

# CHEROKEE COUNTY COMMISSION

## CENTRE, ALABAMA

### MINUTES

DATE:  
April 25, 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. Weiss Lake Improvement Association – Renew our Rivers Cleanup \$2,500.00.
2. Tuckers Chapel Volunteer Fire Department – Bay \$1,500.00.

Commissioner Parker - District Two Account # 11292

1. Weiss Lake Improvement Association – Renew our Rivers Cleanup \$2,500.00.
2. Cherokee County Museum – Window Blinds \$151.25.
3. Tuckers Chapel Volunteer Fire Department – Bay \$1,500.00.

Commissioner St. Clair - District Three Account # 11293

1. Weiss Lake Improvement Association – Renew our Rivers Cleanup \$2,500.00.
2. Tuckers Chapel Volunteer Fire Department – Bay \$1,500.00.

Commissioner Teague – District Four Account # 11294

1. Weiss Lake Improvement Association – Renew our Rivers Cleanup \$2,500.00.
2. Tuckers Chapel Volunteer Fire Department – Bay \$1,500.00.
3. Alabama Department of Transportation – Hwy 273 Light Maintenance \$2,682.82.

1. Vice-Chairman Commissioner Teague called the meeting to order.

2. Public Comment From Citizens: None

3. Public Comment from other Elected Officials: None

4. Roll Call to Establish Quorum:

District I, Commissioner 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 April 11, 2011 regular meeting striking item number 5 and adding item number 14 executive session. Passed 4-0.

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

7. Awards and Presentations: None

8. Motion by Kimball Parker, second by Wade Sprouse to approve the minutes as published for the March 28, 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 Wade Sprouse, second by Carlton Teague to approve the attached TDS Long Distance Contract and authorize the Chairman to sign. Passed 4-0.
- B. Motion by Carlton Teague, second by Elbert St. Clair to approve inmate medical care with Southern Health Partners, Inc as recommended by Sheriff Shaver. Passed 4-0.
- C. Motion by Kimball Parker, second by Wade Sprouse to award the 2010 Water System Improvements (CDBG # CY-PF-10-004) bid to Hokes Bluff Construction in the amount of \$325,971 for the Base Bid and Alternate Additive #1as per Constantine Engineering recommendation. Passed 4-0.
- D. Motion by Kimball Parker, second by Carlton Teague to postpone vacation buyback for 1<sup>st</sup> payroll in June and allow employees to carryover an additional 50 hours of unused vacation hours at year end. Passed 4-0.
- E. Removed
- F. Motion by Elbert St. Clair, second by Wade Sprouse to authorize the Chairman and Administrator to seek and hire temporary maintenance worker at a rate of \$10.00 per hour and a maximum of 20 hours per week. Passed 4-0.

13. Discussion Items by Commissioners: None

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 pending 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 Wade Sprouse 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 Kimball Parker, second by Wade Sprouse 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
- 7. Motion by Carlton Teague, second by Wade Sprouse to waive any conflict that that may be created as a result of representation by Attorney George Royer in the pending litigation filed by Michael Jenkins provided that all other waivers are obtained. The Chairman then asked for a roll call vote on the motion.
  - Commissioner Sprouse - Yes
  - Commissioner Parker - Yes
  - Commissioner St. Clair - Yes
  - Commissioner Teague - Yes

15. Motion by Carlton Teague, second by Wade Sprouse 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