

SUMMARY OF MINUTES  
CALHOUN COUNTY COMMISSION  
DECEMBER 22, 2005

Chairman Hess called the regular meeting of the Calhoun County Commission to order and all Commissioners were present. The Chairman asked for bids to be submitted and Commissioner Dunn gave an invocation.

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

A motion was made by Commissioner Henderson to adopt the agenda as presented and Commissioner Downing seconded the motion. All Commissioners voted in favor of adopting the agenda.

Special recognition was given to three servicemen in attendance: Clint Yates and Burney Bitzer, with the Army National Guard, and John David Ford, with the U.S. Marine Corp. It was also noted that County Appraisal and Mapping Department employee and U.S. Navy Seabees Reservist, Barry Wells, has been activated for one year of military service.

Commissioner Dunn made a motion to adopt the minutes of the previous meeting. Following a second to the motion by Commissioner Henderson, all Commissioners voted in favor of the motion.

County Administrator Ken Joiner presented a resolution, and letter of recommendation from Revenue Commissioner Karen Roper, to reject all bids received for providing aerial photography and photographic reproductions of Calhoun County. Commissioner Dunn made a motion to adopt the resolution and Commissioner Downing seconded the motion. The motion carried by a unanimous vote of the Commissioners. (RESOLUTION ATTACHED)

Environmental Enforcement Officer David Pirritano recommended dismissing the nuisance abatement on property of Lowell Dewberry, located at 3812 Boxwood Avenue, Anniston. The Owner was not present. Mr. Pirritano advised that sufficient progress has been made by the owner to clean up the property. A motion was made by Commissioner Dunn to dismiss the abatement, as recommended, and Commissioner Downing seconded the motion. The motion carried by a unanimous vote of the Commissioners.

A motion was made by Commissioner Downing to adopt a resolution to proceed with the nuisance abatement on property of James M. Whitlock, located at Parkwood Drive, Anniston, as recommended by Environmental Enforcement Officer David Pirritano. The Owner was not present. Commissioner Dunn seconded the motion and the motion carried by a unanimous vote of the Commissioners. (RESOLUTION ATTACHED)

Commissioner Abbott made a motion to adopt a resolution to proceed with the nuisance abatement on property of Beulah P. Harlow, located at 3600 Railroad Avenue, Anniston, as recommended by Environmental Enforcement Officer David Pirritano. Mr. Samuel Curry, whose address is listed as 3600 Railroad Avenue, Anniston, inquired as to the specific conditions

found to be a public nuisance. He was advised that the property contained non-operational motor vehicles and an accumulation of debris. Commissioner Henderson seconded the motion and all Commissioners voted in favor of the motion. (RESOLUTION ATTACHED)

A motion was made by Commissioner Downing, and seconded by Commissioner Dunn, to dismiss the nuisance abatement on property of Johnny L. Dempsey and Donna M. Goray, located at 151 Chatwood Drive, Anniston, as recommended by Environmental Enforcement Officer David Pirritano. The Owners were not present. Mr. Pirritano advised that the address for the property was incorrect. All Commissioners voted in favor of the motion.

Commissioner Downing made a motion to adopt a resolution to proceed with the nuisance abatement on property of Emma Andrews, located at 0 North English Street, Anniston, as recommended by Environmental Enforcement Officer David Pirritano. The Owner was not present. Following a second to the motion by Commissioner Abbott, all Commissioners voted in favor of the motion. (RESOLUTION ATTACHED)

The nuisance abatement on property of Roy C. Hand, located at 7886 Alabama Highway 9, Anniston, was continued until the last meeting in February, 2006. Mr. Hand advised that he is recovering from a heart attack and should have the property cleaned up by the end of February. Commissioner Downing made the motion to continue the nuisance abatement until February 23, 2006, Commissioner Dunn seconded the motion, and a vote of the Commissioners was unanimously in favor of the motion.

Environmental Enforcement Officer David Pirritano recommended adopting a resolution to confirm and approve the itemized report for the cost of removing a public nuisance on the property of J. M. Whitlock, located at 4230 Skyline Drive, Anniston. The Owner was not present. Commissioner Henderson made a motion to adopt the resolution. Following a second to the motion by Commissioner Downing, all Commissioners voted in favor of the motion. (RESOLUTION ATTACHED)

Bids were opened by County Administrator Ken Joiner for the purchase of a Track Type Tractor for the Calhoun County Landfill. Commissioner Dunn made a motion to refer the two bids received to the County Administrator and Solid Waste Coordinator for review and a recommendation. Commissioner Henderson seconded the motion and a vote of the Commissioners was unanimously in favor of the motion.

