

MINUTES, LIMESTONE COUNTY COMMISSION, FEBRUARY 6, 2012

The Limestone County Commission met in a regular meeting today joined by the Athens City Council, at 10:00 a.m. at the Clinton Street Courthouse Annex, 100 South Clinton Street, Athens, Alabama.

County Attorney, Mike Cole, conducted a public hearing concerning a resolution to permit Limestone County Commission to enter into a Project Agreement where Limestone County would agree to make certain commitments to Carpenter Technology Corporation including a commitment to make available up to \$1,000,000.00 in public funds to Carpenter Technology Corporation, payable over a three-year period, for capital expenses incurred in developing a facility in Limestone County.

No one spoke in favor of or against.

Public hearing concluded at 10:09 a.m.

PRESENT: Gary Daly, Gerald Barksdale, James W. "Bill" Latimer, and Bill Daws.
Absent: None. Stanley Menefee, Chairman presided.

The meeting began with the Pledge of Allegiance.

MOTION was made by James W. "Bill" Latimer and seconded by Gary Daly to approve the minutes of January 17 & February 1, 2012.

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Gerald Barksdale, aye; James W. "Bill" Latimer, aye; and Bill Daws, aye. Motion carries unanimously.

MOTION was made by Gerald Barksdale and seconded by Gary Daly to approve the following claims

1/17/12	Check # 17953	\$ 846.15
1/20/12	Check # 17954 - 17996	\$ 147,214.12
1/27/12	Check # 17997 - 18052	\$1,188,376.69
1/27/12	Check # 18053 - 18054	\$ 62.26
1/31/12	Check # 18055 - 18119	\$ 293,633.48
2/02/12	Check # 18120	\$ 300.00
2/02/12	Check # 18121 - 18402	<u>\$ 70,500.00</u>
	TOTAL	<u>\$1,700,932.70</u>

with detailed claims of the above being on file for review upon request to the County Administrator.

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Gerald Barksdale, aye; James W. "Bill" Latimer, aye; and Bill Daws, aye. Motion carries unanimously.

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MOTION was made by Gary Daly and seconded by James W. "Bill" Latimer to approve the following resolutions to resurface Upper Fort Hampton Road and Mooresville Road.

RESOLUTION

**LIMESTONE COUNTY
STATE OF ALABAMA**

Project No. LCP 42-145-12
Functional Classification No. 16

WHEREAS, the County Commission of Limestone County, Alabama, is desirous of constructing or improving, by force account, contract or both, a section of road included in the Limestone County Road System and described as follows:

Resurface Upper Ft. Hampton Road from AL Hwy 127 to Sandlin Road using Federal Aid Surface Transportation Funds.

WHEREAS, the County agrees to all of the provisions of the county-wide agreement executed between the State and the County covering preliminary engineering by State forces and equipment on the project, and

WHEREAS, the County agrees to all of the provisions of any agreement which has been executed or will be executed covering the construction of the project.

Done at the regular session of the Commission of Limestone County, this 6th day of February, 2012.

LIMESTONE COUNTY COMMISSION

Chairman

Member

Member

Member

Member

RESOLUTION

**LIMESTONE COUNTY
STATE OF ALABAMA**

Project No. LCP 42-146-12
Functional Classification No. 02

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WHEREAS, the County Commission of Limestone County, Alabama, is desirous of constructing or improving, by force account, contract or both, a section of road included in the Limestone County Road System and described as follows:

Resurface Mooresville Road from Thach Road to Sweet Springs Road using Federal Aid Surface Transportation Funds.

WHEREAS, the County agrees to all of the provisions of the county-wide agreement executed between the State and the County covering preliminary engineering by State forces and equipment on the project, and

WHEREAS, the County agrees to all of the provisions of any agreement which has been executed or will be executed covering the construction of the project.

Done at the regular session of the Commission of Limestone County, this 6th day of February, 2012.

