

**CHEROKEE COUNTY COMMISSION**  
**CENTRE, ALABAMA**

**MINUTES**

DATE:  
April 27, 2009

PRESENT:  
Wade Sprouse, District I  
Kimball Parker, District II  
Elbert St. Clair, District III  
Carlton Teague, District IV  
Melvyn Salter, Chairman

ABSENT:

1. The Chairman called the meeting to order.
2. Public Comment From Citizens:
3. Public Comment from other Elected Officials:
4. Roll Call to Establish Quorum:  
  
District I, Commissioner Sprouse – Present  
District II, Commissioner Parker – Present  
District III, Commissioner St. Clair – Present  
District IV, Commissioner Teague – Present
5. Motion by Carlton Teague, second by Elbert St. Clair to approve the agenda for the April 27, 2009 regular meeting as published. Passed 4-0.
6. The Chairman led the Pledge of Allegiance to the American Flag and Attorney Chad Hopper gave the Invocation.
7. Awards and Presentations: None Submitted
8. Motion by Kimball Parker, second by Wade Sprouse to approve the minutes as published for the April 13, 2009 regular meeting. Passed 4-0.
9. Reports from Staff:  
  
County Administrator Tim Burgess – None Submitted  
County Engineer Corey Chambers –  
  
Mr. Chambers updated the Commission on the County Road 22 Bridge Project. The contractors are ready to pour the 4<sup>th</sup> pier. The contractors have stated that inclement weather has slowed down the project. Once the abutments are poured the project will move faster.  
  
Mr. Chambers also updated the Commission on the Alabama Highway 35 Project. The plans for the project are very detailed.  
  
County Attorney Chad Hopper– None Submitted  
County Sheriff Jeff Shaver – None Submitted
10. Public Meetings:
11. Old Business: None
12. New Business:
  - A. Motion by Kimball Parker, second by Wade Sprouse to adopt the attached National Nurses Day Proclamation. Passed 4-0. The proclamation was read by Commissioner Parker. Dr. Martha Lavender and several nursing students from the college were in attendance. A student also spoke about the nursing program.
  - B. The Chairman announced that the Park & Recreation Board Appointments will be made at the May 26, 2009 regular meeting to complete the unexpired term of J.C. Stallings who has resigned and Fred Rhinehart whose term ends May 2009. Commissioner Parker commended Mr. Stallings for his service to the county and to the Park Board.

- C. The Chairman announced that the Airport Authority Board Appointment will be made at the May 26, 2009 regular meeting to complete the unexpired term of Harley McGatha.
- D. The Chairman announced the CED Mental Health Board Appointment/Reappointment will be made at the May 26, 2009 regular meeting. The Chairman also stated that Janice Haynes had been recommended to be reappointed.
- E. Motion by Elbert St. Clair, second by Carlton Teague to approve Excess Land Redemptions to Randy & Sharon Cox in the amount of \$749.92 and James A Lewis, Jr. in the amount of \$282.04. Passed 4-0.
- F. Motion by Carlton Teague, second by Wade Sprouse to adopt the attached resolution as read by Commissioner Teague to participate in the 2009 Sales Tax Holiday August 7-9, 2009 and authorized the Chairman to sign the resolution. Passed 4-0.

13. Discussion Items by Commissioners:

Commissioner Teague commended the Alabama Department of Transportation for their work on Highway 68 and four other projects.

14. Executive Session

- 1. Preamble.
- 2. The Chairman stated the Reason for Executive Session: Discussion with County Attorney – legal ramifications and legal options (Section 7a, 3 of Act 2005-40); in this case how it relates to possible litigation.
- 3. County Attorney Chad Hopper stated that this is a valid reason under Alabama Law (Section 7a of Act 2005-40) to go into Executive Session.
- 4. Motion by Kimball Parker, second by Wade Sprouse to go into Executive Session.
- 5. Roll Call Vote:
  - Commissioner Sprouse - Yes
  - Commissioner Parker - Yes
  - Commissioner St. Clair - Yes
  - Commissioner Teague - Yes
- 6. Motion by Elbert St. Clair, second by Wade Sprouse to reconvene the meeting. Passed 4-0.

Motion by Carlton Teague, second by Wade Sprouse to contract with the Law Firm of Shapiro Fussell Wedge & Martin, LLP in Atlanta, Georgia which specializes in construction issues to explore the possible litigation in regards to the construction of the Administration Building due to fallacies in the building such as air conditioning, mold, mildew and etc. Passed 4-0.

- 15. Motion by Kimball Parker, second by Carlton Teague to adjourn meeting. Passed 4-0.

There being no further business to come before the board, the meeting was adjourned subject to call.

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Wade Sprouse, District I

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Melvyn Salter, Chairman

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Kimball Parker, District II

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Elbert St. Clair, District III

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Carlton Teague, District IV