

SUMMARY OF MINUTES
CALHOUN COUNTY COMMISSION
JUNE 24, 2010

The regular meeting of the Calhoun County Commission was called to order by Chairman Abbott. Also present were Commissioner Dunn, Commissioner Downing, and Commissioner Henderson. The Chairman asked that everyone sign the sheet being circulated for the public hearings. County Engineer Brian Rosenbalm gave an invocation.

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

Commissioner Henderson made a motion to adopt the agenda and Commissioner Dunn seconded the motion. The motion carried by a unanimous vote of the Commissioners present.

Harold Rhodes was recognized for being named Volunteer of the Year by the Alabama Association of Emergency Managers. Mr. Rhodes has served as Commander of the Calhoun County Civil Defense for twenty years.

Clay Dent, a junior at Piedmont High School, was recognized for being named an Academic All American by the National High School Coaches Association. Clay is the son of Calhoun County employee, Samantha Dent, and last year, as a sophomore, was the AHSAA Class 1A-4A state champion in wrestling at 171 pounds, and was a starter for Piedmont's Class 3A state championship football team.

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

Commissioner Henderson made a motion to dismiss the nuisance abatement on property located at 160 Hathorne Drive, Anniston, owned by Robert Dix, as recommended by Environmental Enforcement Officer David Pirritano. All Commissioners present voted in favor of the motion.

A motion was made by Commissioner Downing and seconded by Commissioner Henderson to adopt a resolution to approve an invoice in the amount of \$2,513 to remove a public nuisance on property located at 7886 AL Hwy 9, Anniston, owned by Roy C. Hand, 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)

An invoice in the amount of \$1,163 was presented by Mr. Pirritano for the cost of removing a public nuisance on property located at 331 West 40th Street, Anniston, owned by Truman Puckett. Attorney Nathaniel Owens was present to represent the owner. Mr. Owens questioned whether Mr. Puckett had received notice as required. Following discussion, Commissioner Downing made a motion to continue the matter until the next commission meeting on July 8, 2010, in order to review the actions taken. Commissioner Dunn seconded the motion and all Commissioners present voted in favor of the motion.

Commissioner Henderson made a motion to adopt a resolution to approve an invoice in the amount of \$1,688 for the cost of removing 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. The motion was seconded by Commissioner Dunn and the motion carried by a unanimous vote of the Commissioners present. (RESOLUTION IN FILE)

A motion was made by Commissioner Downing and seconded by Commissioner Henderson to adopt a resolution to approve an invoice in the amount of \$1,913 for the cost of removing a public nuisance on property located at 203 N. Ledbetter, Anniston, owned by Catherine A. Odell, c/o Angela Cooper, as recommended by Mr. Pirritano. No one was present to represent the owner. All Commissioners present voted in favor of the motion. (RESOLUTION IN FILE)

Mr. Pirritano recommended adopting a resolution to approve an invoice in the amount of \$2,463 for the cost of removing a public nuisance on property located at 275 Mountain Road, Ohatchee, owned by William and Cassandra Denney. The owners were not present. Commissioner Downing so moved, Commissioner Dunn seconded the motion, and all Commissioners present voted in favor of the motion. (RESOLUTION IN FILE)

Commissioner Downing made a motion to adopt a resolution to approve an invoice in the amount of \$1,763 for the cost of removing a public nuisance on property located at 30 Huckleberry Lane, Anniston, owned by Lauren A. Shelnut, 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 IN FILE)

Mr. Pirritano recommended adopting a resolution to approve an invoice in the amount of \$513 for the cost of removing a public nuisance on property located at 4205 AL Hwy 9, Anniston, owned by Marlene Meeks. Walter Meeks was present to represent the owner and he protested certain action taken. Following discussion concerning the ownership of the property, Commissioner Downing made a motion to adopt the resolution to approve the invoice. Commissioner Henderson seconded the motion and the motion carried by a unanimous vote of the Commissioners present. (RESOLUTION IN FILE)

A resolution was presented by Mr. Pirritano to approve an invoice in the amount of \$3,013 for the cost of removing a public nuisance on property located at 0 Turley Drive, Anniston, owned by K M Development, LLC. Danny Maddox was present, representing the owner, Diane Kimberly, and he advised that a trailer had been abandoned on the property and certain legal matters had to be cleared up before the property could be cleared of the nuisance. He also advised that water and sewer lines had been broken during the cleanup. A motion was made by Commissioner Dunn and seconded by Commissioner Henderson to continue the matter until July 8, 2010, in order to review the action taken. All Commissioners present voted in favor of the motion.