LIMESTONE COUNTY COMMISSION

Chairman

Member

Member

Member

Member

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Gerald Barksdale, aye; James W. "Bill" Latimer, aye; and Bill Daws, aye. Motion carries unanimously.

MOTION was made by Gerald Barksdale and seconded by Bill Daws to authorize the Chairman to execute a contract with J. M. Wood Auction Company to sell at auction a 2007 MACK CV713 Tri-Axle Dump Truck for District 2.

**LIMESTONE COUNTY INVENTORY
DISTRICT 2
JANUARY 10, 2012
EXHIBIT "A"**

DUMP TRUCKS

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**DISTRICT 2-2007 MACK CV713 TRI-AXLE DUMP, S/N 1M2AG11C5C57M046114
427 H.P. MACK ENGINE, MACK T-310M
(10 SPEED) TRANS, 18K FRONT, 44K REARS, DF, PS, AC, ENGINE BRAKE, 16'
HARD OX DUMP BODY, 21 YD CAPACITY, VIBRATING BED, HIGH LIFT GATE,
ELECTRIC TARP, 385/65R22.5 FRONT TIRES, 11R24.5 REAR TIRES, ALUMINUM
DISC WHEELS FRONT, STEEL DISC WHEELS REAR,
12,011 MILES
*CLEAN-UP \$ 82,000 GROSS GUARANTEE**

CONDITIONS OF GUARANTEE

1. Vehicles must be in road-worthy condition, including engine (example; water in the oil or excessive blow-by not acceptable). Brakes must be at least 50%.
2. Body damage on cab or body is not accepted. Broken glass not accepted, any factory installed equipment must be in working condition (radio, air conditioner, driving lights).
3. Tires must have sound casing, average 50% remaining tread with original rubber in all positions. Each Mack Truck must have matched tread on rear axles. Lift axles must have tires and rims.
4. Trucks must be delivered with clear and acceptable titles at time of sell.
5. Dump Body and Flat Body all hoist working properly, no hydraulic leaks, PTO working properly, side walls and floors in saleable condition (no bends, pits, or breaks).
6. Trucks must be delivered with on road fuel. No "OFF ROAD" fuel is acceptable and will require that we replace the fuel and fuel filters on the units in question.

ATTENTION: ALL EQUIPMENT MUST BE IN THE SAME OR BETTER WORKING CONDITION, AS WHEN THIS CONDITION REPORT/APPRAISAL WAS DONE. Should any of the foregoing conditions not be met, the equipment will be subject to reappraisal and/or reevaluation by an agent of J.M. Wood Auction Company, Inc.

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Gerald Barksdale, aye; James W. "Bill" Latimer, aye; and Bill Daws, aye. Motion carries unanimously.

MOTION was made by James W. "Bill" Latimer and seconded by Gary Daly to nominate the following candidates to be submitted to the Governor to appoint one nominee to serve for a six-year term on the Board of Directors of the Alabama Elk River Development Agency:

- Mickey Laye
- Scott Cook
- Dan Crunk

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Gerald Barksdale, aye; James W. "Bill" Latimer, aye; and Bill Daws, aye. Motion carries unanimously.

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MOTION was made by Bill Daws and seconded by Gerald Barksdale to award the following bid proposal to the lowest responsible bidder meeting specifications as follows:

Proposal No.	Item	Awarded To	Amount
2369	2 Model 52-1-1 Portable Portal Monitors (Emergency Management Agency)	Ludlum Measurements	\$26,880.00

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Gerald Barksdale, aye; James W. "Bill" Latimer, aye; and Bill Daws, aye. Motion carries unanimously.

MOTION was made by Gary Daly and seconded by Gerald Barksdale to employ Dennis Bradley Wallace as Equipment Operator II in District 1.

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Gerald Barksdale, aye; James W. "Bill" Latimer, aye; and Bill Daws, aye. Motion carries unanimously.

MOTION was made by Gerald Barksdale and seconded by James W. "Bill" Latimer to approve family medical leave for Wendy Tucker-Brito, beginning February 13, 2012 until March 12, 2012.