A motion was made by Commissioner Dunn to dismiss the nuisance abatement on property of Earl Tidwell, located at 517 South Ledbetter Street, Anniston, as recommended by Environmental Enforcement Officer David Pirritano. Mr. Danny Tidwell advised that all non-operational motor vehicles have been removed from the property. Commissioner Henderson seconded the motion and all Commissioners voted to dismiss the nuisance abatement.

Environmental Enforcement Officer David Pirritano recommended adopting a resolution to declare a public nuisance on property of Johnny L. Dempsey and Donna M. Goray, located at 1209 Chatwood Drive, Anniston. The owners were not present. Commissioner Henderson so

moved, Commissioner Dunn seconded the motion, and the motion carried by a unanimous vote of the Commissioners. (RESOLUTION ATTACHED)

Commissioner Dunn made a motion to dismiss the nuisance abatement on property of Willie C. Mays, located at 2520 Simpson Street, Anniston, as recommended by Environmental Enforcement Officer David Pirritano. The Owner was not present. Mr. Pirritano advised that sufficient progress has been made by the owner to clean up the property. The motion was seconded by Commissioner Henderson and all Commissioners voted in favor of the motion.

The nuisance abatement on property of Waymon and Judy Shaneyfelt, located at 513 South Ledbetter Street, Anniston, was continued until the next meeting on January 12, 2006, as recommended by Environmental Enforcement Officer David Pirritano. Ms. Shaneyfelt advised that progress is being made to clean up the property. Commissioner Dunn made a motion to continue the nuisance abatement until the next meeting, Commissioner Abbott seconded the motion, and a vote of the Commissioners was unanimously in favor of the motion.

Environmental Enforcement Officer David Pirritano recommended adopting a resolution to declare a public nuisance on property of Joe E. and Susan E. Ethridge, located at 321 Hubbard Circle, Anniston. The owners were not present. Commissioner Downing so moved, Commissioner Henderson seconded the motion, and all Commissioners voted in favor of the motion. (RESOLUTION ATTACHED)

Commissioner Henderson made a motion, which was seconded by Commissioner Downing, to adopt a resolution declaring a public nuisance on property of Truman Puckett, located at 1011 Hillcrest Drive, Anniston, as recommended by Environmental Enforcement Officer David Pirritano. The owner was not present. The motion carried by a unanimous vote of the Commissioners. (RESOLUTION ATTACHED)

A motion was made by Commissioner Dunn to adopt a resolution declaring a public nuisance on property of Marvalene Heard, located at 12 Marx Street, Anniston, as recommended by Environmental Enforcement Officer David Pirritano. The owner was not present. Following a second to the motion by Commissioner Henderson, a vote of the Commissioners was unanimously in favor of the motion. (RESOLUTION ATTACHED)

A resolution declaring a public nuisance on property of John D. Harper, located at 921 West 53<sup>rd</sup> Street, Anniston, was adopted by a unanimous vote of the Commissioners. The owner was not present; however, Mr. Tony Green advised that he is in the process of purchasing the property and will clean it up after the closing in January. Commissioner Downing made a motion to adopt the resolution to proceed with the public nuisance declaration, as recommended by Environmental Enforcement Officer David Pirritano. Commissioner Henderson seconded the motion and all Commissioners voted in favor of the motion. (RESOLUTION ATTACHED)

County Administrator Ken Joiner advised that by the next election all counties in Alabama are required to have one voting machine in each voting place that is accessible by persons with handicaps, and that according to guidelines adopted by the HAVA advisory committee, counties should qualify for reimbursement from federal funds provided for that purpose. Mr. Joiner

further advised that the deadline to seek reimbursement is February 1, 2006. Therefore, as recommended by the Association of County Commissions of Alabama and the County Administrator, Commissioner Henderson made a motion to authorize the Chairman to place an order for the required handicap accessible voting machines once the necessary contracts are in place. Commissioner Downing seconded the motion and the motion carried by a unanimous vote of the Commissioners.