Commissioner Dunn made a motion to declare a public nuisance on property located at 0 Gate 5 Road, Alexandria, owned by Marie Easterling, as recommended by Mr. Pirritano. The owner was not present. Commissioner Henderson seconded the motion and all Commissioners present voted in favor of the motion. (RESOLUTION IN FILE)

A motion was made by Commissioner Henderson, and seconded by Commissioner Downing, to continue until July 8, 2010, the nuisance declaration on property location at 1350 Ross Lake Road, Wellington, owned by Daniel and Charlie Mize, as recommended by Mr. Pirritano. Daniel Mize was present and stated that he is in the process of cleaning up the damage done by renters on the property. A vote of the Commissioners present was unanimously in favor of the motion.

A public hearing was held for the purpose of allowing members of the public to express views concerning host government approval for three modifications sought by the Calhoun County Commission of the existing solid waste landfill. County Administrator Ken Joiner summarized the modifications requested as follows: (1) the addition of approximately 4.55 acres of additional buffer zone on the southern most property; (2) the addition of an area on the south side of the property, that was approved conceptually for disposal, to be instead added to the buffer zone, and shall not be used for disposal of waste; and (3) the change of the disposal area from approximately 63 acres to approximately 40.09 acres. There were no comments from the public and the Chairman declared the public hearing to be closed.

Mr. Joiner presented a resolution for host government approval for three modifications of the existing Calhoun County Construction/Demolition Landfill. Commissioner Dunn made a motion to adopt the resolution. Following a second to the motion by Commissioner Henderson, all Commissioners present voted in favor of the motion. (RESOLUTION ATTACHED)

A public hearing was held to consider a request of Johnnie Melvin Martin, Jr. to vacate a portion of Martin Woodrow Road. Mr. Martin was present to answer questions, and he advised that the new road to be built would provide access to a cemetery in the area, the access to which had been mentioned as a concern. There were no further comments and the Chairman declared the public hearing to be closed. Since Commissioner Hess, the commissioner in whose district the portion of Martin Woodrow Road is located, was not present, the road vacation will be addressed further at the next commission meeting on July 8, 2010.

Commissioner Henderson made a motion to ratify the signature of Chairman Abbott to a letter dated June 14, 2010, in which Calhoun County, Alabama, gives notice to Health Services Center, Inc., Calhoun County Community Punishment and Corrections Authority, and Calhoun County Sheriff's Office, concerning the termination of an agreement and termination of the agreement as modified, and termination of a lease. Commissioner Dunn seconded the motion and all Commissioners present voted in favor of the motion. (LETTER IN FILE)

Mr. Joiner presented an agreement with CGI Communications, Inc. to provide, at no cost to the County, for a County Movie Showcase associated with the Calhoun County website. Commissioner Henderson made a motion to ratify the County Administrator's signature to an agreement with CGI Communications, Inc. dated June 11, 2010. Commissioner Dunn seconded the motion and the motion carried by a unanimous vote of the Commissioners present. (AGREEMENT IN FILE)

A resolution in support of the Calhoun County Community Punishment & Corrections Authority, Inc. was presented by Mr. Joiner. Commissioner Dunn made a motion to adopt the resolution as read, Commissioner Downing seconded the motion, and all Commissioners present voted in favor of the motion. (RESOLUTION ATTACHED)

