

SUMMARY OF MINUTES
CALHOUN COUNTY COMMISSION
APRIL 26, 2007

The regular meeting of the Calhoun County Commission was called to order by Vice-Chairman Robert Downing. Also attending were Commissioner Henderson, Commissioner Hess, and Commissioner Abbott. Bids were requested and County Security Guard Ezell Dickerson gave an invocation.

The Commission 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 to adopt the agenda.

Westinghouse-Anniston representatives Tim Garrett and Bob Love were presented a certificate of achievement to recognize the safe destruction of all M55 rockets at the Anniston Army Depot, which represents 97% of the risk posed by the chemical weapons stockpile. Ralph Nolte and Brian Brasher, from their Environmental Department, announced that Westinghouse-Anniston has received the EPA's National Environmental Protection Performance Track award, for demonstrating strong environmental performance beyond current regulatory requirements.

Commissioner Abbott presented a proclamation that declares April 22-28, 2007, as National County Government Week in Calhoun County.

A certificate was presented to Thomas E. Wright, Chief Juvenile Probation Officer, in recognition of nineteen years of outstanding service to Calhoun County. Mr. Wright has resigned to accept a position in Montgomery.

A motion was made by Commissioner Hess, and seconded by Commissioner Abbott, to adopt the agenda as presented. A vote of the Commissioners present was unanimously in favor of the motion.

Two applications for the sale of retail table wine and retail beer, off premises only, in the name of Bhatt Corporation, dba Big B Grocery Outlet, located at 3400 Choccolocco Road, Anniston, were presented by County Administrator Ken Joiner. Commissioner Henderson made a motion to approve the applications and Commissioner Hess seconded the motion. All Commissioners present voted in favor of the motion.

A motion was made by Commissioner Henderson to continue until June 28, 2007, the nuisance abatement on property of Benny Carl Lovell, Case No. 2029-2006, located at 1023 W. 32nd Street, Anniston, as recommended by Environmental Enforcement Officer David Pirritano. Benny Lovell was present and asked for a sixty-day continuance. The motion was seconded by Commissioner Hess and carried by a unanimous vote of the Commissioners present.

Commissioner Henderson made a motion to dismiss the nuisance abatement on property of Calvin D. Prichett, Case No. 1915-2006, located at 909 Lloyd Street, Anniston, 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.

A motion was made by Commissioner Henderson, and seconded by Commissioner Hess, to dismiss the nuisance abatement on property of Bobby E. Woodrow, Case No. 1911-2006, located at 1301 Carter Street, Anniston, as recommended by Mr. Pirritano. The owner was not present. The motion carried by a unanimous vote of the Commissioners present.

Commissioner Hess made a motion to award the bid for certain food and non-food items purchased for the Calhoun County Jail as recommended by Calhoun County Sheriff, as follows. All Commissioners voted in favor of the motion.

- Category 01: Canned, Dried and Fresh Fruits – Red Diamond, Inc.
- Category 02: Dried, Frozen, Canned and Fresh Vegetables – Red Diamond, Inc.
- Category 03: Milk & Orange Ade – Barber Milk, LLC
Cheese & Other Dairy – Osborn Brothers Inc.
- Category 04: Meat – Red Diamond, Inc.
- Category 05: Breads – Interstate Bakeries Corp.
- Category 06: Beverages – Red Diamond, Inc.
- Category 07: Miscellaneous – Red Diamond, Inc.
Seasoning, Spices & Condiments – Osborn Brothers Inc.
Spreads, Sauces, & Pickles – Osborn Brothers Inc.
Cereals & Grains – Red Diamond Food, Inc.
- Category 08: Non-Food Supplies – Red Diamond, Inc.

County Administrator Ken Joiner opened the only bid received, from Contech Construction Products, Inc., for Liner Pipe (Bid No. FY07-33). Commissioner Hess made a motion to refer the bid to the County Engineer for review and a recommendation. Commissioner Henderson seconded the motion and all Commissioners present voted in favor of the motion.

Five bids were received and opened by County Administrator Ken Joiner for Grinding of Wood Debris at the Calhoun County Landfill. Commissioner Hess made a motion to refer the bids to Solid Waste Consultant Butler Green for review and a recommendation. Following a second to the motion by Commissioner Henderson, the motion carried by a unanimous vote of the Commissioners present.

There were no bids received for Chain Link Fencing.

A motion was made by Commissioner Hess to declare a public nuisance on property of James L. Patillo, Case No. 2000-2006, located at 0 11th Street, Anniston, as recommended by Mr. Pirritano. The owner was not present. Following a second to the motion by Commissioner Henderson, all Commissioners present voted in favor of the motion. (RESOLUTION ATTACHED)

Commissioner Henderson made a motion, which was seconded by Commissioner Abbott, to declare a public nuisance on property of Regions Bank, Case No. 2023-2006, located at 0 AL

Hwy 21, Jacksonville, as recommended by Mr. Pirritano. No one was present to represent the owner. All Commissioners present voted in favor of the motion. (RESOLUTION ATTACHED)

A public nuisance was declared on property of Waymon Shaneyfelt, Case No. 2001-2006, located at 408 South Stebbins Street, Anniston, as recommended by Mr. Pirritano. The owner was not present. Commissioner Henderson so moved, 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 continue until June 14, 2007, the public nuisance declaration on property of Marvin E. and Dorothy Johnson, Case No. 1934-2006, located at 1611 Angel Drive, Jacksonville. Jay Johnson was present and asked for a thirty-day continuance. The motion carried by a unanimous vote of the Commissioners present.