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Gerald Barksdale, aye; James W. "Bill" Latimer, aye; and Bill Daws, aye. Motion carries unanimously.

MOTION was made by Gerald Barksdale and seconded by Gary Daly to approve the following merit increases, which are included in the base pay and cost of living pay as listed below.

Name	Position	Effective Date	Current Rate Per Hour	New Rate Per Hour
Sonya Anthony	Grant Coordinator	2/06/12	17.37	17.89
Roy Lee Bailey	Building & Grounds Maint.	2/28/12	14.16	14.52
Michael S. Black	Equipment Operator III	2/28/12	17.72	18.23
David Freeman	Information Tech. Coordinator	2/14/12	37.24	38.24
Kayla Long	Monitoring Specialist/Lab Tech	1/10/12	16.32	16.84
Donna Mattox	Title Clerk	1/04/12	12.20	12.60
Sonya G. Persell	Appraisal Clerk	2/14/12	21.66	22.34
Cameron Puckett	Tax Collection Clerk	2/16/12	10.25	10.95
Laura Then	Title Clerk	1/09/12	14.45	14.90

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The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Gerald Barksdale, aye; James W. "Bill" Latimer, aye; and Bill Daws, aye. Motion carries unanimously.

MOTION was made by Bill Daws and seconded by James W. "Bill" Latimer to approve a 20 mph speed limit on Spry Lane in District 4.

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Gerald Barksdale, aye; James W. "Bill" Latimer, aye; and Bill Daws, aye. Motion carries unanimously.

County Engineer Richard Sanders announced the NCRS Watershed Protection Program has approved ten sites that are eligible to have storm debris removed from the streams and creeks.

MOTION was made by Gary Daly and seconded by James W. "Bill" Latimer to approve the following from the Revenue Commissioner's office:

Levy Ad Valorem Tax Millage:

County:	General	7 mills
	Public Building	3.5 mills
	Schools	5.5 mills
	Special School Districts 1 & 3	3 mills
	Amendment 778 – Additional Levy Req.	1.5 mills
	Hospital	3 mills
	Total Mills:	23.5 mills

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Gerald Barksdale, aye; James W. "Bill" Latimer, aye; and Bill Daws, aye. Motion carries unanimously.

MOTION was made by Bill Daws and seconded by James W. "Bill" Latimer to approve Maxwell Roofing & Sheet Metal Inc. to make roof repairs at the Veteran's Museum, in the amount of \$3,300.00.

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Gerald Barksdale, aye; James W. "Bill" Latimer, aye; and Bill Daws, aye. Motion carries unanimously.

Tom Hill, President, Limestone County Economic Development Association, introduced Bernie Mara, Vice President of Advanced Engineering for Carpenter Technology Corporation. Mr. Hill presented the Carpenter Technology Corporation tax abatement.

MOTION was made by Gerald Barksdale and seconded by James W. "Bill" Latimer to approve Tax Abatement for Carpenter Technology Corp.

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The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Gerald Barksdale, aye; James W. "Bill" Latimer, aye; and Bill Daws, aye. Motion carries unanimously.

Chairman Menefee announced a Public Hearing scheduled for March 5, 2012. The County Commission will receive comments relative to the proposed action to vacate a part of a right-of-way between Airport Road, west of Edgewood Road and Easter Ferry Road.

MOTION was made by Gerald Barksdale and seconded by Bill Daws to authorize the Chairman to execute the following resolution.

