

SUMMARY OF MINUTES  
CALHOUN COUNTY COMMISSION  
MARCH 12, 2009

The meeting of the Calhoun County Commission was called to order by Chairman Henderson. Also attending were Commissioner Dunn, Commissioner Downing, and Commissioner Abbott. Ezell Dickerson gave an invocation.

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

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

A motion was made by Commissioner Downing to adopt the minutes of the previous meeting. Following a second to the motion by Commissioner Hess, the motion carried by a unanimous vote of the Commissioners present.

Commissioner Downing made a motion to continue, until March 26, 2009, the nuisance declaration 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. Commissioner Abbott seconded the motion and all Commissioners present voted in favor of the motion. (RESOLUTION IN FILE)

An invoice in the amount of \$236.84 was presented by Mr. Pirritano for the cost of removing a public nuisance on property located at 4501 Skyline Drive, Anniston, owned by Robert Novak, Jr. Mr. Novak was present and questioned the amount charged. Mr. Pirritano explained the process to Mr. Novak's satisfaction. Commissioner Abbott made a motion to adopt a resolution to approve the invoice as recommended by Mr. Pirritano, and Commissioner Dunn seconded the motion. All Commissioners present voted in favor of the motion. (RESOLUTION IN FILE)

A motion was made by Commissioner Abbott to declare a public nuisance on property located at 427 Hobson Avenue, Anniston, owned by Betty Jean Johnson, as recommended by Mr. Pirritano. The owner was not present. Following a second to the motion by Commissioner Downing, a vote of the Commissioners present was unanimously in favor of the motion. (RESOLUTION IN FILE)

Commissioner Abbott made a motion, which was seconded by Commissioner Downing, to declare a public nuisance on property located at 900 and 903 Carter Street, Anniston, owned by Jimmy L. and Nellie Marie Matson, as recommended by Mr. Pirritano. The owners were not present. The motion carried by a unanimous vote of the Commissioners present. (RESOLUTION IN FILE)

Commissioner Abbott made a motion to declare a public nuisance on property located at 4158 Eulaton Pike Road, Anniston, owned by Fay Roberts, as recommended by Mr. Pirritano. The owner was not present. Commissioner Downing seconded the motion and all Commissioners present voted in favor of the motion. (RESOLUTION IN FILE)

A motion was made by Commissioner Downing to appoint Sarah Rollins, 374 Hellamanard Road, Ohatchee, to represent District 3 on the Beautification Board, as recommended by Chairman Henderson. Commissioner Abbott seconded the motion and all Commissioners present voted in favor of the motion.

Probate Judge Alice Martin requested approval of Farmers and Merchants Bank as the depository for monthly distribution of Beer and Liquor Tax. Commissioner Downing made a motion to authorize the Chairman and County Administrator to sign the resolution authorizing the opening of a bank account at Farmers and Merchants Bank for this purpose as requested. Commissioner Abbott seconded the motion and the motion carried by a unanimous vote of the Commissioners present. (RESOLUTION IN FILE)

County Administrator Ken Joiner recommended ratifying the execution by the Chairman, on March 3, 2009, of Change Order #3, with Forsyth Building Company, Inc., for the Monteith Amphitheatre project at McClellan. Mr. Joiner advised the change order includes modifications due to unforeseen conditions with existing interior stucco walls, totaling \$7,500.00. Commissioner Downing so moved, Commissioner Abbott seconded the motion, and all Commissioners present voted in favor of the motion. (CHANGE ORDER IN FILE)

The Chairman was authorized by a unanimous vote of the Commissioners present to sign a Cooperative Agreement for FY 2009 Emergency Management Performance Grant (EMPG) state funding in the amount of \$4,565.00. Commissioner Abbott made the motion and Commissioner Downing seconded the motion. (AGREEMENT IN FILE)

Commissioner Downing made a motion to authorize the Chairman to sign an agreement with Friends of Janney Furnace, Inc., to provide funding in the amount of \$1,000.00, to be used to promote a Civil War Re-Enactment to be held at Janney Furnace Park on April 4 and 5, 2009. Commissioner Dunn seconded the motion, and all Commissioners present voted in favor of the motion. (AGREEMENT IN FILE)

A motion was made by Commissioner Downing to adopt three resolutions to accept rights-of-way on Prickett Trail, as requested by County Engineer Charles Markert. The motion was seconded by Commissioner Abbott and the motion carried by a unanimous vote of the Commissioners present. (3 RESOLUTIONS ATTACHED)

Mr. Joiner presented a resolution concerning the assignment and transfer of the account to supply certain jail food items from Alabama Food Group, Inc. to Glover-Auten Foods. Commissioner Downing made a motion to adopt the resolution as read, Commissioner Abbott seconded the motion, and all Commissioners present voted in favor of the motion. (RESOLUTION ATTACHED)

Commissioner Abbott made a motion to adopt a resolution, as read by Mr. Joiner, approving the request of the Anniston Lions Club to conduct their annual 5K fundraiser race on McClellan property. Following a second to the motion by Commissioner Downing, all Commissioners present voted in favor of the motion. (RESOLUTION ATTACHED)

A motion was made by Commissioner Downing, and seconded by Commissioner Dunn, to adopt a resolution, as presented by Mr. Joiner, to approve the request of the Department of Homeland Security to (a) remove/remediate three underground storage tanks, and (b) receive a variance to McClellan covenants in order to temporarily locate a manufactured home for FEMA training on their owned/leased properties. The motion carried by a unanimous vote of the Commissioners present. (RESOLUTION ATTACHED)

A resolution was presented by Mr. Joiner to declare certain property at McClellan to be surplus and authorizing this property to be sold at auction. Commissioner Downing made a motion to adopt the resolution as presented. Commissioner Dunn seconded the motion and all Commissioners present voted in favor of the motion. (RESOLUTION ATTACHED)

Mr. Joiner presented resolutions to ratify the execution of two easement requests from Alabama Power Company for (1) the Monteith Amphitheatre, and (2) Department of Homeland Security at McClellan. Commissioner Downing made a motion to adopt both resolutions as presented. The motion was seconded by Commissioner Dunn and the motion carried by a unanimous vote of the Commissioners present. (2 RESOLUTIONS ATTACHED)

A motion was made by Commissioner Downing to adjourn the meeting. Commissioner Abbott seconded the motion and the meeting was adjourned by a unanimous vote of the Commissioners present.

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