

SUMMARY OF MINUTES
CALHOUN COUNTY COMMISSION
OCTOBER 13, 2011

Chairman Henderson called to order the regular meeting of the Calhoun County Commission. Also attending were Commissioner Hodges, Commissioner Hess, and Commissioner Abbott. The Chairman asked that bids be submitted. There was a song by David Talley and invocation by Brian Rosenbalm.

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

A motion was made by Commissioner Hess to adjourn the meeting of September 22, 2011, followed by a second from Commissioner Hodges. The motion carried by a unanimous vote of the Commissioners present.

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

A proclamation was presented by Commissioner Hodges, on behalf of the Commissioners, to Assistant District Attorney John Gruenewald, proclaiming the week of October 23-29, 2011, to be Pro Bono Week.

Mr. Leon Thomason was presented a Certificate of Appreciation for his contribution of Indian artifacts on loan to the Janney Furnace Museum.

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

Commissioner Hess made a motion to adopt a resolution as presented by County Administrator Ken Joiner to award the bid for the Calhoun County Emergency Operations Center 800 MHz Master Prime Site Redundant Emergency Power System to the only bidder, Acker Electric Co. Inc., for the negotiated amount of \$77,000, as recommended by the EMA Director and County Administrator. Following a second to the motion by Commissioner Abbott, a vote of the Commissioners present was unanimously in favor of the motion. (RESOLUTION ATTACHED)

A motion was made by Commissioner Hodges to adopt a resolution as presented by Mr. Joiner awarding the bid for CSEPP Siren Batteries to the only bidder, Auto Electric & Carburetor Co., for the bid amount of \$97.81 per battery with a \$24.00 core charge, as recommended by the EMA Director. There was a second to the motion from Commissioner Hess and all Commissioners present voted in favor of the motion. (RESOLUTION ATTACHED)

A motion was made by Commissioner Hodges, seconded by Commissioner Abbott, and carried by a unanimous vote of the Commissioners present, to table the bid award for the Sheriff's Regional Fire Service Record Management System.

Mr. Joiner presented for the second reading an ABC Board application for a license to sell Retail Table Wine, off premises only, submitted by Young Oil Inc., dba Grub Mart 9, located at 5333 US Hwy 431, in Alexandria. Commissioner Abbott made a motion to approve the application and Commissioner Hodges seconded the motion. All Commissioners present voted in favor of the motion.

Chairman Henderson expressed concern about the sale of a synthetic drug called “spice” in Calhoun County. He stated that the County Commissioners intend to call upon the legislative delegation to give the county the authority to prohibit the sale of this drug, as well as any other harmful synthetic drug, from being sold in Calhoun County.

A motion was made by Commissioner Abbott to dismiss the nuisance abatement of property located at 114 East 49th Street, Anniston, owned by Lindsey S. Ramey, as recommended by Environmental Enforcement Officer David Pirritano. Commissioner Hodges seconded the motion and all Commissioners present voted in favor of the motion.

Commissioner Abbott made a motion to proceed with the nuisance abatement of property located at 0 AL Hwy 21, Jacksonville, owned by WMW Land LLC, as recommended by Mr. Pirritano. No one was present to represent the owner. Following a second to the motion by Commissioner Hess, all Commissioners present voted in favor of the motion. (RESOLUTION IN FILE)

Mr. Pirritano recommended dismissing the nuisance abatement of property located at 2259 Cochran Springs Road, Ohatchee, owned by Timothy and Debra Axelton. Commissioner Hodges so moved, Commissioner Hess seconded the motion, and all Commissioners present voted in favor of the motion.

Commissioner Abbott made a motion that was seconded by Commissioner Hodges to declare a public nuisance on property located at 107 Wayside Drive, Anniston, owned by Annie Ruth Dill, as recommended by Mr. Pirritano. The owner was not present. A vote of the Commissioners present was unanimously in favor of the motion. (RESOLUTION IN FILE)

A motion was made by Commissioner Hodges and seconded by Commissioner Hess to declare a public nuisance on property located at 632 Brentwood Drive, Anniston, owned by Amanda L. and Kevin C. Gonzalez, as recommended by Mr. Pirritano. The owners were not present. All Commissioners present voted in favor of the motion. (RESOLUTION IN FILE)

Commissioner Hodges made a motion to declare a public nuisance on property located at 0 Woodstock Road, Anniston, owned by Jimmy V. and Macey N. Head, as recommended by Mr. Pirritano. The owners were not present. Commissioner Abbott seconded the motion and the motion carried by a unanimous vote of the Commissioners present. (RESOLUTION IN FILE)

Mr. Joiner opened bids received for the demolition and removal of specified items from certain properties that have been declared by the Commissioners to be a public nuisance. Bids were received from Teague Hauling and Demolition LLC and Emtek Mechanical Contractors Inc. Commissioner Abbott made a motion to refer the bids to the County Administrator and

Environmental Enforcement Officer for review and a recommendation. Commissioner Hodges seconded the motion. All Commissioners present voted in favor of the motion.