Commissioner Downing made a motion to adopt a resolution, as presented by Mr. Joiner, which authorizes the Chairman to execute on behalf of the County a Memorandum of Agreement with the State of Alabama Department of Conservation and Natural Resources for initiation of freshwater mollusk restoration activities in the Choccolocco Creek Basin. The motion was seconded by Commissioner Dunn, and a vote of the Commissioners present was unanimously in favor of the motion. (RESOLUTION ATTACHED)

A motion was made by Commissioner Henderson to authorize the Chairman to execute on behalf of the County an agreement with CaremarkPCS Health, L.P. to allow Calhoun County to participate in a prescription drug discount program through the National Association of Counties, as presented by Mr. Joiner. Mr. Joiner explained that discount cards would be made available to all citizens of Calhoun County and the discount will be available for all prescription drugs that are not covered by other insurance. Commissioner Downing seconded the motion and all Commissioners present voted in favor of the motion. (AGREEMENT IN FILE)

Mr. Joiner presented a governmental real estate lease between the Calhoun County Commission and the Alabama Board of Pardons and Paroles, for the renewal of a lease for office space at the Ken Joiner Calhoun County Administration Building. Commissioner Dunn made a motion to authorize the Chairman to sign the lease and Commissioner Downing seconded the motion. The motion carried by a unanimous vote of the Commissioners present. (LEASE ATTACHED)

The Chairman was authorized to sign an agreement with Ruben Studdard Foundation for the Advancement of Children in the Music of Arts, to provide funding in the amount of \$2,000 for recreational, social and cultural services to and programs for poor or indigent youth in Calhoun County. Commissioner Henderson made the motion, Commissioner Dunn seconded the motion, and all Commissioners present voted in favor of the motion. (AGREEMENT IN FILE)

County Engineer Brian Rosenbalm recommended accepting from Jack C. and Mary E. Smith certain right-of-way property for improvements to a bridge on Alexandria-Wellington Road. Commissioner Dunn so moved, Commissioner Downing seconded the motion, and all Commissioners present voted in favor of the motion. (RESOLUTION ATTACHED)

A motion was made by Commissioner Dunn, and seconded by Commissioner Downing, to approve the re-subdivision of Lots 14, 15, and 16 in Dogwood Acres. County Engineer Brian Rosenbalm advised that the proposed minor subdivision meets the provisions of the subdivision regulations of Calhoun County. The motion carried by a unanimous vote of the Commissioners present.

Commissioner Dunn made a motion to adopt a resolution as presented by Mr. Rosenbalm to authorize the Chairman to execute on behalf of the County an ALDOT agreement to provide for the preliminary engineering for signals and turn lanes at the intersection of Lenlock Lane and

Saks Road. Commissioner Henderson seconded the motion and a vote of the Commissioners present was unanimously in favor of the motion. (RESOLUTION & AGREEMENT ATTACHED)

Mr. Joiner presented a proposal letter from the United States Department of the Interior, Fish and Wildlife Service, to allow for emergency repairs to Bain's Gap Road at Mountain Longleaf National Wildlife Refuge. Commissioner Downing made a motion to authorize the Chairman to sign the letter, which authorizes a purchase order for the amount of \$8,500. Commissioner Dunn seconded the motion and all Commissioners present voted in favor of the motion. (LETTER IN FILE)

A motion was made by Commissioner Dunn to authorize the Chairman to execute on behalf of the County an agreement with the Alabama Department of Examiners of Public Accounts to provide funding up to \$12,400 for a financial audit of the Calhoun County Commission for the period October 1, 2008, through September 30, 2009. Commissioner Henderson seconded the motion and a vote of the Commissioners present was unanimously in favor of the motion. (AGREEMENT ATTACHED)

Mr. Joiner presented a resolution that authorizes the Chairman to execute on behalf of the County agreements with Motorola, Inc. to upgrade the Sheriff's existing mobile data system, with funding provided by a COPS grant and a Homeland Security grant. 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 present. (RESOLUTION ATTACHED)

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

The next meeting was announced for Thursday, July 8, 2010, at 10:00 a.m.