

SUMMARY OF MINUTES
CALHOUN COUNTY COMMISSION
SEPTEMBER 11, 2008

The regular meeting of the Calhoun County Commission was called to order and all Commissioners were present. The Chairman asked that bids be submitted and Ezell Dickerson gave an invocation.

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

Commissioner Dunn made a motion to adopt the agenda, followed by a second from Commissioner Downing. All Commissioners voted in favor of the motion.

Commissioner Dunn was commended for receiving the 2008 Award for Outstanding Contribution to County Government at the Association of County Commissions of Alabama's Annual Convention.

The minutes of the previous meeting were adopted by a unanimous vote of the Commissioners. Commissioner Dunn made a motion to adopt the minutes and Commissioner Hess seconded the motion.

Commissioner Downing made a motion to reject the only bid received for a Boom (Bucket) Truck (Bid No. FY 08-42), as recommended by County Engineer Charles Markert. Commissioner Hess seconded the motion and all Commissioners voted in favor of the motion.

The bid for purchase of a recycling baler for the Calhoun County landfill and waste handling operations was awarded to the low bidder, Waste Recycling, for the bid amount of \$66,462.00. Commissioner Downing made a motion to award the bid, as recommended by Recycling Coordinator Jennifer Yates and County Administrator Ken Joiner. Commissioner Dunn seconded the motion and all Commissioners voted in favor of the motion.

A motion was made by Commissioner Dunn to continue the nuisance abatement on property located at 220 Arthur Drive, Ohatchee, owned by Kevin Edmondson, for thirty days, until October 23, 2008, as recommended by Environmental Enforcement Officer David Pirritano. The owner was not present. Following a second to the motion by Commissioner Hess, all Commissioners voted in favor of the motion.

Commissioner Dunn made a motion to dismiss the nuisance abatement on property located at 5844 US Hwy 431, Alexandria, owned by Jean Heard c/o Howard Higginbotham, as recommended by Mr. Pirritano. No one was present to represent the owner. Commissioner Downing seconded the motion, and a vote of the Commissioners present was unanimously in favor of the motion.

The nuisance abatement on property located at 313 Chickasaw Drive, Anniston, owned by Kathleen Soukup, was dismissed, as recommended by Mr. Pirritano. Commissioner Dunn made

the motion to dismiss, Commissioner Hess seconded the motion, and all Commissioners voted in favor of the motion.

A motion was made by Commissioner Dunn, and seconded by Commissioner Downing, to dismiss the nuisance abatement on property located at 63 Hutchinson Drive, Anniston, owned by Howard Waites, as recommended by Mr. Pirritano. A vote of the Commissioners was unanimously in favor of the motion.

Mr. Pirritano recommended continuing until November 13, 2008, the public nuisance declaration on property located at 795 Reaves Road, Anniston, owned by Daniel & Penny Rosenow. Ms. Rosenow was present and stated that they are working to clean up the property. A motion was made by Commissioner Downing to continue the declaration for sixty days. Commissioner Dunn seconded the motion, and all Commissioners voted in favor of the motion.

Commissioner Downing made a motion to continue for sixty days, until November 13, 2008, the public nuisance declaration on property located at 4725 Post Oak Road, Anniston, owned by Thomas and Carol Turley, as recommended by Mr. Pirritano. Mr. Turley was present and stated he has medical problems but is making progress. Commissioner Hess seconded the motion, and the motion carried by a unanimous vote of the Commissioners.

Mr. Joiner opened bids received for Public Nuisance Demolition/Removal No. 08-03. Bids were received from Teague Hauling, of Anniston, and Emtek Mechanical Contractors, Inc., of Anniston. Commissioner Downing made a motion to award the bid to the apparent low bidder, Emtek Mechanical Contractors, Inc., for the total bid amount of \$5,320.00. Commissioner Dunn seconded the motion and all Commissioners voted in favor of the motion.

Commissioner Downing made a motion to authorize the Chairman to sign a long-term detention subsidy contract with the Alabama Department of Youth Services, designating Coosa Valley Youth Services to receive the funding. Commissioner Dunn seconded the motion and a vote of the Commissioners was unanimously in favor of the motion. (CONTRACT ATTACHED)

A resolution was adopted by a unanimous vote of the Commissioners approving the application for continuation of funding of a program entitled Violence Against Women Act (VAWA). Commissioner Dunn made a motion to adopt the resolution as read by Mr. Joiner and Commissioner Abbott seconded the motion. (RESOLUTION ATTACHED)

Commissioner Dunn made a motion to adopt a resolution authorizing an application for funding to resurface portions of the Chief Ladiga Trail, as presented by Mr. Joiner. The motion was seconded by Commissioner Hess and it carried by a unanimous vote of the Commissioners. (RESOLUTION ATTACHED)

A contract to provide funding in the amount of \$5,000.00 to the Anniston City Schools Foundation, Inc. for the Next Start program was presented by County Attorney Tom Sowa. Mr. Sowa advised the program would supplement and further the education of youth, who are indigent, in grades K-12 of Calhoun County. Commissioner Dunn made a motion to authorize

the Chairman to sign the agreement. Following a second to the motion by Commissioner Downing, all Commissioners voted in favor of the motion. (CONTRACT IN FILE)