RESOLUTION

A RESOLUTION CONCERNING A PROJECT AGREEMENT BY AND AMONG THE STATE OF ALABAMA, AIDT, LIMESTONE COUNTY, THE CITY OF ATHENS/ATHENS UTILITIES, LIMESTONE COUNTY WATER AND SEWER AUTHORITY, LIMESTONE COUNTY ECONOMIC DEVELOPMENT ASSOCIATION, INC. AND CARPENTER TECHNOLOGY CORPORATION D/B/A "CARPENTER SPECIALTY ALLOY"

WHEREAS the Limestone County Commission, as the governing body of Limestone County, Alabama, desires to promote the economic and industrial development of Limestone County; and

WHEREAS the Limestone County Commission, in conjunction with the State of Alabama, AIDT, the City of Athens/Athens Utilities, Limestone County Water and Sewer Authority and Limestone County Economic Development Association, Inc., has negotiated with Carpenter Technology Corporation regarding Carpenter Technology Corporation's purchase of real property and construction of a manufacturing facility in Limestone County, pursuant to the terms and conditions set forth in that certain proposed Project Agreement, a copy of which is attached hereto as "Exhibit A;" and

WHEREAS, under said Project Agreement, the Limestone County Commission would agree to make certain commitments to Carpenter Technology Corporation, including a commitment to make available up to One Million Dollars (\$1,000,000) to reimburse Carpenter Technology Corporation for capital expenses incurred in developing a facility in Limestone County. The payment of said funds would be made in three (3) installments over a three (3) year period, and each installment would be contingent upon Carpenter Technology Corporation meeting specified employment targets at its facility to be developed in Limestone County, Alabama; and

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WHEREAS, the Limestone County Commission has determined that the expenditure of public resources and the giving of something of value for the benefit of Carpenter Technology Corporation as provided for under the proposed Project Agreement would provide a public benefit to the persons of Limestone County based upon an increase of jobs, commerce, taxes, revenue, and continued economic and industrial development expected to result therefrom; and

WHEREAS, prior to the execution of this Resolution, notice that a meeting would be held by the Limestone County Commission on February 6, 2012, at 10:00 a.m., in the Clinton Street Annex, located at 100 South Clinton Street, Athens, Alabama 35611, to consider and adopt same was published in the *Athens News Courier*, a newspaper of general circulation in Limestone County, at least seven days prior to; and

Upon motion having been duly made by Commissioner Barksdale, and seconded by Commissioner Daws to approve the expenditure of public resources and giving something of value by Limestone County entering into the Project Agreement with Carpenter Technology Corporation along with the State of Alabama, AIDT, the City of Athens/Athens Utilities, Limestone County Water and Sewer Authority and Limestone County Economic Development Association, Inc., pursuant to the terms and conditions therein, as proposed; and, with said motion and second having been made in an open meeting of the Commission on the 6th day of February, 2012, with discussion had thereon and a vote having been taken, upon which vote said motion carried;

THEREFORE, BE IT RESOLVED BY THE LIMESTONE COUNTY COMMISSION, during its meeting on the 6th day of February, 2012, commencing at 10:00 a.m., as follows:

BE IT HEREBY RESOLVED that the Limestone County Commission shall and hereby does approve of the expenditure of public resources and the giving of something of value to Carpenter Technology Corporation, pursuant to the proposed Project Agreement, to be entered into by Limestone County, along with the State of Alabama, AIDT, the City of Athens/Athens Utilities, Limestone County Water and Sewer Authority and Limestone County Economic Development Association, Inc., and Carpenter Technology Corporation; and

BE IT FURTHER RESOLVED that the Chairman of the Limestone County Commission shall be authorized to execute the Project Agreement on behalf of Limestone County and to further execute any and all documents and instruments that may be necessary to complete the expenditure of Limestone County property and resources therein contemplated, including the approval of any modifications to the Project Agreement that may be inconsequential to the substantive terms of said agreement.

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ADOPTED AND APPROVED this 6th day of February, 2012.

Limestone County Commission Chairman

ATTEST:

County Clerk/Administrator

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Gerald Barksdale, aye; James W. "Bill" Latimer, aye; and Bill Daws, aye. Motion carries unanimously.

The Athens City Council special session was called to order by Councilman Jimmy W. Gill, President of the Council. Upon roll call the following were found to be present: Councilmembers Mignon Bowers, Harold Wales, Jimmy Gill, James Hickman and Mildred Caudle. John Hamilton, City Clerk, was present and recorded the minutes of the meeting. The Chairperson stated that a quorum was present and that the meeting was open for transaction of business.

