

# CHEROKEE COUNTY COMMISSION CENTRE, ALABAMA

## MINUTES

DATE: October 23, 2017      PRESENT: Randy Jones, District I  
Kimball Parker, District II  
Marcie Foster, District III  
Carlton Teague, District IV

ABSENT: Kirk Day, Chairman

1. The Vice Chairman called the meeting to order.

2. Public Comment From Citizens: None

3. Public Comment from other Elected Officials:

4. Roll Call to Establish Quorum:

District I, Commissioner Jones – Present  
District II, Commissioner Parker – Present  
District III, Commissioner Foster – Present  
District IV, Commissioner Teague – Present

5. The Chairman led the Pledge of Allegiance and Commissioner Jones gave the invocation.

6. Awards and Presentations: None

7. Motion by Commissioner Foster, second by Commissioner Parker to approve the agenda for the October 23, 2017 regular meeting. Passed 3-0.

8. Motion by Commissioner Jones, second by Commissioner Parker to approve the Consent Agenda approving prior meeting minutes and payables. Passed 3-0.

9. Reports from Staff:

County Administrator Tim Burgess – None Submitted  
County Engineer Corey Chambers – None Submitted  
County Attorney Bill Hawkins – None Submitted  
County Sheriff Jeff Shaver – None Submitted

10. Public Meetings: None

11. Old Business:

1. The Vice-Chairman announced that a public hearing on the matter of vacating and closing County Road 670 will be held on November 13, 2017 at 10:00 A.M in the Commission chambers.

12. New Business:

1. Motion by Commissioner Foster, second by Commissioner Jones to approve Excess Land Redemptions to Daniel St. Clair in the amount of \$896.38 and to Michelle & S. Brent Tucker in the amount of \$196.81. Passed 3-0.
2. Motion by Commissioner Foster, second by Commissioner Jones to adopt a resolution for the plantmix resurfacing and traffic striping of County Road 13 from County Road 31, north 2.6 miles to the intersection of County Road 22. (Project No: CCP 10-61-18) Passed 3-0.
3. Motion by Commissioner Parker, second by Commissioner Foster to adopt a resolution for the plantmix resurfacing and traffic striping of County Road 41 from AL HWY 35, north 2.3 miles to the intersection of County Road 794. (Project No: CCP 10-62-18 | FAS No: 1016) Passed 3-0.
4. Motion by Commissioner Foster, second by Commissioner Jones to approve the expenditure of \$2,240.00 to participate in the 2017 WEIS Radio Shop at Home campaign. Passed 3-0.

5. Motion by Commissioner Parker, second by Commissioner Jones to authorize Administrator Tim Burgess and Commissioners Randy Jones, Kimball Parker, Marcie Foster, and Carlton Teague to sign or endorse checks, drafts or other evidences of indebtedness made payable to the Cherokee County Commission for the purpose of deposit into the Peoples Bank accounts. Passed 3-0.

13. Executive Session: None

14. Discussion Items by Commissioners: None

15. Motion by Commissioner Foster, second by Commissioner Parker to adjourn the meeting. Passed 3-0.

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

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Randy Jones, District I

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Kirk Day, Chairman

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Kimball Parker, District II

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Marcie Foster, District III

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Carlton Teague, District IV

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

DATE:  
November 13, 2017

PRESENT:  
Randy Jones, District I  
Kimball Parker, District II  
Marcie Foster, District III  
Carlton Teague, District IV

ABSENT:

