

SUMMARY OF MINUTES
CALHOUN COUNTY COMMISSION
OCTOBER 8, 2009

The Calhoun County Commission met on this date and all Commissioners were present. County Engineer Brian Rosenbalm gave an invocation.

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

Commissioner Dunn made a motion to adopt the agenda as presented and Commissioner Downing seconded the motion. The agenda was adopted by a unanimous vote of the Commissioners.

A proclamation was presented by Commissioner Downing, on behalf of the Commissioners, to Assistant District Attorney John Gruenewald, proclaiming the week of October 25-31, 2009, to be Pro Bono Week, and to recognize the contributions of the legal community helping those in need.

Commissioner Henderson introduced Jim Friend, who is Alabama Power's new Eastern Division Area Manager.

Lori Quiller, Director of Public Relations for the Association of County Commissions of Alabama, was recognized for outstanding service to county government in Alabama.

A motion was made by Commissioner Henderson to adopt the minutes of the previous meeting. Commissioner Dunn seconded the motion and all Commissioners voted in favor of the motion.

Commissioner Henderson made a motion to adopt a resolution as presented by County Administrator Ken Joiner to award the bid for Project Neighborhood Pride – West End Housing and Structure Demolition and Clearance to Remove Slum and Blight, Project Group Numbers 3, 4, and 5, as follows: Project Group Number 3: Emtex Mechanical Contractors, Inc. - \$45,717.00; Project Group Number 4: Waites Construction, Inc. - \$34,509.00; and Project Group Number 5: Woodard Brothers Grading, Inc. - \$18,700.00. Commissioner Downing seconded the motion and the motion carried by a unanimous vote of the Commissioners. (RESOLUTION ATTACHED)

A motion was made by Commissioner Downing, and seconded by Commissioner Dunn, to continue for fifteen days, until November 12, 2009, the nuisance abatement on property located at 30 Huckleberry Lane, Anniston, owned by Lauren Shelnett, as recommended by Environmental Enforcement Officer David Pirritano. The owner was not present. A vote of the Commissioners was unanimously in favor of the motion.

Commissioner Downing made a motion to continue for sixty days, until December 10, 2009, the nuisance abatement on property located at 1350 US Hwy 278 W and O US Hwy 278 W, Piedmont, owned by Floyd D. Dallas, as recommended by Mr. Pirritano. The owner was not

present. Following a second to the motion by Commissioner Dunn, all Commissioners voted in favor of the motion.

Mr. Pirritano recommended proceeding with the nuisance abatement on property located at 65 Meadow Lane, Oxford, owned by Frances Messenger. The owner was not present. Commissioner Dunn so moved, Commissioner Henderson seconded the motion, and the motion carried by a unanimous vote of the Commissioners. (RESOLUTION IN FILE)

The nuisance declaration on property located at 108 West 49th Street, Anniston, owned by Jeffery L. and Cathy G. Priest, was dismissed as recommended by Mr. Pirritano. Commissioner Dunn made a motion to dismiss the nuisance declaration and Commissioner Downing seconded the motion. All Commissioners voted in favor of the motion.

Commissioner Downing made a motion, which was seconded by Commissioner Dunn, to continue for sixty days, until December 10, 2009, the nuisance declaration on property located at 2520 Ammons Drive, Anniston, owned by Walter McCain, as recommended by Mr. Pirritano. A vote of the Commissioners was unanimously in favor of the motion.

An ABC Board application for a license to sell retail beer, off premises only, submitted by Romi Lea Smith and Jada Carol Ingram, DBA Roma's, located at 10171 US Hwy 78 East, Anniston 36207, was presented for the first reading by Mr. Joiner. Commissioner Downing made a motion to waive the second reading and to approve the application. Commissioner Henderson seconded the motion and the motion carried by a unanimous vote of the Commissioners.

Mr. Joiner presented an agreement with Whorton Engineering, Inc. to provide professional services for energy improvements to the Calhoun County Jail and Calhoun County Administration Building, for a total budget of \$486,000. Commissioner Dunn made a motion to authorize the Chairman to sign the agreement and Commissioner Downing seconded the motion. Following discussion about the cost savings this project will have for the future, all Commissioners voted in favor of the motion. (AGREEMENT IN FILE)

Commissioner Henderson made a motion to adopt a resolution as read by Mr. Joiner to accept the Energy Efficiency and Conservation Block Grant awarded to Calhoun County through the Department of Energy. Commissioner Dunn seconded the motion and a vote of the Commissioners was unanimously in favor of the motion. (RESOLUTION ATTACHED)