A public hearing was held to hear comments on an Economic Development Project regarding Carpenter Technology.

No one spoke in favor of or against.

The public hearing was closed.

Councilwoman Bowers introduced the following resolution:

RESOLUTION NUMBER 2012-1223

A RESOLUTION CONCERNING AN ECONOMIC DEVELOPMENT PROJECT

WHEREAS, this resolution concerns an economic development project involving Carpenter Technology Corporation ("Carpenter");

WHEREAS, Carpenter proposes to construct a plant for the purpose of specialty steel manufacturing in Limestone County, in which Carpenter is expected to invest approximately \$500,000,000.00 in capital, and employ a workforce of at least 200 persons;

WHEREAS, in connection with economic incentives offered by other entities (including Limestone County and the State of Alabama), the City of Athens, through Athens Utilities, will provide certain additional incentives as are specified herein;

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WHEREAS, the City Council believes that the proposed economic development project will create new jobs for persons in the City, will generate additional tax revenues for the City, will increase commerce in the City and will generally promote the economic development of the City;

WHEREAS, the activities to be authorized by this resolution will assist in said economic development and will constitute an economic development project for the City;

WHEREAS, the activities to be authorized by this resolution are permitted under the laws of the State of Alabama, including but not limited to Section 94.01 of the *Constitution of Alabama*;

WHEREAS, the activities to be authorized by this resolution; the public benefits sought to be achieved thereby; and each individual, firm, corporation, and other business entity to whom or for whose benefit the City proposes to lend its credit or grant public funds or thing of value, have been described in reasonable detail and/or identified in a notice published in the *Athens News Courier* at least seven days prior to this meeting, a copy of which is attached hereto as Exhibit A, and incorporated in this paragraph as if set out in full herein; and

WHEREAS, the City Council finds that the actions contemplated by this Resolution serve a valuable public purpose.

THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA on February 6, 2012 at 10:00 a.m., as follows:

1. The Mayor is authorized in the name of and for account of the City of Athens to enter into a contract with the State of Alabama, AIDT, Limestone County, Limestone County Water and Sewer Authority, Limestone County Economic Development Association, Inc., and Carpenter Technology Corporation, whereby the City of Athens, through Athens Utilities, will (i) construct pipelines, metering stations, regulating equipment, and appurtenant facilities at the location of the Carpenter project to enable natural gas service by Athens Utilities (and to provide related welding connection assistance), for a total anticipated value of approximately \$375,000.00; (ii) construct a new electrical substation near the Carpenter project and to serve its needs, the cost of which will be borne by Carpenter, but for which Athens Utilities will credit \$750,000.00 towards the total anticipated cost of \$3,500,000.00; and (iii) provide approximately 500 square feet of temporary office space to Carpenter at no cost until the project is completed. With respect to the same, the Mayor is authorized to execute the agreement in substantially the same form as is attached hereto as Exhibit B.

2. It is hereby determined that the expenditures of public funds for the purposes specified in this resolution and in the exhibits hereto (which are incorporated herein by reference), will serve a valid and sufficient public purpose, notwithstanding any incidental benefit accruing to any private entity or entities.

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3. The Mayor is authorized to take actions and execute such other and further documents as may be necessary to effect and carry out the transactions contemplated by this Resolution.

ADOPTED this the 6th day of February, 2012.

JIMMY W. GILL, CITY COUNCIL PRESIDENT

Chairman Menefee thanked Carpenter Technology for choosing Limestone County out of 250 other locations worldwide.

Commissioner Latimer thanked the City of Athens for the joint venture on the Carpenter Technology project and said he is proud the company is in his district.

Commissioner Daws also thanked the City of Athens for the joint venture on the Carpenter Technology project.

Recessed at 10:26 a.m. until 10:00 a.m. on Wednesday, February 15, 2012, at the Washington Street Courthouse Annex, 310 West Washington Street, Athens, AL.