

# CHEROKEE COUNTY COMMISSION CENTRE, AL

## MINUTES

The Cherokee County Commission met in regular session on the date specified below. Bills were reviewed and approved as per attached at month-end.

DATE: PRESENT: Lori J. Owens, District I

ABSENT:

Vacant due to the passing of  
Earl Westbrook, District II

Elbert St. Clair, District III  
Kay Y. Chumbler, District IV  
J. Kirk Day, Chairman

1. The Chairman called the meeting to order.
2. Public Comment From Citizens:  
None Submitted
3. Public Comment from other Elected Officials:  
None Submitted
4. Roll Call to Establish Quorum:  
District I, Commissioner Owens – Present  
District II, Commissioner Westbrook – A Moment of Silence for in honor of the passing  
of Commissioner Earl Westbrook who deceased on January 2, 2006.  
District III, Commissioner St. Clair – Present  
District IV, Commissioner Chumbler – Present
5. Motion by Elbert St. Clair, second by Lori Owens to approve the agenda as published for  
the January 9, 2006 meeting with one addition being item 7 in new business concerning  
the approval of the 2006 Exemption List for Solid Waste Pickup as submitted by the  
Health Department. Passed 3-0.

6. The Chairman led the Pledge of Allegiance to the American Flag and Wayne Cochran  
gave the Invocation.

7. Awards and Presentations:

None Submitted

8. Motion by Kay Chumbler, second by Elbert St. Clair to approve the minutes as  
published for the December 12, 2005 regular meeting. Passed 3-0.

9. Reports from Staff:

County Administrator

Tim Burgess, County Administrator explained to the Commission that the new  
boiler has been installed and working well in the Courthouse.

The Administrator also discussed the insurance renewal options for the January  
1, 2006 – December 31, 2006 renewal period. A total of four quotes were  
submitted. The four quotes were from the ACCA in the amount of \$120,416,  
Trident in the amount of \$131,941, St. Paul/Travelers Option 1 in the amount of  
\$127,716 and St. Paul/Travelers Option 2 in the amount of \$136,223. ACCA is a  
claims made policy and offers only liability coverage. Trident is the current  
carrier is an occurrence based policy and offers liability and property coverage.  
St. Paul/Travelers is comparable to Trident and Option 2 has higher limits.

Also, the administrator requested that a new computer system technician/administrative assistant position be created due to the increase in demand for computer information systems technology. The salary would be funded one-half by the commission and one-half by the reappraisal fund. Revenue Commissioner Johnny Roberts reported that the state revenue department has approved funding one-half of the salary through the reappraisal fund.

#### County Engineer

Roger Hall, County Engineer reported to that the Commission that there has been an increase in county road signs being stolen which could cause potential dangerous traffic situations. Mr. Hall made a plea to anyone who had knowledge of the occurrences to please contact proper authorities.

County Attorney – None Submitted.

#### County EMA Director

Beverly Daniel, EMA Director requested approval to seek bids for a Pre-disaster contract for debris removal from county property and right-of-ways in the event of disaster situations.

#### 10. Old Business

None Submitted

#### 11. New Business:

- A. Motion by Lori Owens, second by Kay Chumbler to adopt the calendar year 2006 Holiday Schedule. Passed 3-0.
- B. Motion by Elbert St. Clair, second by Kay Chumbler to renew property and liability insurance with Trident Insurance provided by the Rankin Agency in the amount of \$131,941 for the renewal period January 1, 2006 – December 31, 2006. Passed 3-0.
- C. Motion by Lori Owens, second by Elbert St. Clair to approve board appointment announcement for Etowah/Cherokee MR310 Board and receive resumes for one month period. Passed 3-0.
- D. Motion by Kay Chumbler, second by Elbert St. Clair to approve the new employment position for Computer Systems Technician/Administrative Assistant with the understanding that one-half of the salary would be funded by the Commission and one-half would be funded by the reappraisal fund. Passed 3-0.
- E. Motion by Lori Owens, second by Elbert St. Clair to approve moving the Community Action Office in the Courthouse into the office vacated by Department of Veterans' Affairs. Passed 3-0.
- F. Vickie Robinson from the Cherokee County Herald addressed the Commission requesting an advertisement. The commission took the request under advisement. No action taken.
- G. Motion by Lori Owens, second by Elbert St. Clair to approve the 2006 Exemption List for Solid Waste Pickup as submitted by the Health Department. Passed 3-0.

#### 12. Public Hearings:

None Submitted

13. Discussion Items by Commissioners:

Lori Owens spoke to the commission concerning the need for setting an agenda deadline so that items could be presented in a timely fashion. The deadline would be Wednesday 4:30 pm before the next regular Monday meeting unless in the event of an emergency and the agenda will be placed in the Commissioners box by Friday 12:00 noon before the regular Monday meeting. Motion by Lori Owens, second by Elbert St. Clair to approve the request. Passed 3-0.

14. Motion by Elbert St. Clair, second by Lori Owens to adjourn. Passed 3-0.

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

Lori J. Owens, District I

J. Kirk Day, Chairman

XXXXXXXXXXXXXXXXXXXXXXXXXXXX  
Vacant, District II

Elbert St. Clair, District III

Kay Y. Chumbler, District IV



# CHEROKEE COUNTY COMMISSION CENTRE, AL

## MINUTES

The Cherokee County Commission met in regular session on the date specified below. Bills were reviewed and approved as per attached at month-end.

DATE:	PRESENT:	ABSENT:
January 23, 2006	Lori J. Owens, District I	Vacant due to the passing of Earl Westbrook, District II
	Elbert St. Clair, District III	
	Kay Y. Chumbler, District IV	
	J. Kirk Day, Chairman	

1. The Chairman called the meeting to order.
2. Public Comment From Citizens:  
None Submitted
3. Public Comment from other Elected Officials:  
None Submitted
4. Roll Call to Establish Quorum:  
District I, Commissioner Owens – Present  
District II, Vacant  
District III, Commissioner St. Clair – Present  
District IV, Commissioner Chumbler – Present
5. Motion by Elbert St. Clair, second by Lori Owens to approve the agenda as published for the January 23, 2006 meeting with one deletion being item 1 in old business to approve the advertisement and let bids for Cherokee County EMA Pre-disaster contract discussed at prior meeting. Passed 3-0.
6. The Chairman led the Pledge of Allegiance to the American Flag and Wayne Lindsey gave the Invocation.
7. Awards and Presentations:  
None Submitted
8. Motion by Elbert St. Clair, second by Lori Owens to approve the minutes as published for the January 9, 2006 regular meeting. Passed 3-0.
9. Reports from Staff:  
County Administrator – None Submitted.  
County Engineer – None Submitted.  
County Attorney – None Submitted.
10. Old Business  
None Submitted
11. New Business:
  - A. Motion by Kay Chumbler, second by Elbert St. Clair to approve mileage reimbursement, as set by the State for persons traveling in privately owned vehicles on official business at \$0.445 per mile. Passed 3-0.

- B. Motion by Lori Owens, second by Elbert St. Clair to adopt the attached resolution to request the Legislature to repeal Act 2006-2006 (\$12,000 pay increase for Probate Judge) as read. Passed 3-0.
- C. Motion by Kay Chumbler, second by Elbert St. Clair to adopt the proclamation concerning the Alabama Department of Education and national educational organizations proclaiming February 12-18, 2006 as Career/Technical Education Week as read. Passed 3-0.
- D. Motion by Lori Owens, second by Kay Chumbler to approve the hiring of Panitha Malone for the position of Probate Office Clerk at a starting rate of \$8.17 per hour. Passed 3-0.
- E. Motion by Lori Owens, second by Elbert St. Clair to approve excess land redemptions for Reba Ray in the amount of \$168.33, Imogene Painter in the amount of \$159.64, John Benefield in the amount of \$204.90, and John Benefield in the amount of \$389.24. Passed 3-0.

12. Public Hearings:

None Submitted

13. Discussion Items by Commissioners:

Commissioner Chumbler announced that she would be holding a meeting for District IV citizen concerns on Tuesday, February 7, 2006 from 5:00 pm until 7:00 pm at the Salem United Methodist Church.

14. Executive Session:

A. Preamble.

B. 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 a claim filed with the county.

C. Statement from County Attorney Bill Hawkins that this is a valid reason under Alabama Law (Section 7a of Act 2005-40) to go into Executive Session.

D. Motion to go into Execution Session will be obtained by roll call vote.

E. Roll Call Vote:

Commissioner Owens – Yes  
 Commissioner St. Clair – Yes  
 Commissioner Chumbler – Yes

F. Motion by Lori Owens, second by Elbert St. Clair to re-enact the rules and reconvene to continue with items left on the agenda. Passed 3-0. The Chairman explained that the County Attorney needed to gather additional information and the Commission would not have an action on the matter at this time.

15. Motion by Kay Chumbler, second by Lori Owens to adjourn meeting. Passed 3-0.

The Chairman announced that a Special Commission Meeting is called for Wednesday, January 25, 2006 at 5:00 pm. The agenda is discussion and adjustment of polling places and precincts to bring County into compliance with Federal & State ADA/HAVA Laws.

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

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 Lori J. Owens, District I

\_\_\_\_\_  
 J. Kirk Day, Chairman

XXXXXXXXXXXXXXXXXXXX  
 Vacant, District II

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 Elbert St. Clair, District III

\_\_\_\_\_  
 Kay Y. Chumbler, District IV



# CHEROKEE COUNTY COMMISSION CENTRE, AL

## MINUTES

The Cherokee County Commission met in regular session on the date specified below. Bills were reviewed and approved as per attached at month-end.

DATE:                   PRESENT:                   Lori J. Owens, District I

ABSENT:

Vacant due to the passing of  
Earl Westbrook, District II

Elbert St. Clair, District III  
Kay Y. Chumbler, District IV  
J. Kirk Day, Chairman

1. The Chairman called the meeting to order.
2. Public Comment From Citizens:  
None Submitted
3. Public Comment from other Elected Officials:  
  
Revenue Commissioner John A. Roberts reported to the Commission that it was time to ask the county to approve the levy of ad valorem taxes as 42 mills for county and state and additional 5 mills for municipality for a total of 47 mills.
4. Roll Call to Establish Quorum:  
  
District I, Commissioner Owens – Present  
District II, Vacant  
District III, Commissioner St. Clair – Present  
District IV, Commissioner Chumbler – Present
5. Motion by Lori Owens, second by Elbert St. Clair to approve the agenda as published for the February 13, 2006 meeting. Passed 3-0.
6. The Chairman led the Pledge of Allegiance to the American Flag and Tim Burgess gave the Invocation.

7. Awards and Presentations:

None Submitted

8. Motion by Elbert St. Clair, second by Kay Chumbler to approve the minutes as published for the January 23, 2006 regular meeting. Passed 3-0.

9. Reports from Staff:

County Administrator

County Administrator Tim Burgess discussed with the Commission that two bids were submitted for the GIS Mapping System Hardware. E&M Services submitted a bid for \$33,084. Premise, Inc. submitted a bid for \$32,088. The recommendation is to award Premise, Inc. the low bid of \$32,088.