1. The Vice Chairman called the meeting to order.
2. Public Comment From Citizens: None
3. Public Comment from other Elected Officials:
4. Roll Call to Establish Quorum:  
District I, Commissioner Jones – Present  
District II, Commissioner Parker – Present  
District III, Commissioner Foster – Present  
District IV, Commissioner Teague – Present
5. The Vice Chairman led the Pledge of Allegiance and Commissioner Jones gave the invocation.
6. Awards and Presentations: None
7. Motion by Commissioner Foster, second by Commissioner Parker to approve the agenda for the November 13, 2017 regular meeting. Passed 3-0.
8. Motion by Commissioner Jones, second by Commissioner Parker to approve the Consent Agenda approving prior meeting minutes and payables. Passed 3-0.
9. Reports from Staff:  
County Administrator Tim Burgess – None Submitted  
County Engineer Corey Chambers – None Submitted  
County Attorney Bill Hawkins – None Submitted  
County Sheriff Jeff Shaver – None Submitted
10. Public Meetings:
  1. A public hearing was held on the matter of vacating and closing County Road 670. There were no comments made for or against the matter by those in attendance. The public hearing was concluded.
11. Old Business:
  1. Motion by Commissioner Foster, second by Commissioner Jones to appoint Janice Haynes to the Cherokee County Department of Human Resources board for the term ending September 2023. (Previously held by Fran Banister. Term expired 9/2017) Passed 3-0.
12. New Business:
  1. Motion by Commissioner Parker, second by Commissioner Jones to adopt a resolution to vacate and close County Road 670. Passed 3-0.
  2. Motion by Commissioner Parker, second by Commissioner Foster to approve Excess Land Redemptions to Daniel St. Clair in the amount of \$170.08 and to T. Mallory or Margaret Whorton in the amount of \$158.36. Passed 3-0.
  3. Motion by Commissioner Foster, second by Commissioner Jones to adopt the 2017-2018 Commission Meeting Schedule. Passed 3-0.

4. Motion by Commissioner Foster, second by Commissioner Parker to appoint Dustin Dutton and Leigh Ann Smith as “animal control officers”. (Ala Code §13A-11-242, 243) Passed 3-0.
5. The Vice Chairman announced that he appointment/reappointment to the CED Mental Health Board will take place at the Monday, December 11 meeting. Submittal of resumes, letters, etc. will be accepted through Wednesday, December 6, 2017 until the close of business in the Commission Office.
6. The Vice Chairman announced that the appointment of three positions on the Cherokee County Public Building Authority will take place at the Monday, December 11 meeting. These are four year terms that will end in October of 2021. Submittal of resumes, letters, etc. will be accepted through Wednesday, December 6, 2017 until the close of business in the Commission Office.
7. Motion by Commissioner Foster, second by Commissioner Parker to approve the agreement with Combined Public Communications for an inmate telephone system at the Cherokee County Detention Center. Passed 3-0.

13. Executive Session:

1. Preamble.
2. The Chairman stated the reason for the Executive Session:
  - a. Discussion with County Attorney – legal ramifications and legal options (Section 7a, 3 of Act 2005-40).
3. County Attorney Bill Hawkins stated that this is a valid reason under Alabama Law (Section 7a of Act 2005-40) to go into Executive Session.
4. Motion by Commissioner Foster, second by Commissioner Parker to go into Executive Session.
5. The Vice Chairman called for a Roll Call Vote:

Commissioner Jones - Yes  
 Commissioner Parker - Yes  
 Commissioner Foster - Yes  
 Commissioner Teague – Yes

The Commission entered into an executive session.

14. Motion by Commissioner Foster, Second by Commissioner Jones to reconvene. Passed 3-0.
15. Actions taken as result of the Executive Session: None
16. Discussion Items by Commissioners:
  1. Commissioner Foster read aloud a resolution that was written and presented by the East Alabama Regional Planning and Development Commission honoring Judge Kirk Day. Commissioner Foster added her sentiments.
17. Motion by Commissioner Foster, second by Commissioner Parker to adjourn the meeting. Passed 3-0.

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

Randy Jones, District I

Kimball Parker, District II

Marcie Foster, District III

Carlton Teague, District IV

**CHEROKEE COUNTY COMMISSION  
CENTRE, ALABAMA  
MINUTES**

DATE: November 27, 2017      PRESENT: Randy Jones, District I  
Kimball Parker, District II  
Marcie Foster, District III  
Carlton Teague, District IV

ABSENT:

1. The Vice Chairman called the meeting to order.
2. Public Comment From Citizens: None
3. Public Comment from other Elected Officials:
4. Roll Call to Establish Quorum:  
District I, Commissioner Jones – Present  
District II, Commissioner Parker – Present  
District III, Commissioner Foster – Present  
District IV, Commissioner Teague – Present
5. The Vice Chairman led the Pledge of Allegiance and Commissioner Jones gave the invocation.
6. Awards and Presentations:
  1. Certificates were presented to corrections officers Will Bailey and Logan Moore recognizing their completion of jail school training.
  2. Motion by Commissioner Foster, second by Commissioner Jones to approve the agenda for the November 27, 2017 regular meeting. Passed 3-0.
  3. Motion by Commissioner Foster, second by Commissioner Parker to approve the Consent Agenda approving prior meeting minutes and payables. Passed 3-0.
  4. Reports from Staff:  
County Administrator Tim Burgess – None Submitted  
County Engineer Corey Chambers – None Submitted  
County Attorney Bill Hawkins – None Submitted  
County Sheriff Jeff Shaver – Expressed appreciation to the employees who had completed training
10. Public Meetings: None.
11. Old Business:
  1. The Vice Chairman announced that the appointment/reappointment to the CED Mental Health board will take place at the Monday, December 11 meeting. Submittal of resumes, letters, etc. will be accepted through Wednesday, December 6, 2017 until the close of business in the Commission Office.
  2. The Vice Chairman announced that the appointment of three positions on the Cherokee County Public Building Authority will take place at the Monday, December 11 meeting. These are four year terms that will end in October of 2021. Submittal of resumes, letters, etc. will be accepted through Wednesday, December 6, 2017 until the close of business in the Commission Office.
12. New Business:
  1. Motion by Commissioner Foster, second by Commissioner Parker to adopt the 2018 Holiday Schedule as published. Passed 3-0.
  2. Motion by Commissioner Jones, second by Commissioner Parker to approve the State Homeland Security Grant Program cooperative grant agreements for the Cherokee County Emergency Management Agency

and the Cherokee County Sheriff's Office and authorize the Vice Chairman and County Administrator to sign. Passed 3-0.

3. Motion by Commissioner Foster, second by Commissioner Parker to declare a 2006 Chevy Colorado | (VIN: 1GTD196268138512) as surplus to be sold on GovDeals.com. Passed 3-0.
4. Motion by Commissioner Foster, second by Commissioner Parker to allow East Alabama Regional Planning and Development Commission to proceed with a grant agreement for the Cherokee Rock Village project. Passed 3-0.
5. Motion by Commissioner Parker, second by Commissioner Jones to approve to imitate an agreement with Cherokee Medical Center for the construction of a hospital/county morgue and for the county attorney to get documents from the hospital to proceed with the project. Passed 3-0.
6. Motion by Commissioner Foster, second by Commissioner Parker to approve a resolution authorizing an amendment to the certificate of incorporation of the Public Parks and Recreation Board of Cherokee County, Alabama Incorporated. Passed 3-0.

13. Executive Session: None

14. Discussion Items by Commissioners:

1. Commissioner Parker thanked Commissioner Teague for his service as Vice Chairman over the past few meetings in the absence of the Chairman.

15. Motion by Commissioner Foster, second by Commissioner Jones to adjourn the meeting. Passed 3-0.

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

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Randy Jones, District I

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Kimball Parker, District II

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Marcie Foster, District III

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Carlton Teague, District IV

# CHEROKEE COUNTY COMMISSION CENTRE, ALABAMA

## MINUTES

On November 21, 2017, Governor Kay Ivey appointed Tim Burgess to fill the Cherokee County Probate Judge vacancy caused by the untimely passing of Probate Judge J. Kirk Day. Judge Burgess was administered the Oath of Office on December 1<sup>st</sup>, 2017.

DATE:	PRESENT:	ABSENT:
December 11, 2017	Randy Jones, District I Kimball Parker, District II Marcie Foster, District III Carlton Teague, District IV Tim Burgess, Chairman	