A contract to employ the law firm of Young, Wollstein, Jackson, Whittington & Russell, LLC as attorneys for matters of general representation, at the rate of \$140 per hour, was presented by Mr. Joiner. Commissioner Downing made a motion, and Commissioner Dunn seconded the motion, to authorize the Chairman and the County Administrator to sign the contract. All Commissioners voted in favor of the motion. (CONTRACT IN FILE)

Mr. Joiner presented an agreement with Munroe Jenkins Architects LLC for the development of a master plan for Montieth Amphitheater, to include a layout of lawn and terraced seating, necessary grading and drainage information and future concessions, toilets and other amenities, and defined handicap access, for a guaranteed total maximum fee of \$5,000, including civil

engineering. Commissioner Downing made a motion to authorize the Chairman to sign the agreement. Following a second by Commissioner Dunn, a vote of the Commissioners was unanimously in favor of the motion. (AGREEMENT IN FILE)

Commissioner Dunn made a motion to authorize the Chairman to sign an amended agreement with the Department of Examiners of Public Accounts, as presented by Mr. Joiner. The motion was seconded by Commissioner Abbott and the motion carried by a unanimous vote of the Commissioners. (AGREEMENT ATTACHED)

The Chairman was authorized by a unanimous vote of the Commissioners to sign an agreement with K. Lyndsey Gillam for employment as a Case Manager/Counselor for the Family Links Program, effective October 1, 2009, and terminating upon the last day of payroll coverage under the Governor's Safe & Drug Free Communities Grant No. 09-GV-SP-012, unless earlier terminated or extended. The salary and benefits in the amount of \$49,995.57 will be partially paid by grant funding, and the difference of \$25,245.57 will be paid to the Calhoun County Commission by Family Links in six bi-monthly installments of \$4,207.61. Commissioner Henderson made the motion to authorize the Chairman to sign the agreement and Commissioner Downing seconded the motion. (AGREEMENT IN FILE)

Mr. Rosenbalm recommended approval of Valley's Edge, a proposed minor subdivision located in District 4 off Gladden Lane. According to Mr. Rosenbalm the subdivision meets the provisions of the subdivision regulations of Calhoun County. Commissioner Dunn so moved, Commissioner Henderson seconded the motion, and all Commissioners voted in favor of the motion.

Commissioner Downing made a motion to authorize the Chairman to sign an agreement, pending approval of the County Administrator and County Attorney, to provide for the salary of Randall Sanders as assistant coroner effective October 1, 2009, in accordance with Act#2009-392, to transport bodies for autopsies at the rate of \$4,800 per year. The motion was seconded by Commissioner Henderson and the motion carried by a unanimous vote of the Commissioners. (AGREEMENT IN FILE)

An agreement with Jacksonville State University was presented by Mr. Joiner to provide funding in the amount of approximately \$32,000 for the repair and paving of a certain road and parking area on the JSU campus. Commissioner Henderson made a motion to authorize the Chairman to sign the agreement once it is in final form, followed by a second to the motion by Commissioner Dunn. All Commissioners voted in favor of the motion. (AGREEMENT IN FILE)

Mr. Joiner advised that various loan agreements are being finalized for the display of artifacts at the Janney Furnace Civil War and Indian Artifact Museum and Interpretive Center, which is scheduled to open on October 17, 2009. Commissioner Dunn made a motion to authorize the Chairman to sign any and all loan agreements once they are acceptable to the County Administrator and County Attorney. Commissioner Downing seconded the motion and the motion carried by a unanimous vote of the Commissioners.

Two task order resolutions for work being performed by various contractors at McClellan were presented by Mr. Joiner, as follows: (1) Harmon Engineering – up to \$107,100; and (2) Harmon Engineering – up to \$473,260. Commissioner Dunn made a motion to adopt resolutions to ratify Mr. Joiner’s signature on the two task orders. Commissioner Henderson seconded the motion and a vote of the Commissioners was unanimously in favor of the motion. (2 TASK ORDER RESOLUTIONS ATTACHED)

Ethel Stewart, 4121 Bynum Leatherwood Road, Anniston, presented a petition to the Commissioners requesting removal of a junk yard located at 4116 Bynum Leatherwood Road, Anniston. Environmental Enforcement Officer David Pirritano and Commissioner Henderson agreed to meet with Ms. Stewart after the meeting.

Dan Long, as Chairman for the Marine Corp League Toys for Tots Program, announced that his organization is working with the Salvation Army on this project and asked that the names of any families in need be given to the Salvation Army.

Raffa Blackmon asked for assistance in getting a ditch cleaned out on her property located on Bynum Leatherwood Road. Mr. Rosenbalm was asked to meet with her after the meeting.

Commissioner Henderson made a motion to adjourn the meeting. Following a second by Commissioner Downing, the meeting was adjourned by a unanimous vote of the Commissioners.

The next meeting was announced for Thursday, October 22, 2009, at 10:00 a.m.