Commissioner Hodges made a motion to adopt a resolution, as presented by Mr. Joiner, to declare certain vehicles and equipment to be surplus and to offer the vehicles and equipment for sale through GovDeals.com. The motion was seconded by Commissioner Abbott and a vote of the Commissioners present was unanimously in favor of the motion. (RESOLUTION ATTACHED)

Mr. Joiner presented an agency grant agreement through the Alabama Department of Youth Services to provide funding in the amount of \$265,000 for the Calhoun County Family Court Success Academy. Commissioner Abbott made a motion to authorize the Chairman to sign the agreement for and on behalf of Calhoun County. Commissioner Hodges seconded the motion and all Commissioners present voted in favor of the motion. (AGREEMENT IN FILE)

Commissioner Abbott made a motion to authorize the Chairman to sign an agreement, for and on behalf of Calhoun County, with Children's Services, Inc., to provide funding in the amount of \$30,380 for necessary and desirable expenses for the Parris Home. Following a second to the motion by Commissioner Hodges, the motion carried by a unanimous vote of the Commissioners present. (AGREEMENT IN FILE)

A motion was made by Commissioner Hodges to authorize the Chairman to sign an agreement, for and on behalf of Calhoun County, with Community Enabler Developer, Inc., to provide funding in the amount of \$2,940 for supplies and services for indigent residents of Calhoun County. Commissioner Hess seconded the motion and all Commissioners present voted in favor of the motion. (AGREEMENT IN FILE)

Commissioner Hess made a motion that was seconded by Commissioner Hodges to authorize the Chairman to sign an agreement, for and on behalf of Calhoun County, with the Calhoun/Cleburne Children's Center, Inc., to provide funding in the amount of \$36,679.44 for investigative and law enforcement services of the Center. The motion carried by a unanimous vote of the Commissioners present. (AGREEMENT IN FILE)

Representative Randy Wood requested that a \$4,000 legislative funding grant be provided to the Northeast Alabama Crisis Center, Inc. to provide investigative services and counseling to sexual assault victims and their families. Commissioner Abbott made a motion to authorize the Chairman to sign an agreement, for and on behalf of Calhoun County, with The Northeast Alabama Crisis Center, Inc. to provide funding in the amount of \$4,000, as request by Representative Wood. Commissioner Hess seconded the motion and a vote of the Commissioners present was unanimously in favor of the motion. (AGREEMENT IN FILE)

Mr. Joiner advised that Calhoun County has an on-going attorney client relationship for telecommunications, cable television, and cell tower siting advice with the lawyers of Miller & Van Eaton. Mr. Joiner requested authorization for the Chairman to sign, for and on behalf of Calhoun County, an Assignment of Legal Services Agreement to Best Best & Krieger LLP, in order to transfer legal files relating to Calhoun County's 800 MHz rebanding project from Miller

& Van Eaton to law firm Best Best & Krieger, LLP, as a result of the merger of the two firms. Commissioner Abbott so moved, Commissioner Hodges seconded the motion, and all Commissioners present voted in favor of the motion. (AGREEMENT LETTER ATTACHED)

Commissioner Hodges made a motion to adopt a resolution as presented by Mr. Joiner to extend an agreement with Alabama 810, LLC for use of tower space on the Chimney Peak Tower in Jacksonville through March 31, 2012. Commissioner Abbott seconded the motion and a vote of the Commissioners present was unanimously in favor of the motion. (RESOLUTION & AGREEMENT ATTACHED)

A motion was made by Commissioner Hess and seconded by Commissioner Abbott to appoint Commissioner Tim Hodges to represent the Calhoun County Commission on the Coosa Valley Resource Conservation and Development (RC&D) Council, effective October 13, 2011. The motion carried by a unanimous vote of the Commissioners present.

Mr. Joiner presented a statement acknowledging the Webster's Chapel Volunteer Fire Department, Inc., and recommended authorizing the Chairman to sign the statement for and on behalf of the Calhoun County Commission. Commissioner Hess so moved, Commissioner Abbott seconded the motion, and all Commissioners present voted in favor of the motion. (STATEMENT ATTACHED)

Commissioner Hodges made a motion to authorize the Chairman to sign an agreement for and on behalf of Calhoun County with Jacksonville State University to provide funding up to \$20,000 for certain remodeling and construction at the JSU softball complex. The motion was seconded by Commissioner Abbott and the motion carried by a unanimous vote of the Commissioners present. (AGREEMENT IN FILE)

A motion was made by Commissioner Hodges to authorize the Chairman to sign an agreement for and on behalf of Calhoun County with Jacksonville State University to provide funding in the amount of \$1,500 for Th' Promise of the JSU Drama Department, which provides various public plays, musicals, concerts, and music programs in Calhoun County. Commissioner Hess seconded the motion and all Commissioners present voted in favor of the motion. (AGREEMENT IN FILE)

EMA Director Jonathan Gaddy presented Amendment No. 2 to the Frequency Reconfiguration Agreement with Southern Communications Services, Inc. dba SouthernLINC Wireless and Nextel South Corp. (Sprint Nextel), which brings contract terms from estimated to actual as they relate to the quantity of radios actually reprogrammed as part of the 800 MHz rebanding process. Commissioner Hess made a motion to authorize the Chairman to sign the agreement and Commissioner Hodges seconded the motion. All Commissioners present voted in favor of the motion. (AGREEMENT IN FILE)

Commissioner Hodges made a motion to authorize the Chairman to sign an Incumbent Acknowledgment Receipt of Equipment relating to the work performed by Sprint Nextel's contractors to complete 800 MHz rebanding tasks, as recommended by Mr. Gaddy. As explained by Mr. Gaddy, the acknowledgment will allow Sprint Nextel to begin paying contractors for

work performed under their Frequency Reconfiguration Agreement with Calhoun County. The motion was seconded by Commissioner Hess and the motion carried by a unanimous vote of the Commissioners present. (ACKNOWLEDGMENT IN FILE)

A motion was made by Commissioner Hess to adjourn the meeting, followed by a second from Commissioner Hodges. All Commissioners present voted in favor of the motion.

The next meeting was announced for Thursday, October 27, 2011, at 10:00 a.m.