

TALLADEGA COUNTY COMMISSION

Minutes of February 11, 2019

STATE OF ALABAMA)
)
COUNTY OF TALLADEGA)

The Talladega County Commission assembled at the Talladega County Courthouse in the Commission Courtroom for the first regular meeting on Monday, February 11, 2019. The proceedings conducted are as follows:

COMMISSION MEETING CALLED TO ORDER

Chairman Kelvin Cunningham called the meeting to order on Monday, February 11, 2019 at 6:10 p.m. The roll was called with the following Commissioners being present: Commissioner Tony Haynes, Commissioner Kelvin Cunningham, Commissioner Malley Limbaugh and Commissioner Greg Atkinson. Commissioner Jackie Swinford could not attend. A quorum was present. Media was represented by The Daily Home and the Honorable Barry Vaughn gave the invocation.

APPROVE AGENDA AS PRESENTED

Chairman Kelvin Cunningham added Item O. "Catastrophic Leave Request for Road Department Employee." Commissioner Greg Atkinson made a motion to adopt as amended and a second motion was made by Commissioner Malley Limbaugh. Motion carried.

DISCUSSION ITEMS

- A. Walter Lewis is scheduled for the February 25, 2019 Commission meeting
- B. Sewer Treatment Plant in Alpine was discussed during Work Session
- C. Half-Way House on Jackson Trace Road – Michelle Kirk presented to the Commission of a ministry half-way house opening at 1866 Jackson Trace Road in the Talladega County jurisdiction that will house recently released male prisoners. Local residents are concerned about the level of these offenders, if the residents will be notified, and the potential for these parolees having access to an already

drug-infested area will only compound the issue. It was suggested by Commissioner Limbaugh to contact Representative Steve Hurst since the County does not have zoning laws or regulatory authority.

APPROVE MINUTES OF THE JANUARY 28, 2019

Commissioner Malley Limbaugh made a motion to approve the minutes of January 28, 2019 and a second motion was made by Commissioner Greg Atkinson. Motion carried.

APPROVE REAPPOINTMENT OF BRUCE ABERNATHY TO THE BOARD OF THE SYCAMORE WATER AND SEWER AUTHORITY FOR A SIX-YEAR TERM EFFECTIVE MARCH 1, 2019 AND EXPIRING MARCH 1, 2025

Commissioner Greg Atkinson made a motion to approve the reappointment of Bruce Abernathy to the Board of the Sycamore Water and Sewer Authority for a six-year term. A second motion was made by Commissioner Malley Limbaugh. Motion carried.

APPROVE REAPPOINTMENT OF LARRY VINCENT TO THE BOARD OF CENTRAL TALLADEGA COUNTY WATER DISTRICT FOR A FOUR-YEAR TERM RETROACTIVE JUNE 1, 2017 AND EXPIRING JUNE 1, 2021

Commissioner Kelvin Cunningham made a motion to approve the reappointment of Larry Vincent to the Board of Central Talladega County Water District retroactive June 1, 2017 and term expiring June 1, 2021. A second motion was made by Commissioner Malley Limbaugh. Motion carried.

APPROVE REAPPOINTMENT OF MAE HELEN MCGHEE TO THE BOARD OF CENTRAL TALLADEGA COUNTY WATER DISTRICT FOR A FOUR-YEAR TERM RETROACTIVE JUNE 1, 2018 AND EXPIRING JUNE 1, 2022

Commissioner Kelvin Cunningham made a motion to approve the reappointment of Mae Helen McGhee to the Board of Central Talladega County Water District retroactive June 1, 2018 and term expiring June 1, 2022. A second motion was made by Commissioner Greg Atkinson. Motion carried.

APPROVE APPOINTMENT OF BRUCE MADDOX TO THE BOARD OF THE FAYETTEVILLE WATER AUTHORITY FOR THE TERM MARCH 1, 2019 TO MARCH 1, 2025

Commissioner Malley Limbaugh stated that Adria Bryars' term on the board of the Fayetteville Water Authority expires February 28, 2019. Commissioner Limbaugh made a

motion to appoint Bruce Maddox to the board effective March 1, 2019 with term ending March 1, 2025. A second motion was made by Commissioner Greg Atkinson. Motion carried.