A resolution was presented by County Administrator Ken Joiner providing for an agreement with 2WR Holmes Wilkins Architect, for architectural/engineering professional services for the renovation of several historical buildings in the Longleaf Area of McClellan. Commissioner Henderson 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 appoint Mike Galloway, Calhoun County Chamber of Commerce Tourism Director, to the Appalachian Highlands Scenic Byway Board; and to appoint Commissioner Robert Downing to the Appalachian Highlands Scenic Byway Advisory Board. Commissioner Hess seconded the motion and a vote of the Commissioners present was unanimously in favor of the motion.

A motion was made by Commissioner Henderson, and seconded by Commissioner Hess, to adopt a resolution to accept right-of-way on Logging Road, as recommended by the County Engineer. All Commissioners present voted in favor of the motion. (2 RESOLUTIONS ATTACHED)

County Administrator Ken Joiner presented a resolution providing for an ADECA grant application for funding assistance to conduct a demolition project to remove slum and blight in the West End area of Calhoun County. Commissioner Hess made a motion to adopt the resolution as read. Commissioner Abbott seconded the motion and the resolution was adopted by a unanimous vote of the Commissioners present. (RESOLUTION ATTACHED)

A motion was made by Commissioner Henderson to adopt a resolution to extend a contract for custodial services for the Calhoun County Emergency Operations Center, with Praiseklean, in the amount of \$1,570.00 per month, through April 30, 2008, as recommended by the EMA Director. Following a second to the motion by Commissioner Hess, all Commissioners present voted in favor of the motion. (RESOLUTION ATTACHED)

Commissioner Henderson made a motion to authorize publication in *The Anniston Star* of the Mid-Year Financial Statement, for the period ending March 31, 2007, as presented by County

Administrator Ken Joiner, and as required by the Code of Alabama. Following a second to the motion by Commissioner Hess, a vote of the Commissioners present was unanimously in agreement. (FINANCIAL STATEMENT ATTACHED)

A resolution was adopted to update the Metropolitan Planning Organization (MPO) Agreement, as presented by County Administrator Ken Joiner. Mr. Joiner advised the update reflects the changes made with the passage of the Safe, Accountable, Flexible, Efficient Transportation Act: A Legacy for Users (SAFETEA-LU) legislation in August 2005. Bill Curtis, Executive Director for East Alabama Regional Planning and Development Commission (EARPDC), advised by letter that the agreement defines the MPO committee structure and responsibilities and continues the designation of the EARPDC as the recipient of federal MPO pass through funds. Commissioner Abbott made a motion to adopt the resolution, Commissioner Henderson seconded the motion, and all Commissioners present voted in favor of the motion. (RESOLUTION ATTACHED)

County Engineer Charles Markert presented a supplemental agreement #5, in the amount of \$23,970.00, with Sain Associates, for the Anniston to Jacksonville Road project. Mr. Markert advised the scope of the work includes updating the Environmental Document (FONSI), conducting a supplemental design hearing, and updating the erosion control plan. Mr. Markert further advised the total cost of the contract would increase to \$674,220.36. Commissioner Hess made a motion to authorize the Chairman to sign the agreement. Following a second to the motion by Commissioner Abbott, all Commissioners present voted in favor of the motion. (AGREEMENT IN FILE)

A motion was made by Commissioner Abbott, and seconded by Commissioner Hess, to approve Martin Property subdivision, located off Roy Webb Cutoff Road, as recommended by County Engineer Charles Markert. Mr. Markert advised the proposed subdivision has been inspected and meets the provisions of the subdivision regulations of Calhoun County. All Commissioners present voted in favor of the motion.

Commissioner Abbott made a motion to approve The Colony at Jamestown subdivision, located off Choccolocco Road, as recommended by County Engineer Charles Markert. Mr. Markert advised the proposed subdivision has been inspected and meets the provisions of the subdivision regulations of Calhoun County. Following a second to the motion by Commissioner Henderson, all Commissioners present voted in favor of the motion.

County Administrator Ken Joiner presented an agreement with North East Alabama Bicycle Club, to provide funding in the amount of \$2,500.00 for the Noble Street Festival, to be held on May 5, 2007. A motion was made by Commissioner Henderson, and seconded by Commissioner Hess, to authorize the Chairman to sign the agreement. The motion carried with a unanimous vote of the Commissioners present. (AGREEMENT ATTACHED)

Commissioner Abbott made a motion to authorize the Chairman to sign, once in agreeable form to all parties involved, a modification of agreement with Health Services Center, Inc. and the Sheriff of Calhoun County, providing for additional services for a Drug Treatment and

Rehabilitation Center. This motion was seconded by Commissioner Hess and all Commissioners present voted in favor of the motion. (AGREEMENT ATTACHED)

Ida McKinney, a resident of West 14th Street in District 1, asked that something be done to prevent rubbish from blowing off trucks that are in route to the landfill. She also asked that something be done about a drainage ditch behind her home, adjacent to Thankful Park, to prevent overflowing. The Commissioners agreed to send a letter to the City of Anniston concerning the rubbish problem, and Ms. McKinney was referred to County Engineer Charles Markert concerning the drainage ditch problem.

Solid Waste Consultant Butler Green advised that approximately 1900 vehicles came to the landfill for the Free Day on Saturday.

Commissioner Henderson made a motion to adjourn and Commissioner Hess seconded the motion. All Commissioners present voted to adjourn.

The next meeting was announced for Thursday, May 10th, 2007, at 10:00 a.m.