County Engineer – None Submitted.

County Attorney – None Submitted.

Library Board: Report from Library Board

Mrs. Doris Pearson reported to the Commission about the Cherokee County Library. The report discussed many topics about various projects. Mrs. Pearson praised the staff for their hard work. The discussion also included reports about the Genealogy department and computers. Mrs. Pearson also explained that the

conference room would be available after hours for a fee of \$25. She also encouraged individuals who have not been to the library to please come by.

The Chairman also announced that the commission is seeking resumes for the Cheaha Regional Library and Cherokee County Library for board appointments due. The target for appointments will be the first meeting in March 2006.

#### 10. Old Business

None Submitted

#### 11. New Business:

- A. Motion by Lori Owens, second by Elbert St. Clair to approve the County to levy ad valorem taxes for the year 2006 calculated as 42 mills for county and state and 5 mills for municipal for a total of 47 mills as provided by John A. Roberts, Revenue Commissioner. Passed 3-0.
- B. Motion by Elbert St. Clair, second by Lori Owens to declare 6 dump trucks (CC83, CC84, CC505, CC506, CC507, CC508) as surplus and enter the equipment in the April 6&7 Richie Brothers Equipment Auction and declare small dump truck CC49 and Chevy S-10 CC67 as surplus and enter into the American Auctioneers February 2006 auction and authorize Chairman to sign documents for both sales. Passed 3-0.
- C. Motion by Kay Chumbler, second by Elbert St. Clair to award GIS Mapping System Hardware to Premise, Inc. (lowest bidder) in the amount of \$32,088. Passed 3-0.
- D. Motion by Lori Owens, second by Elbert St. Clair to approve repair of Cherokee County Detention Center Fire Alarm Motherboard in the amount of \$2,776 to Seimens, Inc.. Passed 3-0.
- E. Motion by Lori Owens, second by Elbert St. Clair to adopt Resolution specifying that the Sheriff of Cherokee County is to be considered a county official for the purposes of participating in the Retirement Systems of Alabama as read. Passed 3-0.
- F. The Chairman announced that no action would be taken at this time for appointing Library Board members due to the 30 day announcement period.

#### 12. Public Hearings:

None Submitted

#### 13. Discussion Items by Commissioners:

Commissioner Owens announced offices hours in the Cherokee County Administrative Center on Monday, February 27, 2006 from 1:00 P.M. to 4:00 P.M.

#### 14. Executive Session:

- A. Preamble.
- B. 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 2 claims filed with the county.
- C. Statement from County Attorney Bill Hawkins that this is a valid reason under Alabama Law (Section 7a of Act 2005-40) to go into Executive Session.
- D. Motion by Kay Chumbler, second by Elbert St. Clair to go into Execution Session.
- E. Roll Call Vote:  
Commissioner Owens – Ycs  
Commissioner St. Clair – Ycs  
Commissioner Chumbler – Yes

F. Motion by Lori Owens, second by Elbert St. Clair to re-enact the rules and reconvene to continue with items left on the agenda. Passed 3-0. The Chairman explained that the County Attorney needed to gather additional information and the Commission would not have an action on the matter at this time.

15. Motion by Lori Owens, second by Kay Chumbler to adjourn meeting. Passed 3-0.

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

Lori J. Owens, District I

J. Kirk Day, Chairman

XXXXXXXXXXXXXXXXXXXXX  
Vacant, District II

Elbert St. Clair, District III

Kay Y. Chumbler, District IV



# CHEROKEE COUNTY COMMISSION CENTRE, AL

## MINUTES

The Cherokee County Commission met in regular session on the date specified below. Bills were reviewed and approved as per attached at month-end.

DATE:                   PRESENT:                   Lori J. Owens, District I

ABSENT:

Vacant due to the passing of  
Earl Westbrook, District II

Elbert St. Clair, District III  
Kay Y. Chumbler, District IV  
J. Kirk Day, Chairman

1. The Chairman called the meeting to order.
2. Public Comment From Citizens:  
  
Mr. James Rosser addressed the Commission concerning a road that is off of county road 83. The Chairman explained that the road was probably a private road and the county could not maintain it. The Chairman directed Roger Hall, County Engineer to look at problem and see if there was anything the county could do.
3. Public Comment from other Elected Officials:  
  
The Chairman announced that the Commission had received a petition from citizens opposing the closing of Lindsey's Store as a polling place.  
  
Sheriff Larry Wilson requested the purchase of two vehicles to be used by the Drug Task Force. The costs of the vehicles would be reimbursed by the COPS grant.
4. Roll Call to Establish Quorum:  
  
District I, Commissioner Owens – Present  
District II, Vacant  
District III, Commissioner St. Clair – Present  
District IV, Commissioner Chumbler – Present
5. Motion by Kay Chumbler, second by Elbert St. Clair to approve the agenda as published for the February 26, 2006 meeting. Passed 3-0.

6. The Chairman led the Pledge of Allegiance to the American Flag and gave the Invocation.

7. Awards and Presentations:

None Submitted

8. Motion by Elbert St. Clair, second by Lori Owens to approve the minutes as published for the February 13, 2006 regular meeting. Passed 3-0.

9. Reports from Staff:

County Administrator – None Submitted.

County Engineer – None Submitted.

County Attorney – None Submitted.

Cherokee County Water & Sewer Authority: Report

Sid Garrett gave an update from the authority about expansions and projects taking place.

10. Old Business

None Submitted

11. New Business:

- A. Motion by Lori Owens, second by Elbert St. Clair to adopt a resolution with joint agreement between Cherokee County Commission and Cedar Bluff Water and Sewer for CDBG Grant. Passed 3-0.
- B. Motion by Kay Chumbler, second by Elbert St. Clair to award the Public Warning Siren Bid to McCord Communications with a unit price of \$10,704.20. Passed 3-0.
- C. The Chairman announced that the Etowah/Cherokee MR-310 Board members are to be appointed and the commission would begin accepting resumes. The Chairman also pointed out that current board members Jane Poovey and Shad Ellis have agreed to continue to serve.
- D. Motion by Lori Owens, second by Elbert St. Clair to renew health insurance contract with Blue Cross/Blue Shield at the attached rates. Passed 3-0.  
Motion by Kay Chumbler, second by Elbert St. Clair to extend the \$85 health insurance supplement for family coverage premiums. Passed 4-0.
- E. Motion by Elbert St. Clair, second by Lori Owens to approve the excess land exemptions to James W. Ray in the amount \$198.53 and Imogene Painter in the amount of \$790.87. Passed 3-0.
- F. Motion by Lori Owens, second by Elbert St. Clair to approve the purchase of two vehicles for the drug task force to be reimbursed by the COPS Grant. Passed 3-0.

12. Public Hearings:

None Submitted

13. Discussion Items by Commissioners:

None Submitted

- 14. Motion by Elbert St. Clair, second by Lori Owens to adjourn meeting. Passed 3-0.

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

Lori J. Owens, District I

J. Kirk Day, Chairman

XXXXXXXXXXXXXXXXXXXX  
Vacant, District II

Elbert St. Clair, District III

Kay Y. Chumbler, District IV



# CHEROKEE COUNTY COMMISSION CENTRE, AL

## MINUTES

The Cherokee County Commission met in regular session on the date specified below. Bills were reviewed and approved as per attached at month-end.

DATE:                   PRESENT:                   ABSENT:  
March 13, 2006       Lori J. Owens, District I

Vacant due to the passing of  
Earl Westbrook, District II  
Elbert St. Clair, District III

Kay Y. Chumbler, District IV  
J. Kirk Day, Chairman

1. The Chairman called the meeting to order.
2. Public Comment From Citizens:  
None Submitted
3. Public Comment from other Elected Officials:  
  
The Chairman warned the public concerning an IRS Tax Scam. Individuals are contacted by email that refunds were awaiting them and they needed to give their bank information to have the funds electronically transferred. However the chairman stated that the IRS will not send an email and ask for your personal information.
4. Roll Call to Establish Quorum:  
  
District I, Commissioner Owens – Present  
District II, Vacant  
District III, Commissioner St. Clair – Absent  
District IV, Commissioner Chumbler – Present
5. Motion by Kay Chumbler, second by Elbert St. Clair to approve the agenda as published for the March 13, 2006 meeting. Passed 2-0.

6. The Chairman led the Pledge of Allegiance to the American Flag and Wayne Lindsey gave the Invocation.

7. Awards and Presentations:

None Submitted

8. Motion by Kay Chumbler, second by Lori Owens to approve the minutes as published for the February 27, 2006 regular meeting. Passed 2-0.

9. Reports from Staff:

County Administrator

County Administrator Tim Burgess along with Revenue Commissioner John A Roberts recommended to the Commission to hire Matt Sims for the Computer Technician/Administrative Assistant Position at a salary of \$47,500 per year. Administrator Burgess explained that 14 applicants were interviewed. Mr. Sims met the qualifications and has had extensive experience with AS400 and Delta Software while working with Etowah County.

The Administrator also stated that the bids for the renovation of the Cherokee County Detention Center was opened on March 7. There were four bidders. The lowest bidder was AE Sanders Construction at \$630,000. The architect has reviewed the bid applications and sent a letter recommending that AE Sanders be awarded the bid.

County Engineer

County Engineer Roger Hall gave an update concerning the installation of a caution light at the intersection of Alabama Highways 273 & 35, and County Road 15. The caution light is a joint effort between the County and Alabama DOT. Mr. Hall stated that the caution light was in place but not operating yet due to the need of power. Mr. Hall was hopeful that power would be connected in the next week or two.

County Attorney – None Submitted

10. Old Business

None Submitted

11. New Business:

- A. Motion by Lori Owens, second by Kay Chumbler to approve hiring Matt Sims for the Computer Technician/Administrative Assistant at a salary of \$47,500. The Commission will pay one half of the salary and one half will be paid by the reappraisal fund. Passed 2-0.
- B. Motion by Lori Owens, second by Kay Chumbler to approve to let bids for pre-disaster contract for removal and disposal of debris from Cherokee County Rights of Way including streets, roads, parks, and utility ROW's with Cherokee County. Passed 2-0.
- C. Motion by Kay Chumbler, second by Lori Owens to re-appoint Martha Burkhalter to the Cherokee County Public Library Board as recommended from the Library Board of Trustees for a term ending February 1, 2010. Passed 2-0.
- D. Motion by Kay Chumbler, second by Lori Owens to appoint Johna Lindsey to the Cheaha Regional Library Board for a term ending February 1, 2010. Passed 2-0.
- E. Motion by Lori Owens, second by Kay Chumbler to accept the resignation of Eilun Perry from the Cherokee County Department of Human Resources and announce 30-day period to receive resumes for replacement. Passed 2-0.
- F. Motion by Kay Chumbler, second by Lori Owens to adopt a resolution declaring April 24<sup>th</sup> – 29<sup>th</sup>, 2006 as Cherokee County Cleanup Week as read by the Chairman. Passed 2-0.
- G. Motion by Lori Owens, second by Kay Chumbler to adopt a resolution for the Cherokee County High School Boys Basketball Accomplishments as read by the Chairman. Passed 2-0.
- H. Motion by Lori Owens, second by Kay Chumbler to adopt a resolution for the Spring Garden Girls Basketball Accomplishments as read by the Chairman. Passed 2-0.
- I. Motion by Kay Chumbler, second by Lori Owens to adopt a resolution for Sand Rock Girls Basketball Accomplishments as read by the Chairman. Passed 2-0.
- J. Motion by Lori Owens, second by Kay Chumbler to award bid to AE Sanders Construction (lowest bidder) for the renovation of the Cherokee County Detention Center in the amount of \$630,000. Passed 2-0.

