

# CHEROKEE COUNTY COMMISSION

## CENTRE, ALABAMA

### MINUTES

DATE:  
May 19, 2011

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. The Chairman stated the Reason for Special Called Meeting as follows:
  - A. Provide Army Corp of Engineers with the authority to gain right of entry to private property where necessary.
  - B. Approve the Army Corp of Engineers to use police powers if necessary to gain right of entry to private property.
  - C. Approve any other documents as requested by the State.
3. 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 Kimball Parker, second by Wade Sprouse to approve the agenda for May 19, 2011 Special Called Meeting. Passed 4-0.
6. The Chairman made an opening statement to clarify a document that will incorporate the purposes of the meeting. There have been numerous meetings since April 27<sup>th</sup> by the President, state officials, and local officials to determine what procedures can be used for debris removal. Thanks to our Governor and President our catastrophic event has been handled entirely different from any other. Every measure thinkable is being used in an attempt to meet the needs of those who have lost so much within the storms. The President ordered the Corp (Army Corps of Engineers) to be available to assist in the cleanup of our state and our county. As stated before measures have been taken with this event that has never been tried before. The primary reason the Corp would have to enter private property is for health and safety issues to help those property owners who do not have any means such as insurance to prepare their property for either temporary or permanent housing. Unless it is not health and safety issues the Corp will not seek a right of entry to a person's property. The only time police powers would even be considered to enter private property is if a property owner denied another rightful passage to their property or if a family has been moved temporarily and cannot be contacted to give permission of right of entry. There is a process to be followed in an attempt to locate the owner before entry to the property. The Corp will not otherwise enter upon private property and it will be the owner's decision not to allow the right of entry. What we are asking the Commission to do is to request FEMA to arrange for the removal of debris from eligible private property in Cherokee County pursuant to FEMA Disaster Assistance Policy (DAP) 9523.13 and also authorize the Chairman to sign this document dated today May 19, 2011.

The Chairman then asked for discussion. There were none.

There was a motion by Carlton Teague, second by Elbert St. Clair to adopt this procedure (DAP 9523.13) and authorize the Chairman to sign it.

The Chairman asked if there was any discussion from the public. There was none.

The vote was unanimously carried 4-0.

7. Motion by Wade Sprouse, second by Kimball Parker to adjourn meeting. Passed 4-0.

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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