

# 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.

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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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Lynn Fitzpatrick, District IV