The Chairman explained that the only item left on the agenda would be adoption of the Resolution to Enact Changes to County Voting Precincts and Polling Places. Due to the absence of Commissioner St. Clair the Chairman entertained a motion to recess until such time that the county could have as much representation as possible. Motion by Kay Chumbler, second by Lori Owens to recess the meeting until Wednesday, March 15, 2006 at 6:00 P.M at this location.

Lori J. Owens, District I

J. Kirk Day, Chairman

XXXXXXXXXXXXXXXXXXXX  
Vacant, District II

Absent  
Elbert St. Clair, District III

Kay Y. Chumbler, District IV



Mr. Mark Green was appointed by Gov. Bob Riley to fill the vacant District II Commissioner Seat to replace the late Earl Westbrook. After the proper credentials were presented, Mr. Green took the Oath of Office as executed by Judge J. Kirk Day.

The Chairman called for a roll call vote to reconvene the meeting and establish a quorum.

District I, Commissioner Owens – Present  
District II, Commissioner Green – Present  
District III, Commissioner St. Clair – Present  
District IV, Commissioner Chumbler - Present

K. Chairman Day explained the reasons for changing precincts and also discussed the process of Pre-Clearance with the Justice Department. He also discussed how to educate the public on the new precincts and read the attached Resolution to Enact Changes to County Voting Precincts and Polling Places. Motion by Lori Owens, second by Elbert St. Clair to adopt the aforementioned resolution. Upon motion duly made that the foregoing resolution be adopted, which motion was seconded, and, upon the said motion being put to vote, the following vote was recorded.

YEAS

Lori J. Owens  
Mark Green  
Elbert St. Clair  
Kay Y Chumbler

NAYS

12. Public Hearings:

None Submitted

13. Discussion Items by Commissioners:

None Submitted

14. Motion by Elbert St. Clair, second by Lori Owens to adjourn meeting. Passed 4-0.

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

Lori J. Owens, District I

J. Kirk Day, Chairman

Mark Green, District II

Elbert St. Clair, District III

Kay Y. Chumbler, District IV

# CHEROKEE COUNTY COMMISSION CENTRE, AL

## MINUTES

The Cherokee County Commission met in regular session on the date specified below. Bills were reviewed and approved as per attached at month-end.

DATE:  
March 27, 2006

PRESENT:

Lori J. Owens, District I  
Mark Green, District II  
Elbert St. Clair, District III  
Kay Y. Chumbler, District IV

ABSENT:

J. Kirk Day, Chairman

1. Vice-Chairman Elbert St. Clair called the meeting to order.
2. Public Comment From Citizens:  
None Submitted
3. Public Comment from other Elected Officials:
4. Roll Call to Establish Quorum:  
  
District I, Commissioner Owens – Present  
District II, Commissioner Green – Present  
District III, Commissioner St. Clair – Present  
District IV, Commissioner Chumbler – Present
5. Motion by Kay Chumbler, second by Mark Green to approve the agenda as published for the March 27, 2006 meeting. Passed 3-0.
6. Lori Owens led the Pledge of Allegiance to the American Flag and Tim Burgess gave the Invocation.
7. Awards and Presentations:  
  
None Submitted
8. Motion by Lori Owens, second by Kay Chumbler to approve the minutes as published for the March 13, 2006 regular meeting. Passed 3-0.

9. Reports from Staff:

County Administrator

County Administrator Tim Burgess presented the Commissioners with bid specifications for lawn maintenance for approval and to let bids for the same.

The contract for the renovation of the Cherokee Detention Center has been completed and a request was made to allow the Chairman to sign the documents.

County Engineer

County Engineer Roger Hall explained that the installation of a caution light at the intersection of Alabama Highways 273 & 35, and County Road 15 was complete and the light is now operating.

County Attorney – None Submitted

10. Old Business

None Submitted



11. New Business:

- A. Motion by Lori Owens, second by Mark Green to approve to let bids for the landscaping and lawn maintenance. Passed 3-0.
- B. Motion by Mark Green, second by Kay Chumbler to re-appoint Jane Poovey to the MR-310 Board for a term ending April 1, 2009. Passed 3-0.
- C. Motion by Kay Chumbler, second by Lori Owens to re-appoint Shad Ellis to the MR-310 Board for a term ending April 1, 2011. Passed 3-0.
- D. Motion by Lori Owens, second by Mark Green to authorize the Chairman to sign contract for Alterations to the Cherokee County Jail with AE Sanders Construction Company, Inc. Passed 3-0.

12. Public Hearings:

None Submitted

13. Discussion Items by Commissioners:

None Submitted

- 14. Motion by Mark Green, second by Kay Chumbler to adjourn meeting. Passed 3-0.

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

Lori J. Owens, District I

J. Kirk Day, Chairman

Mark Green, District II

Elbert St. Clair, District III

Kay Y. Chumbler, District IV

# CHEROKEE COUNTY COMMISSION CENTRE, AL

## MINUTES

The Cherokee County Commission met in regular session on the date specified below. Bills were reviewed and approved as per attached at month-end.

DATE:	PRESENT:	ABSENT:
April 10, 2006	Lori J. Owens, District I	Mark Green, District II
	Elbert St. Clair, District III	
	Kay Y. Chumbler, District IV	
	J. Kirk Day, Chairman	

1. The Chairman called the meeting to order.
2. Public Comment From Citizens: None Submitted
3. Public Comment from other Elected Officials: None Submitted
4. Roll Call to Establish Quorum:  
  
District I, Commissioner Owens – Present  
District II, Commissioner Green – Absent  
District III, Commissioner St. Clair – Present  
District IV, Commissioner Chumbler – Present
5. Motion by Lori Owens, second by Elbert St. Clair to approve the agenda as published for the April 10, 2006 meeting. Passed 3-0.
6. The Chairman led the Pledge of Allegiance to the American Flag and Tim Burgess gave the Invocation.
7. Awards and Presentations: None Submitted
8. Motion by Elbert St. Clair, second by Kay Chumbler to approve the minutes as published for the March 27, 2006 regular meeting. Passed 3-0.
9. Reports from Staff:  
  
County Administrator  
County Administrator Tim Burgess explained to the Commission that there were no bidders for the EMA Pre-disaster contract. The EMA office will be contacted to determine appropriate action and the Commission will be advised.  
  
County Engineer – None Submitted  
  
County Attorney – None Submitted
10. Old Business: None Submitted
11. New Business:
  - A. Motion by Lori Owens, second by Elbert St. Clair to approve the highway department to enter 6 dump trucks and 1 low boy tractor in the April 2007 equipment sale in relation to the lease rollover program.. Passed 3-0.
  - B. Motion by Kay Chumbler, second by Elbert St. Clair to approve the highway department to purchase 6 dump trucks and 1 low boy tractor for a March 2007 delivery date in relation to the lease rollover program. Passed 3-0.
  - C. Motion by Elbert St. Clair, second by Lori Owens to approve excess land redemptions to Michael & Terry Tucker in the amount of \$210.84, Imogene Painter in the amount of \$428.38, David McDaniel in the amount of \$252.74, and David McDaniel in the amount of \$225.40. Passed 3-0.
12. Public Hearings: None Submitted



13. Discussion Items by Commissioners: None Submitted

14. Motion by Elbert St. Clair, second by Kay Chumbler to adjourn meeting. Passed 3-0.

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

Lori J. Owens, District I

J. Kirk Day, Chairman

Mark Green, District II

Elbert St. Clair, District III

Kay Y. Chumbler, District IV

# CHEROKEE COUNTY COMMISSION CENTRE, AL

## MINUTES

The Cherokee County Commission met in regular session on the date specified below. Bills were reviewed and approved as per attached at month-end.

DATE:	PRESENT:	ABSENT:
April 24, 2006	Lori J. Owens, District I Mark Green, District II Elbert St. Clair, District III Kay Y. Chumbler, District IV J. Kirk Day, Chairman	

1. The Chairman called the meeting to order.
2. Public Comment From Citizens: None Submitted
3. Public Comment from other Elected Officials: None Submitted
4. Roll Call to Establish Quorum:  
  
District I, Commissioner Owens – Present  
District II, Commissioner Green – Present  
District III, Commissioner St. Clair – Present  
District IV, Commissioner Chumbler – Present
5. Motion by Elbert St. Clair, second by Mark Green to approve the agenda as published for the April 24, 2006 meeting. Passed 4-0.
6. The Chairman led the Pledge of Allegiance to the American Flag and Mark Green gave the Invocation.
7. Awards and Presentations: None Submitted
8. Motion by Lori Owens, second by Elbert St. Clair to approve the minutes as published for the April 10, 2006 regular meeting. Passed 4-0.
9. Reports from Staff:  
  
County Administrator – Tim Burgess  
Advised the Commission on the lawn maintenance bid opening. There were 13 bid specifications packets requested and six companies that entered a bid. The successful responsible bidder was J.R.R., Inc. d/b/a Lawn Maintenance at a rate of \$575.50 per month or \$6,906 per year. The company met the required insurance, license, and equipment qualifications.  
  
County Engineer – None Submitted  
  
County Attorney – None Submitted
10. Old Business: None Submitted
11. New Business:
  - A. John A. Roberts gave an update to the Commission concerning the E-911 board. He stated that there are currently 7 members. Mr. Roberts also discussed the alternate site for the central dispatch operations and expressed thanks to TDS for help in information technology concerns. E-911 is concerned about homeland security issues and working on implementing equipment that will patch radio frequencies together for all phases of enforcement and emergency agencies. The board has hired Lee Moore as a technology consultant.
  - B. Motion by Motion by Elbert St. Clair, second by Kay Chumbler to award the lawn maintenance and landscaping contract to J.R.R., Inc. d/b/a Lawn Maintenance as the lowest responsible bidder in the amount of \$575.50 per month or \$6,906 per year. Passed 4-0.
12. Public Hearings: None Submitted



13. Discussion Items by Commissioners: None Submitted

14. Motion by Elbert St. Clair, second by Lori Owens to adjourn meeting. Passed 4-0.

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

Lori J. Owens, District I

J. Kirk Day, Chairman

Mark Green, District II

Elbert St. Clair, District III

Kay Y. Chumbler, District IV

# CHEROKEE COUNTY COMMISSION CENTRE, AL

## MINUTES

The Cherokee County Commission met in regular session on the date specified below. Bills were reviewed and approved as per attached at month-end.

