidstock 1 Mile/Run/Walk to be held in August of 2011. Commissioner Hess seconded the motion and following discussion with Dennis Dunn, the Race Director, all Commissioners present voted in favor of the motion. (AGREEMENT IN FILE)

Mr. Joiner presented an agreement with The Salvation Army to provide funding in the amount of \$1,800 for food and school supplies for poor and indigent persons of Calhoun County. Following discussion, Vice Chairman Henderson assumed the Chair because Chairman Dunn serves on the Board of Directors for The Salvation Army. Commissioner Hess made a motion to authorize the Vice Chairman to sign the agreement for and on behalf of Calhoun County. Commissioner Abbott seconded the motion and a vote of the Commissioners present was as follows: Yeas – Commissioner Henderson, Commissioner Abbott and Vice Chairman Henderson; Abstained – Chairman Dunn. Following the vote Chairman Dunn returned as Chair. (AGREEMENT IN FILE)

Mr. Joiner presented Modification Number Two to the contract with DRC Emergency Services, LLC, for disaster debris removal, reduction and disposal services. Mr. Helms explained the modification will provide for the removal of tree stumps, leaners, and hangers from the rights-of-way, at no additional charge. Commissioner Henderson made a motion to authorize the Chairman to sign the modification for and on behalf of Calhoun County. Following a second to

the motion by Commissioner Hess, all Commissioners present voted in favor of the motion.
(MODIFICATION ATTACHED)

There was discussion concerning the increase of local match for FEMA funding assistance to 25%, with the State of Alabama picking up 12.5% and the remaining 12.5% being the responsibility of city and county governments. Because of the hardship this will cause to local governments, Commissioner Abbott made a motion to authorize Mr. Joiner and Mr. Helms to prepare a resolution of the Calhoun County Commission requesting that federal disaster assistance be restored to at least the 90% level, retroactive to July 13, 2011. Also, once the resolution is in final form and signed by the Commissioners, it shall be sent to the President of the United States, members of the State of Alabama Congressional delegation, the FEMA Director, the Governor of the State of Alabama, and all City Councils and County Commissions in the State of Alabama who have been affected by the events of April 27, 2011. Finally, the resolution shall be ratified at the next meeting of the Calhoun County Commission. Commissioner Henderson seconded the motion and all Commissioners present voted in favor of the motion.

A motion was made by Commissioner Hess to adjourn the meeting. The motion was seconded by Commissioner Henderson and all Commissioners present voted in favor of the motion.

The next meeting was announced for Thursday, July 28, 2011, at 10:00 a.m.