**APPROVE ABC LICENSE TRANSFER AND APPLICATION
OF SHREE VERAI INC., TRADE NAME: MUNFORD TEXACO
FOR 050 RETAIL BEER AND 070 RETAIL TABLE WINE (OFF PREMISES ONLY)**

Commissioner Tony Haynes made a motion to approve the ABC license transfer and application submitted by Shree Verai Inc., trade name Munford Texaco, doing business at 39270A AL Hwy 21, Munford, AL 36268, contingent upon approval by the ABC Board and compliance with all state and local laws and regulations. The motion was seconded by Commissioner Malley Limbaugh. Motion carried.

**APPROVE ABC LICENSE TRANSFER AND APPLICATION OF SHREE VERAI INC., TRADE
NAME: PACKAGE STORE FOR 011 LOUNGE RETAIL LIQUOR – CLASS II (PACKAGE)**

Commissioner Tony Haynes made a motion to approve the ABC license transfer and application submitted by Shree Verai Inc., trade name Package Store, doing business at 39270B AL Hwy 21, Munford, AL 36268, contingent upon approval by the ABC Board and compliance with all state and local laws and regulations. The motion was seconded by Commissioner Greg Atkinson. Motion carried.

**AUTHORIZE CHAIRMAN TO SIGN AND COMMISSION APPROVE
LETTER TO FEMA AND RESOLUTION FOR IMPLEMENTATION
OF SECTION 1316 FLOOD PREVENTION PROGRAM**

County Engineer Shannon Robbins stated the County is in the FEMA insurance program and request authorization to implement Section 1316 Flood Prevention Program denying flood insurance to a non-responsive property owner in order to remain in compliance with future Section 1316. This is the same process approved in prior months. Commissioner Greg Atkinson made a motion to approve and Commissioner Tony Haynes made a second. Motion carried.

**APPROVE CHAIRMAN TO SIGN AND COMMISSION
APPROVE THE VIOLENCE AGAINST WOMEN FORMULA
GRANTS - SUBGRANT AWARD ADMINISTERED BY ADECA**

County Administrator Pat Lyle requested the Chairman sign and Commission approve the \$61,656.00 subgrant award documents administered through ADECA for the Violence Against Women Formula Grants program for the period January 1, 2019 through

December 31, 2019. Commissioner Malley Limbaugh made a motion to approve and a second by Commissioner Greg Atkinson. Motion carried.

**APPROVE LEASE AGREEMENT WITH PRIMARY CARE
CENTER OF NORTHEAST ALABAMA IN TALLADEGA**

County Administrator Pat Lyle requested the Chairman to sign and Commission approve the office space lease agreement between the Talladega County Commission and Primary Care Center of Northeast Alabama located in the Talladega County Health Department building in Talladega. Angela M. Martin, M.D. will offer primary medical care, mental health and treatment for underserved individuals in the community. Commissioner Malley Limbaugh made a motion to approve and a second was made by Commissioner Tony Haynes. Motion carried

**APPROVE PURCHASE OF FURNITURE FOR PROBATE AND VISITOR SEATING FOR
VARIOUS LOCATIONS WITHIN THE COURTHOUSE AND AMEND BUDGET TO FUND SAME**

County Administrator requested the commission approve the purchase of a front counter work space for Probate in a location more accessible to the public, and chairs (to replace the ones that are old and falling apart) for various locations throughout the courthouse to accommodate the public and guests. Money is available through the building fund and recommendation is made to approve the purchases and amend the budget to fund same. Commissioner Greg Atkinson made a motion to approve and a second was made by Commissioner Tony Haynes. Motion carried.

**TABLE PERSONNEL REQUESTS AS TO
REVENUE DEPARTMENT'S TWO VACANT POSITIONS**

Commissioner Greg Atkinson made a motion to table the Revenue department's personnel requests to fill two vacant positions pending revised job descriptions setting forth new qualifications before advertising those positions. Commissioner Tony Haynes made a second. Motion carried.