DATE:	PRESENT:	ABSENT:
May 08, 2006	Lori J. Owens, District I Mark Green, District II Elbert St. Clair, District III Kay Y. Chumbler, District IV J. Kirk Day, Chairman	

1. The Chairman called the meeting to order.
2. Public Comment From Citizens: None Submitted
3. Public Comment from other Elected Officials: None Submitted
4. Roll Call to Establish Quorum:  
  
District I, Commissioner Owens – Present  
District II, Commissioner Green – Present  
District III, Commissioner St. Clair – Present  
District IV, Commissioner Chumbler – Present
5. Motion by Elbert St. Clair, second by Kay Chumbler to approve the agenda as published for the May 8, 2006 meeting. Passed 4-0.
6. The Chairman led the Pledge of Allegiance to the American Flag and Tim Burgess gave the Invocation.
7. Awards and Presentations: None Submitted
8. Motion by Mark Green, second by Lori Owens to approve the minutes as published for the April 24, 2006 regular meeting. Passed 4-0.
9. Reports from Staff:  
  
County Administrator – Tim Burgess  
Administrator explained to the commission the need for a contract to maintain chemical maintenance for the administrative building HVAC System. Garrett Callahan Company has requested that their contract be renewed for a sum of \$3,600 per year. This chemical treatment will allow the HVAC System to run properly.  
County Engineer – None Submitted  
County Attorney – None Submitted  
Cherokee County MR310 Board  
Jane Poovey representing the Northeast Alabama MR310 Board gave an update to the commission. Also attending the meeting with Ms. Poovey was Board Member Shad Ellis. Ms. Poovey explained that the 310 is the state legislative act that grants the board its authority. Also, the board was sanctioned in 1989. The board serves the mentally retarded patients only. Ms. Poovey explained that the board needed to fill a vacant position on the board. Darlene Glenn with the Group Home training center stated that a greenhouse for the patients needed to be started.
10. Old Business: None Submitted
11. New Business:
  - A. Motion by Elbert St. Clair, second by Kay Chumbler to adopt Cedar Bluff Utilities & Solid Waste Authority CDBG Program Resolution and permission for the Chairman to sign related application documents. Passed 4-0.



- B. Motion by Elbert St. Clair, second by Kay Chumbler to accept Cherokee Landing Subdivision County Road 580 into county maintenance. Passed 4-0. County Engineer Roger Hall presented a check in the amount of \$21,267.50 from the developer for paving and a warranty deed for the 60 foot right of way.
- C. Motion by Lori Owens, second by Mark Green to approve HVAC chemical & chemical maintenance contract with Garrett Callahan Company for \$3,600. Passed 4-0.
- D. Motion by Lori Owens, second by Kay Chumbler to purchase property from Child Advocacy Center in the amount of \$65,000 and allow chairman to negotiate related fees and sign documents. The Chairman explained that this is property that is adjacent to county property beside the old jail. Passed 4-0.
- E. Motion by Kay Chumbler, second by Mark Green to approve the replacement of 5 smoke detectors and one analog loop driver for the Cherokee County Jail to Siemens Building Technologies in the amount of \$2,961. Passed 4-0.
- F. Motion by Lori Owens, second by Elbert St. Clair to re-activate the Local Emergency Planning Commission (LEPC) and re-designate the Cherokee County Emergency Management Office as the focal point for the LEPC. Passed 4-0.
- G. Motion by Elbert St. Clair, second by Lori Owens to approve COLA for supernumerary retirement of county ad valorem tax officials in accordance with Act 2006-108 to provide for future cost-of-living increases in compensation equal to and on the same terms and conditions as increases in compensation of their county retirees, when granted by the county commissions. Passed 4-0.
- H. The Chairman announced an opening on the Cherokee County Human Resources Board and the announcement will serve as the 30 day notice for appointment.
- I. Motion by Mark Green, second by Elbert St. Clair to approve excess land redemptions to David McDaniel in the amount of \$148.67, Larry Teague in the amount of \$336.10, James W. Ray in the amount of \$204.95, and Jerry Findley in the amount of \$439.31. Passed 4-0.

12. Public Hearings: None Submitted

13. Discussion Items by Commissioners: None Submitted

14. Executive Session

1. Preamble.
2. Reason for Executive Session: Discussion of job performance of a county employee (Section 7a, 1 of Act 2005-40)
3. County Attorney Bill Hawkins issued a statement that this is a valid reason under Alabama Law (Section 7a of Act 2005-40) to go into Executive Session.
4. Motion by Kay Chumbler, second by Mark Green to go into Executive Session. Passed 4-0.
5. Roll Call Vote:  
Commissioner Owens – Yes  
Commissioner Green – Yes  
Commissioner St. Clair – Yes  
Commissioner Chumbler – Yes
6. Motion by Lori Owens, second by Mark Green to reinstate rules and reconvene meeting after executive session. Passed 4-0.

15. Motion by Elbert St. Clair, second by Mark Green to adjourn meeting. Passed 4-0.

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

Lori J. Owens, District I

J. Kirk Day, Chairman

Mark Green, District II

Elbert St. Clair, District III

Kay Y. Chumbler, District IV



# CHEROKEE COUNTY COMMISSION CENTRE, AL

## MINUTES

The Cherokee County Commission met in regular session on the date specified below. Bills were reviewed and approved as per attached at month-end.

DATE:	PRESENT:	ABSENT:
May 22, 2006	Lori J. Owens, District I Mark Green, District II Elbert St. Clair, District III Kay Y. Chumbler, District IV J. Kirk Day, Chairman	

1. The Chairman called the meeting to order.
2. Public Comment From Citizens: None Submitted
3. Public Comment from other Elected Officials: None Submitted
4. Roll Call to Establish Quorum:  
District I, Commissioner Owens – Present  
District II, Commissioner Green – Present  
District III, Commissioner St. Clair – Present  
District IV, Commissioner Chumbler – Present
5. Motion by Lori Owens, second by Mark Green to approve the agenda as published for the May 22, 2006 meeting. Passed 4-0.
6. The Chairman led the Pledge of Allegiance to the American Flag and Mark Green gave the Invocation.
7. Awards and Presentations:  
  
The Chairman explained that the Commission was presented a certificate from Gaylesville High School athletics. The certificate states; "This Award is Presented to the Cherokee County Commission In Appreciation Of Your Support to the Gaylesville High School Athletics for the Year 2005 – 2006. The certificate was signed by Mr. McWhorter the Principal of the school.
8. Motion by Elbert St. Clair, second by Mark Green to approve the minutes as published for the May 08, 2006 regular meeting. Passed 4-0.
9. Reports from Staff:  
  
County Administrator – None Submitted  
County Engineer – None Submitted  
County Attorney – None Submitted
10. Old Business: None Submitted
11. New Business:
  - A. Motion by Lori Owens, second by Elbert St. Clair to approve purchase and installation of additional telephone line for the Board of Registrars Office. Passed 4-0. The Chairman explained that they only have one line and need additional lines to better serve the public in the election process.
  - B. Motion by Kay Chumbler, second by Elbert St. Clair to approve the hiring of Ricky Dale Jennings as a Highway Maintenance Technician 1 at a rate of \$7.78 per hour and effective June 01, 2006. Passed 4-0.
  - C. Motion by Lori Owens, second by Mark Green to approve Change Order for relocation of Dispatch Tower, Transceiver Radio Rack and items discussed during pre-construction meeting. Passed 4-0.

D. Motion by Mark Green, second by Elbert St. Clair to appoint Beverly Daniel to fill a vacancy on the Cherokee County MR 310 Board for a term ending April 1, 2007. Passed 4-0.

12. Public Hearings: None Submitted

13. Discussion Items by Commissioners:

Commissioner Mark Green addressed the Commission concerning a request he made to Mr. Thackerson, the district engineer for the Alabama Department of Transportation. The request is concerning the need for a turning lane and caution light on Alabama Hwy 9 at the intersection of County Road's 63 and 69, commonly known as Blackwell's crossroads. Mr. Green stated that there is a lot of traffic and also a dangerous intersection and over the years has produced a number of serious accidents. Mr. Green also explained that he would share Mr. Thackerson's response when it became available.

14. Motion by Elbert St. Clair, second by Kay Chumbler to adjourn meeting. Passed 4-0.

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

Lori J. Owens, District I

J. Kirk Day, Chairman

Mark Green, District II

Elbert St. Clair, District III

Kay Y. Chumbler, District IV

# CHEROKEE COUNTY COMMISSION CENTRE, AL

## MINUTES

The Cherokee County Commission met in regular session on the date specified below. Bills were reviewed and approved as per attached at month-end.

DATE:	PRESENT:	ABSENT:
June 12, 2006	Lori J. Owens, District I Mark Green, District II Elbert St. Clair, District III Kay Y. Chumbler, District IV J. Kirk Day, Chairman	

1. The Chairman called the meeting to order.
2. Public Comment From Citizens: None Submitted
3. Public Comment from other Elected Officials: None Submitted
4. Roll Call to Establish Quorum:  
District I, Commissioner Owens – Present  
District II, Commissioner Green – Present  
District III, Commissioner St. Clair – Present  
District IV, Commissioner Chumbler – Present
5. Motion by Lori Owens, second by Mark Green to approve the agenda as published for the June 12, 2006 meeting. Passed 4-0.
6. The Chairman led the Pledge of Allegiance to the American Flag and Mark Green gave the Invocation.
7. Awards and Presentations:
8. Motion by Elbert St. Clair, second by Lori Owens to approve the minutes as published for the May 22, 2006 regular meeting. Passed 4-0.
9. Reports from Staff:  
County Administrator – None Submitted  
County Engineer – None Submitted  
County Attorney – None Submitted
10. Old Business: None Submitted
11. New Business:
  - A. Motion by Lori Owens, second by Elbert St. Clair to a adopt the attached resolution to change polling place from Union Congregational Methodist Church to Ellisville Volunteer Fire Department effective for the November General Election. Passed 4-0.
  - B. Motion by Mark Green, second by Kay Chumbler to adopt the attached resolution providing for Cherokee County's Participation in the "Sales Tax Holiday" as authorized by Act. No. 2006-574 in August 2006. Passed 4-0.
  - C. Motion by Elbert St. Clair, second by Kay Chumbler to appoint Betsy Hollis to the Cherokee County Human Resources Board for a term ending September 1, 2007 to fill the term vacated by Eilun Perry who resigned February 23, 2006. Passed 4-0.
  - D. Motion by Elbert St. Clair, second by Lori Owens to grant permission to break County Road 568 for sewer repair. Passed 4-0.
  - E. Motion by Lori Owens, second by Mark Green to approve excess land redemption to David McDaniel in the amount \$339.85. Passed 4-0.



12. Public Hearings: None Submitted

13. Discussion Items by Commissioners: None Submitted

14. Motion by Elbert St. Clair, second by Mark Green to adjourn meeting. Passed 4-0.

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

Lori J. Owens, District I

J. Kirk Day, Chairman

Mark Green, District II

Elbert St. Clair, District III

Kay Y. Chumbler, District IV

# CHEROKEE COUNTY COMMISSION CENTRE, AL

## MINUTES

The Cherokee County Commission met in regular session on the date specified below. Bills were reviewed and approved as per attached at month-end.