1. The Chairman called the meeting to order.
2. Public Comment From Citizens: None
3. Public Comment from other Elected Officials: None
4. Roll Call to Establish Quorum:  
District I, Commissioner Jones – Present  
District II, Commissioner Parker – Present  
District III, Commissioner Foster – Present  
District IV, Commissioner Teague – Present
5. The Chairman led the Pledge of Allegiance and Commissioner Jones gave the invocation.
6. Awards and Presentations:
7. Motion by Commissioner Foster, second by Commissioner Teague to approve the agenda for the December 11, 2017 regular meeting. Passed 4-0.
8. Motion by Commissioner Jones, second by Commissioner Parker to approve the Consent Agenda approving prior meeting minutes and payables. Passed 4-0.
9. Reports from Staff:  
County Administrator – None Submitted  
County Engineer Corey Chambers – None Submitted  
County Attorney Bill Hawkins – None Submitted  
County Sheriff Jeff Shaver – None Submitted
10. Public Meetings: None.
11. Old Business: None.
12. New Business:
  1. Motion by Commissioner Foster, second by Commissioner Jones to reappoint Connie Coley to the CED Mental Health Board to a six year term ending in April 2023. Passed 4-0.
  2. Motion by Commissioner Parker, second by Commissioner Teague to appoint Doug Davis to a four year term on the Cherokee County Public Building Authority. Passed 4-0.
  3. Motion by Commissioner Foster, second by Commissioner Teague to designate Peoples Bank of Alabama and First Southern State Bank as the County Depositories for 2018. Passed 4-0.
  4. Motion by Commissioner Parker, second by Commissioner Foster to approve job posting for an Accounts Payable Clerk (Grade 4, Step 1) at the Commission Office. Passed 4-0.
  5. Motion by Commissioner Parker, second by Commissioner Foster to approve to close the Administration Building from 11:30 AM – 1:00 PM on Friday, December 15th for the annual Christmas Luncheon. Passed 4-0.

6. Motion by Commissioner Foster, second by Commissioner Jones to approve to close all county offices on Friday, December 22nd and Monday, December 25th for the Christmas Holiday. Passed 4-0.
7. Motion by Commissioner Foster, second by Commissioner Jones to amend the FY18 budget to include a request for the funding from the Healthcare Authority for a Mental Health Officer. Passed 4-0.
8. Motion by Commissioner Parker, second by Commissioner Foster to promote Daniel Steele to County Administrator from Grade 9, Step 3 to Grade 12, Step 1. Passed 4-0.
9. Motion by Commissioner Teague, second by Commissioner Jones to approve the Department of Homeland Security grant program cooperative agreements for Mt. Weisner FD in the amount of \$30,415, Spring Creek VFD in the amount of \$23,070 and McCord's Crossroads VFD in the amount of \$49,983 and authorize the Chairman to sign. Passed 4-0.
10. Motion by Commissioner Foster, second by Commissioner Parker to go into recess so that Judge Burgess could administer the Oath of Office to Officer Tracy Nelson. Passed 4-0.
11. Motion by Commissioner Foster, second by Commissioner Teague to reconvene. Passed 4-0.

13. Executive Session:

1. Preamble.
2. The Chairman stated the reason for the Executive Session:
  - a. Discussion with County Attorney – legal ramifications and legal options (Section 7a, 3 of Act 2005-40).
3. County Attorney Bill Hawkins stated that this is a valid reason under Alabama Law (Section 7a of Act 2005-40) to go into Executive Session.
4. Motion by Commissioner Parker, second by Commissioner Teague to go into Executive Session.
5. The Vice Chairman called for a Roll Call Vote:
  - Commissioner Jones - Yes
  - Commissioner Parker - Yes
  - Commissioner Foster - Yes
  - Commissioner Teague – Yes

The Commission entered into an executive session.

14. Motion by Commissioner Jones, Second by Commissioner Parker to reconvene. Passed 4-0.
15. Actions taken as result of the Executive Session:
  1. Motion by Commissioner Foster, second by Commissioner Teague to adopt the Resolution of the Board of County Commissioners of Cherokee County, Alabama approving the filling of a civil complaint against the manufacturers and distributors of prescription opioids and authorize the Chairman to sign documents necessary to engage the legal firm to file the suit. Passed 4-0.
16. Discussion Items by Commissioners:
  1. Judge Burgess expressed that he is excited to serve in his new capacity. He is still saddened by the passing of Judge Day and it continues to remain on his heart. He explained that he intends to continue to work on things Judge Day had started. He looks forward to working together with the Commission to get things done.
17. Motion by Commissioner Foster, second by Commissioner Parker to adjourn the meeting. Passed 4-0.

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

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Randy Jones, District I

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Tim Burgess, Chairman

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Kimball Parker, District II

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Marcie Foster, District III

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Carlton Teague, District IV