APPROVE CONFERENCE REQUESTS

County Administrator Pat Lyle requested approval for one Reappraisal employee to attend an advanced appraisal conference, five jail employees to attend jail management course, and one Road Department employee to attend a vegetation conference. All are within budget. Commissioner Malley Limbaugh made a motion to approve and a second was made by Commissioner Tony Haynes. Motion carried.

APPROVE EXPENDITURES

County Administrator Pat Lyle presented expenditures in the amount of \$1,129,429.25 for Commission approval. Commissioner Tony Haynes made a motion to approve and a second motion was made by Commissioner Greg Atkinson. Motion carried.

APPROVE CATASTROPHIC LEAVE REQUEST

County Administrator Pat Lyle requested approval to grant a catastrophic leave request for a Road Department employee. Commissioner Greg Atkinson made a motion to approve and a second motion was made by Commissioner Malley Limbaugh. Motion carried.

ANNOUNCEMENTS

- The next commission meeting is Monday, February 25, 2019 at 6:00 p.m. in the commission courtroom. The work session is at 5:00 p.m. in the commission conference room
- County offices will be closed Monday, February 18, 2019 in observance of President's Day
- Talladega County will participate in the 2019 Annual Severe Weather Preparedness Sales Tax Holiday beginning Friday, February 22, 2019 beginning at 12:01 a.m. and ending at 12:00 midnight on Sunday, February 24, 2019 whereby no state sales or use tax is due on covered items as defined by Act No. 2012-256. For more information go to: www.revenue.alabama.gov

EXECUTIVE SESSION

County Attorney Barry Vaughn stated proper notice has been given and members of the governmental body are presently in session. The executive session relates to pending litigation and will take approximately 15 to 20 minutes, with action expected to be taken following the session.

Commissioner Greg Atkinson made a motion to convene into executive session and Commissioner Malley Limbaugh made a second. Chairman Cunningham called on each commissioner to vote. There was a unanimous vote by Commissioner Tony Haynes,

Commissioner Kelvin Cunningham, Commissioner Malley Limbaugh and Commissioner Greg Atkinson to go into executive session.

The executive session began at 6:54 p.m. and ended at 7:24 p.m.

Commissioner Malley Limbaugh made a motion to authorize the County Attorney, in association with the law firm of Webb & Eley, to take all steps necessary to appeal the decision of the *Circuit Court in State of Alabama Ex Rel City of Lincoln, Alabama v. Talladega County, 61-CV-2018-900281.00*, to the proper appellate court in Montgomery to seek a reversal of the Court's Order and/or the proper and correct declaration of the facts, rulings and interpretation of the statute in question. Commissioner Greg Atkinson made a second motion. Motion carried.

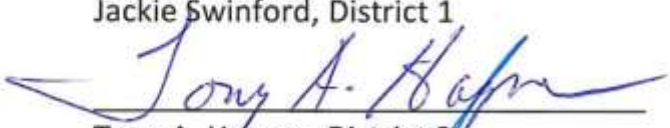
The Commission Meeting reconvened at 7:25 P.M.

ADJOURNED MEETING

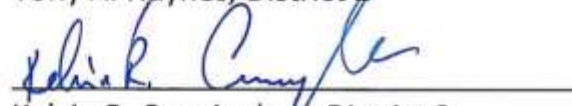
There being no further business for February 11, 2019, Commissioner Tony Haynes made a motion to adjourn and Commissioner Malley Limbaugh made a second. Motion carried. Meeting was adjourned at 7:25 p.m.

Absent

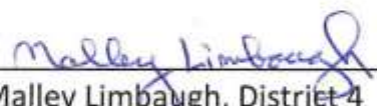
Jackie Swinford, District 1



Tony A. Haynes, District 2



Kelvin R. Cunningham District 3



Malley Limbaugh, District 4



Greg Atkinson, District 5