DATE:	PRESENT:	ABSENT:
June 26, 2006	Lori J. Owens, District I Mark Green, District II Elbert St. Clair, District III Kay Y. Chumbler, District IV J. Kirk Day, Chairman	

1. The Chairman called the meeting to order.
2. Public Comment From Citizens: None Submitted
3. Public Comment from other Elected Officials: None Submitted
4. Roll Call to Establish Quorum:  
District I, Commissioner Owens – Present  
District II, Commissioner Green – Present  
District III, Commissioner St. Clair – Present  
District IV, Commissioner Chumbler – Present
5. Motion by Lori Owens, second by Mark Green to approve the agenda as published for the June 26, 2006 meeting. Passed 4-0.
6. The Chairman led the Pledge of Allegiance to the American Flag and Elbert St. Clair gave the Invocation.
7. Awards and Presentations:

The Chairman stated that the Commission received a Certificate of Appreciation from the IRS. The certificate commended the Commission for providing space in the multi-purpose room so that IRS representatives could provide tax assistance for seniors and other citizens.

8. Motion by Mark Green, second by St. Clair to approve the minutes as published for the June 12, 2006 regular meeting. Passed 4-0.

9. Reports from Staff:

County Administrator – None Submitted

County Engineer – None Submitted

County Attorney – None Submitted

10. Old Business: None Submitted

11. New Business:

- A. Motion by Elbert St. Clair, second by Lori Owens to approve Cherokee County Jail Change Order 2 – Exterior Veneer Repair in the amount of \$23,493.74 plus a fee to be charged by the third party inspector at a rate of \$65 per hour. Passed 4-0.
- B. Motion by Lori Owens, second by Mark Green to approve the excess land redemptions to Brian Bowman in the amount of \$184.22 and John Benefield in the amount of \$264.88. Passed 4-0.
- C. Motion by Lori Owens, second by Elbert St. Clair to approve the Errors and Insolvency report for the 2005 tax year and petition for a refund for prior year 2004 litigation as requested by John A. Roberts, Revenue Commissioner and allow chairman to sign report. Passed 4-0.

D. Motion by Kay Chumbler, second by Mark Green to approve to purchase an advertisement in the Past Times edition of the Cherokee County Herald in the amount of \$265.68. Passed 4-0.

12. Public Hearings: None Submitted

13. Discussion Items by Commissioners: None Submitted

14. Motion by Elbert St. Clair, second by Mark Green to adjourn meeting. Passed 4-0.

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

Lori J. Owens, District I

J. Kirk Day, Chairman

Mark Green, District II

Elbert St. Clair, District III

Kay Y. Chumbler, District IV



# CHEROKEE COUNTY COMMISSION CENTRE, AL

## MINUTES

The Cherokee County Commission met in regular session on the date specified below. Bills were reviewed and approved as per attached at month-end.

DATE:	PRESENT:	ABSENT:
July 10, 2006	Lori J. Owens, District I Mark Green, District II Elbert St. Clair, District III Kay Y. Chumbler, District IV J. Kirk Day, Chairman	

1. The Chairman called the meeting to order.
2. Public Comment From Citizens: None Submitted
3. Public Comment from other Elected Officials: None Submitted
4. Roll Call to Establish Quorum:  
District I, Commissioner Owens – Present  
District II, Commissioner Green – Present  
District III, Commissioner St. Clair – Present  
District IV, Commissioner Chumbler – Present
5. Motion by Mark Green, second by Lori Owens to approve the agenda as published for the July 10, 2006 meeting. Passed 4-0.
6. The Chairman led the Pledge of Allegiance to the American Flag and Tim Burgess gave the Invocation.
7. Awards and Presentations:
8. Motion by Elbert St. Clair, second by Kay Chumbler to approve the minutes as published for the June 26, 2006 regular meeting. Passed 4-0.
9. Reports from Staff:  
County Administrator – None Submitted  
County Engineer – None Submitted  
County Attorney – None Submitted
10. Old Business: None Submitted
11. New Business:
  - A. Motion by Lori Owens, second by Mark Green to adopt a resolution to make application to ADECA for CDBG Enhancement Grant Funds for the Cherokee County Water Authority and give permission for the Chairman to sign application. Passed 4-0.
  - B. Motion by Elbert St. Clair, second by Kay Chumbler to approve 2006 FAS Agreement for County Road 22. Passed 4-0.
  - C. Motion by Kay Chumbler, second by Elbert St. Clair to approve 2006 FAS Agreement for County Road 82. Passed 4-0.
  - D. Motion by Mark Green, second by Lori Owens to approve 35 MPH Speed Limit on County Road 487. Passed 4-0.
  - E. Motion by Lori Owens, second by Elbert St. Clair to approve hiring Tamekia Bush for Revenue Commission Department Clerk at a rate of \$8.17 per hour. The employee will be paid from the Reappraisal Fund at 83% and the General Fund portion will be 17%. Passed 4-0.

F. Motion by Elbert St. Clair, second by Kay Chumbler to approve hiring Tereasa Early for Revenue Commission Department Clerk at a rate of \$8.17 per hour. The employee will be paid from the Reappraisal Fund at 83% and the General Fund portion will be 17%. Passed 4-0.

G. Motion by Mark Green, second by Lori Owens to approve hiring LeeAnn Reedy for Revenue Commission Department Clerk at a rate of \$9.93 per hour. The employee will be paid from the Reappraisal Fund at 83% and the General Fund portion will be 17%. Passed 4-0.

H. Motion by Kay Chumbler, second by Elbert St. Clair to approve hiring Dawn Hite for Revenue Commission Department Clerk at a rate of \$10.95 per hour. The employee will be paid from the Reappraisal Fund at 83% and the General Fund portion will be 17%. Passed 4-0.

12. Public Hearings: None Submitted

13. Discussion Items by Commissioners: None Submitted

14. Executive Session

1. Preamble.

2. Reason for Executive Session: To deliberate and discuss findings presented by the Cherokee County Grievance Board and possible litigation (Section 7a, 9 of Act 2005-40)

3. County Attorney Bill Hawkins issued a statement that this is a valid reason under Alabama Law (Section 7a of Act 2005-40) to go into Executive Session.

4. Motion by Lori Owens, second by Kay Chumbler to go into Executive Session.

5. Roll Call Vote:

Commissioner Owens – Yes

Commissioner Green – Yes

Commissioner St. Clair – Yes

Commissioner Chumbler – Yes

6. Motion by Lori Owens, second by Elbert St. Clair to reinstate rules and reconvene the meeting after executive session. Passed 4-0.

15. Motion by Lori Owens, second by Mark Green to table action on recommendation from personnel review board. Passed 4-0.

16. Motion by Elbert St. Clair, second by Lori Owens 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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Lori J. Owens, District I

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J. Kirk Day, Chairman

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Mark Green, District II

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Elbert St. Clair, District III

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Kay Y. Chumbler, District IV



# CHEROKEE COUNTY COMMISSION CENTRE, AL

## MINUTES

The Cherokee County Commission met in regular session on the date specified below. Bills were reviewed and approved as per attached at month-end.

DATE:	PRESENT:	ABSENT:
July 24, 2006	Lori J. Owens, District I Mark Green, District II Elbert St. Clair, District III Kay Y. Chumbler, District IV J. Kirk Day, Chairman	

1. The Chairman called the meeting to order.
2. Public Comment From Citizens: None Submitted
3. Public Comment from other Elected Officials: None Submitted
4. Roll Call to Establish Quorum:  
District I, Commissioner Owens – Present  
District II, Commissioner Green – Present  
District III, Commissioner St. Clair – Present  
District IV, Commissioner Chumbler – Present
5. Motion by Lori Owens, second by Mark Green to approve the agenda as published for the July 24, 2006 meeting. Passed 4-0.
6. The Chairman led the Pledge of Allegiance to the American Flag and Tim Burgess gave the Invocation.
7. Awards and Presentations:
8. Motion by Kay Chumbler, second by Elbert St. Clair to approve the minutes as published for the July 10, 2006 regular meeting. Passed 4-0.
9. Reports from Staff:  
County Administrator – None Submitted  
County Engineer – None Submitted  
County Attorney – None Submitted
10. Old Business: None Submitted
11. New Business:
  - A. Motion by Elbert St. Clair, second by Mark Green to approve excess land redemptions to Shad Ellis & T. Mallory Whorton in the amount of \$61.95, James or Reba Ray in the amount of \$902.29, David McDaniel in the amount of \$250.10, Imogene Painter in the amount of \$171.38, T. Mallory & Shad Ellis in the amount of \$3,330.86, Imogene Painter in the amount of \$2,862.37 and David or Irene Sprouse in the amount of \$704.97. Passed 4-0.
12. Public Hearings: None Submitted
13. Discussion Items by Commissioners: None Submitted
14. Executive Session
  1. Preamble.
  2. Reason for Executive Session: To deliberate and discuss findings presented by the Cherokee County Grievance Board and possible litigation (Section 7a, 9 of Act 2005-40)



3. County Attorney Bill Hawkins issued a statement that this is a valid reason under Alabama Law (Section 7a of Act 2005-40) to go into Executive Session.
4. Motion by Lori Owens, second by Kay Chumbler to go into Executive Session.
5. Roll Call Vote:  
Commissioner Owens – Yes  
Commissioner Green – Yes  
Commissioner St. Clair – Yes  
Commissioner Chumbler – Yes
6. Motion by Elbert St. Clair, second by Kay Chumbler to reinstate rules and reconvene the meeting after executive session. Passed 4-0.
15. Motion by Lori Owens to accept the attached recommendation of the Grievance Board with the following alterations.
1. Six months probation under supervision of the County Administrator.
  2. Reinstate seniority.
  3. Back-pay for six weeks.
  4. Commission will not oppose unemployment compensation.
  5. Starting date of reinstatement will be July 31, 2006.
- The motion was seconded by Elbert St. Clair and passed 4-0.
16. Motion by Elbert St. Clair, second by Mark Green 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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Lori J. Owens, District I

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J. Kirk Day, Chairman

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Mark Green, District II

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Elbert St. Clair, District III

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Kay Y. Chumbler, District IV

# CHEROKEE COUNTY COMMISSION CENTRE, AL

## MINUTES

The Cherokee County Commission met in regular session on the date specified below. Bills were reviewed and approved as per attached at month-end.