EMA Director Dan Long advised that FEMA has approved funding in the amount of \$522,000 for a Hazard Mitigation Grant Program, and the purpose of this project is to install eighty-seven (87) individual shelters within Calhoun County. Commissioner Dunn made a motion to authorize the Chairman to sign any and all documents necessary to accept the grant funding. Commissioner Hess seconded the motion and a vote of the Commissioners was unanimously in favor of the motion. (AGREEMENT IN FILE)

Mr. Joiner presented Change Orders No. 4 and No. 5 for the construction of a Calhoun County Highway Department Complex. Change Order No. 4 is to install fire alarms at a total net cost of \$43,285.00, and Change Order No. 5 is for various accumulative changes at a total net cost of \$10,633.06. Commissioner Dunn made a motion to approve both change orders. The motion was seconded by Commissioner Abbott and the motion carried by a unanimous vote of the Commissioners. (CHANGE ORDERS IN FILE)

Commissioner Downing made a motion, which was seconded by Commissioner Dunn, to approve Change Orders No. 1 and No. 2 for the construction of a Calhoun County Highway Department Fleet Fuel Center. Mr. Joiner advised that Change Order No. 1 provides for the addition of a surge suppression system and water line with faucets, and deletion of remote fuel fills, at a total net cost of \$276.75, and Change Order No. 2 provides for electrical materials and installation at a total cost of \$8,141.01. All Commissioners voted in favor of the motion. (CHANGE ORDERS IN FILE)

A motion was made by Commissioner Hess to accept the following roads in District 2 for maintenance, as recommended by County Engineer Charles Markert: (1) Jacob Court, in Cherry Acres Subdivision, and (2) Liberty Lane, in Mountain View Subdivision. Mr. Markert advised the roads were built in accordance with the Subdivision Regulations of Calhoun County, and the final wearing surfaces have been installed and meet all requirements. The motion was seconded by Commissioner Dunn and all Commissioners voted in favor of the motion.

County Attorney Tom Sowa presented an agreement with Bellsouth Telecommunications, Inc., d/b/a AT&T Alabama, which provides for the use of the county's public roads rights-of-way for an integrated Internet Protocol Network and IP-enabled Video Service. Mr. Sowa advised the term of the agreement is through December 31, 2018, and the county will be compensated with a fee equal to 2% of the Gross Revenues from subscription fees collected from each subscriber to AT&T Alabama's IP Video Services product delivered over the IP Network in the County's ROW in unincorporated areas of the County. Commissioner Dunn made a motion to authorize the Chairman to sign the agreement, Commissioner Downing seconded the motion, and all Commissioners voted in favor of the motion. (AGREEMENT IN FILE)

Commissioner Downing made a motion to appoint Commissioner Abbott to represent the Chairman of the Calhoun County Commission on the Calhoun County Community Punishment & Corrections Board of Directors. Following a second to the motion by Commissioner Hess, the motion carried by a unanimous vote of the Commissioners.

Mr. Joiner advised that an assumption agreement between the Department of the Army and Calhoun County, providing for the transfer of responsibility and funding of the environmental cleanup at McClellan from the Anniston-Calhoun County Fort McClellan Development Joint Powers Authority to Calhoun County, should be finalized by next week. Commissioner Downing made a motion to table the matter so that it may be address as soon as possible. Commissioner Dunn seconded the motion, and all Commissioners voted in favor of the motion.

A resolution concerning prior transfers of property at McClellan was presented by Mr. Joiner. Commissioner Dunn made a motion to adopt the resolution as read. Commissioner Hess seconded the motion and the motion carried by a unanimous vote of the Commissioners. (RESOLUTION ATTACHED)

Commissioner Dunn made a motion to adopt a resolution, as read by Mr. Joiner, authorizing Mr. Joiner to sign a contract for demolition of McClellan Buildings 833,834, 835, 853, and 854. The motion was seconded by Commissioner Downing, and the resolution was adopted by a unanimous vote of the Commissioners. (RESOLUTION ATTACHED)

Willie Burnett asked that Duncan Avenue and Parkwin Avenue be widened for safety issues. Mr. Markert advised that he is aware of the situation and stated there is a problem with obtaining rights-of-way. Mr. Markert was instructed to assess the situation with Mr. Burnett.

The meeting was recessed until Tuesday, September 16, 2008, at 10:00 a.m.

Tuesday, September 16, 2008, 10:00 a.m.

The September 11, 2008, meeting of the Calhoun County Commission was reconvened and all Commissioners were present.

Harold Rhodes, with the Calhoun County Civil Defense Group, presented a plaque to County Administrator Ken Joiner, in appreciation of his support over the years.

Mr. Joiner reported that the assumption agreement with the Department of the Army is not finalized.

There was discussion concerning potential members for the new Local Reuse Authority (LRA), and all Commissioners agreed that Julia Segars, Anthony Humphries, Ken Deal, and William Tippins would be appointed to serve on the new LRA at the appropriate time.

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

The next meeting was announced for Thursday, September 25, 2008, at 10:00 a.m.