

CHEROKEE COUNTY COMMISSION
CENTRE, ALABAMA
MINUTES

DATE:
February 28, 2011

PRESENT:
Wade Sprouse, District I
Kimball Parker, District II
Elbert St. Clair, District III
Carlton Teague, District IV
Melvyn Salter, Chairman

ABSENT:

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

Discretionary funds were expended for the following purposes and for the following amounts by the following commissioners individually or collectively:

Commissioner Sprouse - District One Account # 11291

1. Cherokee County Forestry – Arbor Day \$175.00
2. Gadsden State Community College – G.O. Warrants \$10,000.00

Commissioner Parker - District Two Account # 11292

1. Cherokee County Forestry – Arbor Day \$175.00
2. Gadsden State Community College – G.O. Warrants \$10,000.00

Commissioner St. Clair - District Three Account # 11293

1. Cherokee County Forestry – Arbor Day \$175.00
2. Gadsden State Community College – G.O. Warrants \$10,000.00

Commissioner Teague – District Four Account # 11294

1. Cherokee County Forestry – Arbor Day \$175.00
2. Gadsden State Community College – G.O. Warrants \$10,000.00

1. The Chairman called the meeting to order.
2. Public Comment From Citizens:
3. Public Comment from other Elected Officials:
4. Roll Call to Establish Quorum:

District I, Commissioner Sprouse – Present
District II, Commissioner Parker – Present
District III, Commissioner St. Clair – Present
District IV, Commissioner Teague – Present

5. Motion by Carlton Teague, second by Elbert St. Clair to approve the agenda for the February 28, 2011 regular meeting. Passed 4-0.
6. The Chairman led the Pledge of Allegiance to the American Flag and the Chairman gave the Invocation.
7. Awards and Presentations: The Chairman welcomed members of the Youth Leadership Council that were in attendance at the meeting.
8. Motion by Wade Sprouse, second by Kimball Parker to approve the minutes as published for the February 14, 2011 regular meeting. Passed 4-0.
9. Reports from Staff:
County Administrator Tim Burgess- None Submitted
County Engineer Corey Chambers – None Submitted
County Attorney Bill Hawkins– None Submitted
County Sheriff Jeff Shaver- None Submitted

10. Public Meetings: None

11. Old Business: None

12. New Business:

- A. Motion by Carlton Teague, second by Elbert St. Clair to award the attached road reclaimer rental bid, bituminous surface, and hot mix asphalt paving bids as presented by County Engineer Corey Chambers. Passed 4-0.
- B. Motion by Kimball Parker, second by Wade Sprouse to approve excess land exemption to Reba Ray in the amount of \$173.40, Jack F. Mackey in the amount of \$133.11, Imogene Houston in the amount of \$50.97, and Imogene Painter in the amount of \$101.69. Passed 4-0.
- C. Motion by Elbert St. Clair, second by Carlton Teague to reappoint John A. Roberts and Beverly Daniel to the Cherokee County Communications District E-911 Board and appoint Lanny Ransom to fill the vacancy left by the resignation of Jeff Adcock. Passed 4-0.
- D. The Chairman announced the Mental Health Board Appointments to be made at the March 28, 2011 regular meeting. Dr. David Miller is currently serving and has expressed that he would like to continue.
- E. The Chairman announced the Cherokee County Water and Sewer Board Appointment to be made at the March 28, 2011 regular meeting. Mr. Ronny Kiser is currently serving and has expressed that he would like to continue.
- F. Motion by Wade Sprouse, second by Carlton Teague to adopt the attached Resolution Authorizing And Approving Execution of A Contract With BanCorpSouth Equipment Finance, A Division of BanCorpSouth Bank for six 2011 Mack GU713 Dump Trucks and one 2011 Mack CHU613 Tractor for a total of \$841,790.00 and authorize the Chairman to sign related documents. Passed 4-0.

13. Discussion Items by Commissioners

14. Executive Session

- 1. Preamble.
- 2. The Chairman stated the Reason for Executive Session: Discussion with County Attorney - legal ramifications and legal options (Section 7a, 3 of Act 2005-40); in this case as to how it relates to possible litigation. The Chairman asked County Attorney Bill Hawkins if this was a valid reason to go under executive session.
- 3. 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. Attorney Hawkins stated that this would be a valid reason pursuant to Section 36-25A-7 (a) (3) to go under executive session.
- 4. Motion by Kimball Parker, second by Elbert St. Clair to go into Executive Session.
- 5. Roll Call Vote:
 - Commissioner Sprouse - Yes
 - Commissioner Parker - Yes
 - Commissioner St. Clair - Yes
 - Commissioner Teague - Yes
- 6. Motion by Wade Sprouse, second by Carlton Teague to reconvene. The Chairman then called for a roll call vote to reconvene:
 - Commissioner Sprouse - Yes
 - Commissioner Parker - Yes
 - Commissioner St. Clair - Yes
 - Commissioner Teague - Yes

The Chairman then asked if there were anymore business to come before the Commission. It was noted that there was none.

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

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

Wade Sprouse, District I

Melvyn Salter, Chairman

Kimball Parker, District II

Elbert St. Clair, District III

Carlton Teague, District IV