DATE:	PRESENT:	ABSENT:
August 14, 2006	Lori J. Owens, District I Mark Green, District II Elbert St. Clair, District III Kay Y. Chumbler, District IV J. Kirk Day, Chairman	

1. The Chairman called the meeting to order.
2. Public Comment From Citizens: None Submitted
3. Public Comment from other Elected Officials: None Submitted
4. Roll Call to Establish Quorum:  
District I, Commissioner Owens – Present  
District II, Commissioner Green – Present  
District III, Commissioner St. Clair – Present  
District IV, Commissioner Chumbler – Present
5. Motion by Elbert St. Clair, second by Mark Green to approve the agenda as published for the August 14, 2006 meeting. There was two items to be changed on the agenda. Item 3 under new business should read: Authorize to increase chip seal on subdivisions from \$2.50 per square yard to \$4.00 per square yard. Also, remove County EMA Director under report from staff. Passed 4-0.
6. The Chairman led the Pledge of Allegiance to the American Flag and Elbert St. Clair gave the Invocation.
7. Awards and Presentations:
8. Motion by Lori Owens, second by Mark Green to approve the minutes as published for the July 24, 2006 regular meeting. Passed 4-0.
9. Reports from Staff:  
County Administrator – None Submitted  
County Engineer – None Submitted  
County Attorney – None Submitted
10. Old Business: None Submitted
11. New Business:
  - A. Motion by Elbert St. Clair, second by Mark Green to replace the out of service Digital Camera Recorder at the jail with a Vicon Digital Video Multiplexer & Recorder from Sohn Enterprises, Inc. in the amount of \$3,900. The price includes purchase, installation, and programming. Passed 4-0.
  - B. Motion by Kay Chumbler, second by Elbert St. Clair to enter into Alabama Mutual Aid System Agreement between the State of Alabama, Alabama Emergency Management Agency and the Cherokee County Commission and allow the Chairman and Sheriff to sign the agreement. Passed 4-0.
  - C. Motion by Mark Green, second by Lori Owens to authorize an increase on chip seal on subdivisions from \$2.50 per square yard to \$4.00 per square yard. This increase was due to an increase in the paving industry. Passed 4-0.

- D. Motion by Lori Owens, second by Mark Green to adopt the Local Home Rule Ordinance with an attached Resolution Calling for a Referendum on Health and Safety Powers. Passed 4-0.
- E. Motion by Elbert St. Clair, second by Kay Chumbler to adopt the attached Local Match Resolution with East Alabama Planning Commission and allow the Chairman to sign. Passed 4-0.
- F. Motion by Lori Owens, second by Mark Green to approve the Excess Land Redemption to Michael H. Long in the amount of \$822.86. Passed 4-0.
- G. Jennifer Turk and Maria Folmar from the Center for Governmental Services, Auburn University, to present salary and job description analysis. Ms. Turk explained the personnel and management services that the Center could offer and was interested in contracting Cherokee County. No action was taken.
12. Public Hearings: None Submitted
13. Discussion Items by Commissioners:
- Commissioner Kay Chumbler announced that she would be resigning from office due to health reasons. Commissioner Chumbler expressed that it had been an honor to serve as Commissioner. The resignation will be effective August 15, 2006.
14. Motion by Elbert St. Clair, second by Mark Green to adjourn meeting. Passed 4-0.

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

Lori J. Owens, District I

J. Kirk Day, Chairman

Mark Green, District II

Elbert St. Clair, District III

Kay Y. Chumbler, District IV



# CHEROKEE COUNTY COMMISSION CENTRE, AL

## MINUTES

On August 28, 2006 Governor Bob Riley appointed T. Lynn Fitzpatrick Sr. to fill the vacancy on the Cherokee County Commission District IV and to serve out the remaining term of former Commissioner Kay Chumbler who resigned on August 15, 2006 for health reasons. Commissioner Fitzpatrick was also sworn into office on this date by the Honorable J. Kirk Day, Judge of Probate/Commission Chairman of Cherokee County, Alabama.

The Cherokee County Commission met in regular session on the date specified below. Bills were reviewed and approved as per attached at month-end.

DATE:	PRESENT:	ABSENT:
August 28, 2006	Lori J. Owens, District I Mark Green, District II Elbert St. Clair, District III Lynn Fitzpatrick, District IV J. Kirk Day, Chairman	

1. The Chairman called the meeting to order.
2. Public Comment From Citizens: None Submitted
3. Public Comment from other Elected Officials: None Submitted
4. Roll Call to Establish Quorum:  
  
District I, Commissioner Owens – Present  
District II, Commissioner Green – Present  
District III, Commissioner St. Clair – Present  
District IV, Commissioner Fitzpatrick – Present
5. Motion by Mark Green, second by Elbert St. Clair to approve the agenda for the August 28, 2006 regular meeting. Passed 4-0.
6. The Chairman led the Pledge of Allegiance to the American Flag and Mark Green gave the Invocation.
7. Awards and Presentations:  
  
Tommy Ray and the Cherokee County Dixie 11&12 Year-Old-All-stars were not in attendance.
8. Motion by Elbert St. Clair, second by Lori Owens to approve the minutes as published for the August 14, 2006 regular meeting. Passed 4-0.

9. Reports from Staff:

County Administrator – None Submitted

County Engineer – None Submitted

County Attorney – None Submitted

10. Old Business: None Submitted

11. New Business:

- A. The Commission heard from Freda Waters representing the Cherokee Humane Society. Mrs. Waters explained to the Commission the need to construct a building for an animal shelter. The Society is requesting that the Commission pledge \$50,000 in the 2007 budget for construction. According to Ms. Waters the Society has about \$40,000 but needs about \$250,000. The facility will be available for all Cherokee County residents and municipalities within the county.
- B. Motion by Lori Owens, second by Mark Green to approve the excess land redemptions to John Benefield in the amount of \$633.31, Jean Houston in the amount of \$250.13, and Jerry Findley in the amount of \$194.78.

12. Public Hearings: None Submitted

13. Discussion Items by Commissioners: None Submitted

14. Motion by Elbert St. Clair, second by Mark Green to adjourn meeting. Passed 4-0.

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

Lori J. Owens, District I

J. Kirk Day, Chairman

Mark Green, District II

Elbert St. Clair, District III

Lynn Fitzpatrick, District IV

# CHEROKEE COUNTY COMMISSION CENTRE, AL

## MINUTES

The Cherokee County Commission met in regular session on the date specified below. Bills were reviewed and approved as per attached at month-end.

DATE:	PRESENT:	ABSENT:
September 11, 2006	Lori J. Owens, District I Mark Green, District II Elbert St. Clair, District III Lynn Fitzpatrick, District IV J. Kirk Day, Chairman	

1. The Chairman called the meeting to order.
2. Public Comment From Citizens: None Submitted
3. Public Comment from other Elected Officials: None Submitted
4. Roll Call to Establish Quorum:  
  
District I, Commissioner Owens – Present  
District II, Commissioner Green – Present  
District III, Commissioner St. Clair – Present  
District IV, Commissioner Fitzpatrick – Present
5. Motion by Lori Owens, second by Mark Green to approve the agenda as published for the September 11, 2006 regular meeting with two changes being a letter from the Cherokee National Baseball Team and an advertisement purchase to the Gadsden Times Past Times Addition in the amount of \$1,530.00. Passed 4-0.
6. The Chairman led the Pledge of Allegiance to the American Flag and Jerry Baker gave the Invocation.
7. Awards and Presentations:  
  
The Chairman read a letter from the Cherokee National 9-10 year old minor league baseball team players, coaches, and parents expressing their appreciation to the Commission for their support during the 2006 season.
8. Motion by Elbert St. Clair, second by Lynn Fitzpatrick to approve the minutes as published for the August 28, 2006 regular meeting. Passed 4-0.
9. Reports from Staff:  
  
County Administrator –  
The Administrator explained that the budget process is underway. Also, the tree on the Courthouse Lawn needs attention. The administrator mentioned that a quote of \$2,500 has been given to trim and spray the trees.  
  
County Engineer –  
Corey Chambers explained to the Commission that there would be a job opening at the highway department for a Highway Maintenance Technician.  
  
County Attorney – None Submitted
10. Old Business: None Submitted
11. New Business:
  - A. Motion by Lori Owens, second by Mark Green to approve the agreement for service with East Alabama Regional Planning and Development Commission for public transportation and allow the Chairman to sign. Passed 4-0.
  - B. Motion by Mark Green, second by Elbert St. Clair to approve to post advertisement for opening at the highway department for a Highway Maintenance Technician at a rate of \$7.78 per hour and negotiable for experience. Passed 4-0.



C. Motion by Elbert St. Clair, second by Lynn Fitzpatrick to approve excess land redemptions to Gerald McAnnally in the amount of \$1,834.05, David or Olene McDaniel in the amount of \$1,357.94, David or Irene Sprouse in the amount of \$537.30, Brian Bowman in the amount of \$962.16, David or Irene Sprouse in the amount of \$787.09. Passed 4-0.

D. Motion by Mark Green, second by Elbert St. Clair to approve the Gadsden Times Progress Edition advertisement in the amount of \$1,530.00. Passed 4-0.

12. Public Hearings: None Submitted

13. Discussion Items by Commissioners: None Submitted

14. Motion by Elbert St. Clair, second by Lynn Fitzpatrick to adjourn meeting. Passed 4-0.

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

Lori J. Owens, District I

J. Kirk Day, Chairman

Mark Green, District II

Elbert St. Clair, District III

Lynn Fitzpatrick, District IV

# CHEROKEE COUNTY COMMISSION CENTRE, AL

## MINUTES

The Cherokee County Commission met in regular session on the date specified below. Bills were reviewed and approved as per attached at month-end.

DATE:	PRESENT:	ABSENT:
September 25, 2006	Lori J. Owens, District I Mark Green, District II Elbert St. Clair, District III Lynn Fitzpatrick, District IV J. Kirk Day, Chairman	

1. The Chairman called the meeting to order.
2. Public Comment From Citizens:  
Harold Whitener with Friends for Life, Inc. read the attached request to the Commission.
3. Public Comment from other Elected Officials: None Submitted
4. Roll Call to Establish Quorum:  
District I, Commissioner Owens – Present  
District II, Commissioner Green – Present  
District III, Commissioner St. Clair – Present  
District IV, Commissioner Fitzpatrick – Present
5. Motion by Lori Owens, second by Mark Green to approve the agenda as published for the September 25, 2006 regular meeting. Passed 4-0.
6. The Chairman led the Pledge of Allegiance to the American Flag and Tim Burgess gave the Invocation.
7. Awards and Presentations: None Submitted
8. Motion by Elbert St. Clair, second by Lynn Fitzpatrick to approve the minutes as published for the September 11, 2006 regular meeting. Passed 4-0.
9. Reports from Staff:  
County Administrator – None Submitted  
County Attorney – None Submitted
10. Old Business: None Submitted
11. New Business:
  - A. Motion by Lori Owens, second by Elbert St. Clair to approve Change Order Number 3 Alterations to the Cherokee County Jail for repairing wall where veneer was removed under Change Order #2 as recommended by structural engineer. Passed 4-0.
  - B. Motion by Elbert St. Clair, motion by Mark Green to approve the Economic Development Application for the announced expansion of PEMCO and adopt corresponding resolution and allow the Chairman to sign necessary documents. Passed 4-0.
  - C. Motion by Lynn Fitzpatrick, second by Elbert St. Clair to approve to replace HVAC unit at courthouse with a 10 Ton A/C Unit in the amount of \$3,982. Passed 4-0.
  - D. Motion by Lynn Fitzpatrick, second by Mark Green to approve trimming and spray trees on Courthouse lawn in the amount of \$2,500 by M&M Tree Service. Passed 4-0.