Commissioner Dunn made a motion to authorize the Chairman to sign a contract extension with David A. Pirritano, for employment as Environmental Enforcement Officer, effective January 1, 2006. Commissioner Henderson seconded the motion and all Commissioners voted in favor of the motion. (CONTRACT ATTACHED)

A motion was made by Commissioner Dunn, and seconded by Commissioner Downing, to authorize the Chairman to sign a three-year contract extension with Brian Wayne Rosenbalm, for employment as Assistant County Engineer, effective November 29, 2005. All Commissioners voted in favor of the motion. (CONTRACT ATTACHED)

County Administrator Ken Joiner presented two resolutions for JAIBG grant funding to continue a Juvenile Drug Court over a two-year period, through September 2006. Commissioner Dunn made a motion to adopt both resolutions and Commissioner Downing seconded the motion. The resolutions were adopted by a unanimous vote of the Commissioners. (2 RESOLUTIONS ATTACHED)

A resolution to accept ADECA grant funding for continuing the Violence Against Women Act (VAWA) program was presented by County Administrator Ken Joiner. Commissioner Dunn made a motion to adopt the resolution, Commissioner Downing seconded the motion, and all Commissioners voted in favor of the motion. (RESOLUTION ATTACHED)

The Chairman was authorized by a unanimous vote of the Commissioners to sign a certificate of cost allocation plan for reimbursement of Indirect Costs from the Alabama Emergency Management Agency, for FY2005 - FY2006 qualifying expenditures. Commissioner Henderson made the motion and Commissioner Dunn seconded the motion. (CERTIFICATE IN FILE)

A motion was made by Commissioner Dunn to authorize the Chairman to sign an agreement with the Community Enabler Developer, Inc., to provide funding in the amount of \$3,000. Following a second to the motion by Commissioner Henderson, all Commissioners voted in favor of the motion. (AGREEMENT ATTACHED)

Commissioner Henderson made a motion to authorize the Chairman to sign an agreement with the Diocese of Birmingham in Alabama d/b/a All Saints Interfaith Center of Concern, to provide funding in the amount of \$10,000. The motion was seconded by Commissioner Dunn and the motion carried by a unanimous vote of the Commissioners. (AGREEMENT ATTACHED)

County EMA Director Dan Long presented Modification Number 003, dated December 6, 2005, to the Motorola Contract No. 05-29027, for Upgrade of the 821 MHz Radio Infrastructure and Subscribers. Mr. Long advised the modification modifies the project Scope of Work to reflect

Calhoun County's responsibility for construction of certain aspects of the upgrade and extends the project completion date from September 2006 to March 31, 2007. Commissioner Dunn made a motion to authorize the Chairman to sign the modification and Commissioner Downing seconded the motion. All Commissioners voted in favor of the motion. (MODIFICATION IN FILE)

A motion was made by Commissioner Downing, and seconded by Commissioner Dunn, to adopt a resolution changing the mileage rate paid for travel by Calhoun County employees to \$.445 per mile. The resolution was adopted by a unanimous vote of the Commissioners. (RESOLUTION ATTACHED)

Mr. Fran Byrd, Commander of the Calhoun County Hazardous Materials Team, presented a letter thanking and commending the County Commissioners, County Administrator, EMA Director, and EMA staff for their support of the HAZMAT Team.

Mr. Bernard Bitzer asked for assistance regarding a flooding problem which has caused significant damage to his home located at 5802 Santa Drive, in Saks. Mr. Bitzer was referred to County Engineer Charles Markert and EMA Director Dan Long to review the situation to see if State or Federal assistance might be available.

Chairman Hess announced that for a couple of hours after the meeting members of the Etowah Youth Orchestra, under direction of Mr. Michael R. Gagliardo, would be playing Christmas music in the lobby of the County Administration Building.

County Administrator Ken Joiner asked that the Commission convene an executive session for discussion with legal counsel regarding a legal matter, and he presented a letter of opinion of applicability of executive session from County Attorney Tom Sowa. Commissioner Downing made a motion to convene an executive session and Commissioner Henderson seconded the motion. All Commissioners voted in favor of the motion. (ATTORNEY LETTER IN FILE)

The meeting recessed for an executive session at 11:00 a.m. The Chairman announced that the Commission would reconvene in approximately one hour.

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The meeting reconvened at 12:20 p.m.

There was no further business to come before the Commission and the meeting was adjourned. The next meeting was announced for Thursday, January 12, 2006, at 10:00 a.m.