E. Motion by Lori Owens, second by Elbert St. Clair to award the attached Highway Department Annual Bids for the fiscal year October 1, 2006 – September 30, 2007 as read by County Engineer Roger Hall. Passed 4-0.

12. Public Hearings: None Submitted

13. Discussion Items by Commissioners: None Submitted

14. Executive Session

1. Preamble.
2. 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 a claim filed with the county.
3. County Attorney Chad Hopper issued a statement that this is a valid reason under Alabama Law (Section 7a of Act 2005-40) to go into Executive Session.
4. Motion by Lori Elbert St. Clair, second by Mark Green to go into Executive Session.
5. Roll Call Vote:
  - Commissioner Owens – Yes
  - Commissioner Green – Yes
  - Commissioner St. Clair – Yes
  - Commissioner Fitzpatrick – Yes
6. Motion by Elbert St. Clair, second by Mark Green to reinstate rules and reconvene the meeting after executive session. Passed 4-0.
7. Motion by Lori Owens, second by Elbert St. Clair to accept the terms of the settlement agreement reached at Mediation in case of Mary Miller v. Cherokee County and re-employ Ms. Miller on a temporary basis with Cherokee County for a period of time not to exceed ninety days. Passed 4-0.

15. Motion by Elbert St. Clair, second by Lynn Fitzpatrick to adjourn meeting. Passed 4-0.

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

Lori J. Owens, District I

J. Kirk Day, Chairman

Mark Green, District II

Elbert St. Clair, District III

Lynn Fitzpatrick, District IV



# CHEROKEE COUNTY COMMISSION CENTRE, AL

## MINUTES

The Cherokee County Commission met in regular session on the date specified below. Bills were reviewed and approved as per attached at month-end.

DATE:	PRESENT:	ABSENT:
October 9, 2006	Lori J. Owens, District I Mark Green, District II Elbert St. Clair, District III Lynn Fitzpatrick, District IV J. Kirk Day, Chairman	

1. The Chairman called the meeting to order.
2. Public Comment From Citizens:
3. Public Comment from other Elected Officials: None Submitted
4. Roll Call to Establish Quorum:  
  
District I, Commissioner Owens – Present  
District II, Commissioner Green – Present  
District III, Commissioner St. Clair – Present  
District IV, Commissioner Fitzpatrick – Present
5. Motion by Mark Green, second by Elbert St. Clair to approve the agenda as published for the October 9, 2006 regular meeting. Passed 4-0.
6. The Chairman led the Pledge of Allegiance to the American Flag and Mr. Jerry Baker gave the Invocation.
7. Awards and Presentations: None Submitted
8. Motion by Elbert St. Clair, second by Lynn Fitzpatrick to approve the minutes as published for the September 25, 2006 regular meeting. Passed 4-0.
9. Reports from Staff:  
  
County Administrator – None Submitted  
  
County Attorney – None Submitted
10. Old Business: None Submitted
11. New Business:
  - A. Motion by Lori Owens, second by Mark Green to approve proposal to perform Paint Sampling, Visual Asbestos Survey, and Report Preparation to Environmental Engineers, Inc. in the amount of \$1,240 for the old Cherokee County Jail. Passed 4-0.
  - B. Motion by Lynn Fitzpatrick, second by Elbert St. Clair to approve invitation to bid for an Ideal/Contrax CRYSTAL G600 Basic Color Scanner. The electronic equipment will be purchased from the reappraisal fund. Passed 4-0.
  - C. Motion by Lori Owens, second by Mark Green to adopt resolution for Plat Recording Requirements. Passed 4-0.
  - D. Motion by Elbert St. Clair, second by Lynn Fitzpatrick to approve Long Term Detention Contract between Cherokee County and the Alabama Department of Youth Services (Coosa Valley Youth Services) for the period October 1, 2006 – September 30, 2007 and permission for the Chairman to sign. Passed 4-0.
  - E. Motion by Lori Owens, second by Elbert St. Clair to approve 2007 Grant Agreement For Services For the Elderly between Cherokee County and East Alabama Regional Planning and Development Commission and granting permission for the Chairman to sign. Passed 4-0.

- F. Motion by Mark Green, second by Lynn Fitzpatrick to approve excess land redemptions to Gerald McAnnally in the amount of \$33,04; Imogene Painter in the amount of \$265.26; David McDaniel in the amount of \$152.74; David McDaniel in the amount of \$251.86; Glen Harrison in the amount of \$54.81; Brian Bowman in the amount of \$2,728.83; David McDaniel in the amount of \$357.28; James or Reba Ray in the amount of \$568.98. Passed 4-0.
- G. Motion by Lynn Fitzpatrick, second by Elbert St. Clair to approve 4% cost of living allowance for employees. Passed 4-0.
- H. Motion by Lori Owens, second by Elbert St. Clair to approve 4% cost of living allowance for elected officials. Passed 4-0.
- I. Motion by Lori Owens, second by Mark Green to adopt the attached 2006/2007 budget. The total budget is \$19,104,979. Passed 4-0.

12. Public Hearings: None Submitted

13. Discussion Items by Commissioners:

The Chairman explained the Omnibus Act which allows for elected officials to be granted a cost of living allowance. He also said that any elected official who wished to voluntarily give up that raise could do so by filing a voluntary diminution of salary. Commissioner Lori Owens, Commissioner Mark Green, Commissioner Elbert St. Clair, Commissioner Lynn Fitzpatrick and Probate Judge/Commission Chairman J. Kirk Day all signed a voluntary diminution of salary.

14. Motion by Elbert St. Clair, second by Lynn Fitzpatrick to adjourn meeting. Passed 4-0.

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

Lori J. Owens, District I

J. Kirk Day, Chairman

Mark Green, District II

Elbert St. Clair, District III

Lynn Fitzpatrick, District IV



# CHEROKEE COUNTY COMMISSION CENTRE, AL

## MINUTES

The Cherokee County Commission met in regular session on the date specified below. Bills were reviewed and approved as per attached at month-end.

DATE:	PRESENT:	ABSENT:
October 23, 2006	Lori J. Owens, District I Mark Green, District II Elbert St. Clair, District III Lynn Fitzpatrick, District IV J. Kirk Day, Chairman	

1. The Chairman called the meeting to order.
2. Public Comment From Citizens:  
Harold Whitener – Friends For Life, Inc.  
Carlo Whitehead – Safety for Local Schools
3. Public Comment from other Elected Officials: None Submitted
4. Roll Call to Establish Quorum:  
District I, Commissioner Owens – Present  
District II, Commissioner Green – Present  
District III, Commissioner St. Clair – Present  
District IV, Commissioner Fitzpatrick – Present
5. Motion by Lori Owens, second by Mark Green to approve the agenda as published for the October 23, 2006 regular meeting. Passed 4-0.
6. The Chairman led the Pledge of Allegiance to the American Flag and Tim Burgess gave the Invocation.
7. Awards and Presentations: None Submitted
8. Motion by Elbert St. Clair, second by Lynn Fitzpatrick to approve the minutes as published for the October 9, 2006 regular meeting. Passed 4-0.
9. Reports from Staff:  
County Administrator – None Submitted  
County Attorney – None Submitted
10. Old Business: None Submitted
11. New Business:
  - A. Motion by Lori Owens, second by Lynn Fitzpatrick to table the action to adopt a resolution for Retirees Act 2006-510 to fund the cost of living increase of 7% for county retirees until the second meeting in January 2007. Passed 4-0.
  - B. Motion by Lori Owens, second by Mark Green to approve the Auburn University Proposal for County employee salary study, job descriptions, pay scale, etc at a cost of \$9,000.00. Passed 3-1. Opposed by Elbert St. Clair.
  - C. Motion by Mark Green, second by Elbert St. Clair to approve Terry Edwin Parker for Highway Maintenance Technician at a starting salary of \$8.17 per hour. Passed 4-0.
  - D. Motion by Mark Green, second by Lori Owens to approve to expend 2007 FAS Funds on County Road 19. Passed 4-0.
  - E. Motion by Lori Owens, second by Mark Green to adopt the attached County Flood Damage Prevention Ordinance. Passed 4-0.



- F. Motion by Lori Owens, second by Elbert St. Clair to adopt the County Floodplain Development Permit. Passed 4-0.
- G. Motion by Lori Owens, second by Lynn Fitzpatrick to approve the County participation in WEIS 2006 Shop at Home Holiday Campaign in the amount of \$985.00. Passed 4-0.
- H. Motion by Lynn Fitzpatrick, second by Elbert St. Clair to award Ideal/Contrex CRYSTAL G600 Basic Color Scanner bid to E&M Services, Inc. in the amount of \$12,595.00. The equipment will be purchased from the reappraisal fund. Passed 4-0.

12. Public Hearings: None Submitted

13. Discussion Items by Commissioners: None Submitted

14. Executive Session

- 1. Preamble.
- 2. 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 a claim filed with the county.
- 3. County Attorney Chad Hopper issued a statement that this is a valid reason under Alabama Law (Section 7a of Act 2005-40) to go into Executive Session.
- 4. Motion by Lori Owens, second by Elbert St. Clair to go into Executive Session.
- 5. Roll Call Vote:  
 Commissioner Owens – Yes  
 Commissioner Green – Yes  
 Commissioner St. Clair – Yes  
 Commissioner Fitzpatrick – Yes
- 6. The Commission will not reconvene after this Executive Session.

In accordance with the Code of Alabama 1975, 11-3-1, the next regular meeting will be Tuesday, November 14, 2006 at 10:00 A.M.

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

Lori J. Owens, District I

J. Kirk Day, Chairman

Mark Green, District II

Elbert St. Clair, District III

Lynn Fitzpatrick, District IV

# CHEROKEE COUNTY COMMISSION CENTRE, AL

## MINUTES

The Cherokee County Commission met in regular session on the date specified below. Bills were reviewed and approved as per attached at month-end.

Before the meeting began Kimball Parker, District II and Carlton Teague, District IV took the Oath of Office as a result of the November 7, 2006 election.

DATE:	PRESENT:	ABSENT:
November 14, 2006	Lori J. Owens, District I Kimball Parker, District II Elbert St. Clair, District III Carlton Teague, District IV J. Kirk Day, Chairman	

1. The Chairman called the meeting to order.
2. Public Comment From Citizens:
3. Public Comment from other Elected Officials: None Submitted
4. Roll Call to Establish Quorum:  
  
District I, Commissioner Owens – Present  
District II, Commissioner Parker – Present  
District III, Commissioner St. Clair – Present  
District IV, Commissioner Teague – Present
5. Motion by Elbert St. Clair, second by Lori Owens to approve the agenda as published for the November 14, 2006 regular meeting. Passed 4-0.
6. The Chairman led the Pledge of Allegiance to the American Flag and Tim Burgess gave the Invocation.
7. Awards and Presentations: None Submitted
8. Motion by Lori Owens, second by Elbert St. Clair to approve the minutes as published for the October 23, 2006 regular meeting. Passed 4-0.
9. Reports from Staff:  
  
County Administrator – None Submitted  
  
County Attorney – None Submitted
10. Old Business: None Submitted
11. New Business:
  - A. Motion by Carlton Teague, second by Kimball Parker to declare 1999 Ford Crown Victoria as surplus equipment and enter into vehicle sale. Passed 4-0.
  - B. Motion by Carlton Teague, second by Elbert St. Clair to table action on land purchase offer made by the estate of the Late Earl Westbrook. Passed 4-0.
  - C. Motion by Lori Owens, second by Elbert St. Clair to adopt the attached new year meeting times and dates. Passed 4-0.
  - D. Motion by Elbert St. Clair, second by Kimball Parker to approve excess land redemptions to James or Reba Ray in the amount of \$1,133.61; James or Reba Ray in the amount of \$893.67; T. Mallory Whorton & Shad Ellis in the amount of \$2,516.86; James or Reba Ray in the amount of \$1,032.85; James or Reba Ray in the amount of \$251.90; David or Olene McDaniel in the amount of \$193.10; David or Olene McDaniel in the amount of \$221.10; David or Olene McDaniel in the amount of \$169.18. Passed 4-0.

E. Motion by Lori Owens, second by Carlton Teague to adopt the attached resolution to approve a local matching share fund contribution of \$9,727.33 for the fiscal year 2007 with the Centre-Piedmont-Cherokee Regional Airport Authority. Passed 4-0.

12. Public Hearings: None Submitted

13. Discussion Items by Commissioners:

New Commissioners Kimball Parker and Carlton Teague signed a diminution of salary refusing the 4% elected officials cost of living allowance for the fiscal year 2006/2007.

14. Motion by Elbert St. Clair, second by Lori Owens to adjourn meeting. Passed 4-0.

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

Lori J. Owens, District I

J. Kirk Day, Chairman

Kimball Parker, District II

Elbert St. Clair, District III

Carlton Teague, District IV



# CHEROKEE COUNTY COMMISSION CENTRE, AL

## MINUTES

The Cherokee County Commission met in regular session on the date specified below. Bills were reviewed and approved as per attached at month-end.

DATE:	PRESENT:	ABSENT:
November 27, 2006	Lori J. Owens, District I Kimball Parker, District II Elbert St. Clair, District III Carlton Teague, District IV J. Kirk Day, Chairman	

1. The Chairman called the meeting to order.
2. Public Comment From Citizens:  
  
Mr. Bobby Brewer scheduled to discuss County Road 114 issues spoke with Commissioner Teague before the regular meeting and did not address the Commission.  
  
Mr. Joe Guntle scheduled to discuss Health & Safety Powers (Self-Governance Act) addressed the Commission at the planning session and did speak to the Commission at the regular meeting.
3. Public Comment from other Elected Officials: None Submitted
4. Roll Call to Establish Quorum:  
  
District I, Commissioner Owens – Present  
District II, Commissioner Parker – Present  
District III, Commissioner St. Clair – Present  
District IV, Commissioner Teague – Present
5. Motion by Lori Owens, second by Elbert St. Clair to approve the agenda as published for the November 27, 2006 regular meeting. Passed 4-0.
6. The Chairman led the Pledge of Allegiance to the American Flag and Tim Burgess gave the Invocation.
7. Awards and Presentations: None Submitted
8. Motion by Elbert St. Clair, second by Kimball Parker to approve the minutes as published for the November 14, 2006 regular meeting. Passed 4-0.
9. Reports from Staff:  
  
County Administrator –  
  
Administrator Tim Burgess discussed the Identity Theft meeting for county employees to be held at the Administration Building on December 13 & 14, 2006.  
  
County Attorney – None Submitted
10. Old Business:  
  
Motion by Lori Owens, second by Elbert St. Clair to decline the land purchase offer made by the estate of the Late Earl Westbrook. Passed 4-0.
11. New Business:  
  
A. Motion by Lori Owens, second by Carlton Teague to award Community Development Block Grant Program Administrative Assistance for Project #CY-CE-PF-06-014 to Morton and Associates, Inc. Passed 4-0.

- B. Motion by Kimball Parker, second by Elbert St. Clair to enter into Required Agreement of Understanding for Joint CDBG/Rural Development Projects between the Cherokee County Water and Sewer Authority and the Cherokee County Commission for the purpose of clarifying responsibilities concerning the Cherokee County 2006 CDBG Project #CY-CE-PF-06-014 and permission for Chairman and Administrator to sign. Passed 4-0.
- C. Motion by Carlton Teague, second by Elbert St. Clair to allow permission for County Employees to attend Identity Theft Meeting at the Administrative Building on December 13 & 14, 2006. Passed 4-0.
- D. Motion by Lori Owens, second by Elbert St. Clair to adopt a Resolution of the County of Cherokee Approving the Transfer of the Cable Franchise and Granting a Franchise to Rapid Communications, LLC. Passed 4-0.
- E. Motion by Kimball Parker, second by Carlton Teague to approve Excess Land Redemptions to Michael H. Long in the amount of \$892.42 and James or Reba Ray in the amount of \$596.55. Passed 4-0.
- F. Motion by Elbert St. Clair, second by Carlton Teague for permission from the Commission to close offices from 11:30 a.m. – 1:00 p.m. on Wednesday, December 20<sup>th</sup> for the County Employees' Christmas Lunch. Passed 4-0.
12. Public Hearings: None Submitted
13. Discussion Items by Commissioners:
- The Chairman announced that there will be a public hearing for the Little River Canyon National Preserve at the Cherokee County Chamber of Commerce Building on December 5, 2006 from 5-8 p.m. The purpose is to update general management plan for the park.
14. Motion by Elbert St. Clair, second by Kimball Parker to adjourn meeting. Passed 4-0.

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

Lori J. Owens, District I

J. Kirk Day, Chairman

Kimball Parker, District II

Elbert St. Clair, District III

Carlton Teague, District IV



# CHEROKEE COUNTY COMMISSION CENTRE, AL

## MINUTES

The Cherokee County Commission met in regular session on the date specified below. Bills were reviewed and approved as per attached at month-end.

DATE:	PRESENT:	ABSENT:
December 11, 2006	Lori J. Owens, District I Kimball Parker, District II Elbert St. Clair, District III Carlton Teague, District IV J. Kirk Day, Chairman	

1. The Chairman called the meeting to order.
2. Public Comment From Citizens: None Submitted
3. Public Comment from other Elected Officials: None Submitted
4. Roll Call to Establish Quorum:  
District I, Commissioner Owens – Present  
District II, Commissioner Parker – Present  
District III, Commissioner St. Clair – Present  
District IV, Commissioner Teague – Present
5. The agenda for the December 11, 2006 meeting has some items that needed to be changed or added. The change under item 1 for new business should be to adopt a request to get Cherokee County Health Department comment on Weiss Lake Memorial Garden's request to delete a portion of the area previously designated as a cemetery from such dedication. Add under new business item number 5 to renew the 2007 property and casualty insurance with Trident Insurance for \$138,310 and authorize chairman to sign on behalf of the Commission. Under new business item 6 to grant a 5% raise to Sean Rogers effective December 4, 2006 to reflect his transfer from Jailer to Deputy. Motion by Elbert St. Clair, second by Kimball Parker to approve the agenda as published with the changes and additions for the December 11, 2006 regular meeting. Passed 4-0.
6. The Chairman led the Pledge of Allegiance to the American Flag and Elbert St. Clair gave the Invocation.
7. Awards and Presentations:  
The Chairman announced the CDBG Grant from ADECA and read the attached letter from the Governor's Office concerning the expansion of PEMCO.
8. Motion by Lori Owens, second by Carlton Teague to approve the minutes as published for the November 27, 2006 regular meeting. Passed 4-0.
9. Reports from Staff:  
County Administrator – None Submitted  
County Engineer – None Submitted  
County Attorney – None Submitted
10. Old Business:
11. New Business:
  - A. Motion by Carlton Teague, second by Elbert St. Clair to adopt a request to get Cherokee County Health Department comment on Weiss Lake Memorial Garden's request to delete a portion of the area previously designated as a cemetery from such dedication. Passed 4-0.



- B. Motion by Lori Owens, second by Kimball Parker to approve Fuller & Thompson Architects, Inc. for the Highway Department design. Passed 4-0.
- C. After discussion the Commission did not take any action at this time on County Attorney Dean Buttram's request to re-sign the Gadsden State Community College Economic Development Agreement. The request was made due to the City of Leesburg's change in annual contribution. To re-sign the agreement would not effect the county's contribution which had been previously approved.
- D. Motion by Elbert St. Clair, second by Kimball Parker to approve Excess Land Redemptions for James or Reba Ray in the amount of \$406.30 and Larry Teague in the amount of \$1,822.62. Passed 4-0.
- E. Motion by Carlton Teague, second by Elbert St. Clair to renew the 2007 Property and Casualty and Liability Insurance to Trident Insurance in the amount of \$138,310 and authorize chairman to sign on behalf of the Commission. Passed 4-0.
- F. Motion by Kimball Parker, second by Elbert St. Clair to grant a 5% raise to Sean Rogers effective December 4, 2006 to reflect his transfer from Jailer to Deputy. Passed 4-0.
12. Public Hearings: None Submitted
13. Discussion Items by Commissioners: None Submitted
14. Motion by Elbert St. Clair, second by Lori Owens to adjourn meeting. Passed 4-0.

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

Lori J. Owens, District I

J. Kirk Day, Chairman

Kimball Parker, District II

Elbert St. Clair, District III

Carlton Teague, District IV

# CHEROKEE COUNTY COMMISSION CENTRE, AL

## MINUTES

### SPECIALLY CALLED MEETING

DATE: PRESENT: ABSENT:  
December 20, 2006 Lori J. Owens, District I  
Kimball Parker, District II  
Elbert St. Clair, District III  
Carlton Teague, District IV  
J. Kirk Day, Chairman

1. The Chairman called the meeting to order.
2. Stated Reason for Specially Called Meeting:  
Approval and signing by Commissioners of corrected Gadsden State Community College Project Economic Development Agreement.
3. Roll Call to Establish Quorum:  
District I, Commissioner Owens – Present  
District II, Commissioner Parker – Present  
District III, Commissioner St. Clair – Present  
District IV, Commissioner Teague – Present
4. Motion by Carlton Teague, second by Elbert St. Clair to approve the agenda for December 20, 2006 Specially Called Meeting. Passed 4-0.
5. Motion by Carlton Teague, second by Kimball Parker to sign the corrected Gadsden State Community College Project Economic Development Agreement and permission for Administrator and Chairman to sign on behalf of the Commission. Passed 4-0.
6. Motion by Elbert St. Clair, second by Lori Owens 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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Lori J. Owens, District I

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J. Kirk Day, Chairman

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Kimball Parker, District II

\_\_\_\_\_  
Elbert St. Clair, District III

\_\_\_\_\_  
Carlton Teague, District IV