

MINUTES, LIMESTONE COUNTY COMMISSION, MARCH 19, 2012

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

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 Bill Daws and seconded by James W. "Bill" Latimer to approve the minutes of March 8 & 14, 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 James W. "Bill" Latimer and seconded by Bill Daws to approve the following claims

3/06/12	Check # 18698 - 18749	\$ 497,276.00
3/09/12	Check # 18750 - 18808	\$ 534,705.86
3/09/12	Check # 18809 - 18811	\$ 384.02
3/16/12	Check # 18812 - 18888	<u>\$1,362,929.55</u>
	TOTAL	\$2,395,295.43

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.

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

**RESOLUTION PROVIDING FOR LIMESTONE COUNTY'S
PARTICIPATION IN THE "SALES TAX HOLIDAY"
AS AUTHORIZED BY ACT NO. 2006-574**

WHEREAS, during its 2006 Regular Session, the Alabama Legislature enacted Act No. 2006-574, which provides an exemption of the state sales and use tax for certain non-commercial purchases related to school clothing and supplies during the first full weekend in August of each year; and

WHEREAS, Act No. 2006-574 authorizes the county commission to provide for an exemption of county sales and use taxes for purchases of items covered by the Act during the same time period in which the state sales and use tax exemption is in place, provided a resolution to that effect is adopted at least thirty days prior to 12:01 a.m. on the first Friday in August; and

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WHEREAS, the Limestone County Commission has affirmatively voted to grant the exemption of county sales and use taxes on purchases covered by Act No. 2006-574 during the first weekend of August 2012, beginning at 12:01 a.m. on August 3, 2012 and ending at twelve midnight on Sunday, August 5, 2012, the first full weekend of August in 2012; and

WHEREAS, Code of Alabama 1975, § 11-51-210(e) requires that the county commission notify the Alabama Department of Revenue of any new local tax or amendment to an existing local tax levy at least 30 days prior to the effective date of the change; and

WHEREAS, the exemption of certain county sales and use taxes for the first full weekend of August 2012 herein adopted by the county commission is an amendment to the county's sales and use tax levy warranting notice to the Alabama Department of Revenue as provided in Code of Alabama 1975, § 11-51-210(e);

WHEREFORE BE IT RESOLVED BY THE LIMESTONE COUNTY COMMISSION that it does hereby provide for an exemption of the county sales and use tax on purchases of items covered by Act No. 2006-574 beginning at 12:01 a.m. on Friday, August 3, 2012 and ending at twelve midnight on Sunday, August 5, 2012.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of the March 19, 2012 meeting of the Limestone County Commission, and be immediately forwarded to the Alabama Department of Revenue in compliance with Code of Alabama 1975, § 11-51-210(e).

IN WITNESS WHEREOF, the Limestone County Commission has caused this Resolution to be executed in its name and on its behalf by its Chairman on this the 19th day of March 2012.

Stanley Menefee, Chairman

Attest: _____
Pam Ball, 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.

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

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RESOLUTION OF LIMESTONE COUNTY COMMISSION

A RESOLUTION TO EXERCISE THE RIGHT OF THE LIMESTONE COUNTY COMMISSION, AS GOVERNING BODY OF LIMESTONE COUNTY, ALABAMA TO TERMINATE THAT CERTAIN AGREEMENT ENTITLED, IN PART, *AN AGREEMENT CONCERNING A TRANSPORTATION PLANNING PROCESS FOR THE DECATUR URBANIZED AREA*, DATED APRIL 14, 2010

WHEREAS, the Limestone County Commission, as governing body of Limestone County, Alabama, together with various other governmental entities within the Decatur Urbanized Area and NARCOG and TARCOG, being two regional councils of government, entered into an agreement dated April 14, 2010 entitled, in part, *An Agreement Concerning a Transportation Process for the Decatur Urbanized Area* ("the Agreement"); and

WHEREAS, the Limestone County Commission has determined that it would be in the best interest of Limestone County, Alabama to exercise its right under Section 1-8(b) of the Agreement to terminate same as to the Limestone County Commission and Limestone County, Alabama; and,

WHEREAS, as required by said Section 1-8(b) of the Agreement notice of termination must be given to all remaining parties 60 days in advance of the termination date by registered mail; and,

WHEREAS, the Limestone County Commission has determined that it would be in the best interest of the Limestone County Commission and Limestone County, Alabama, to enter into negotiations for the development of a new agreement to consist of the same parties as are now members of the Agreement with the specific exception of NARCOG and TARCOG, and with the functions performed under the Agreement by NARCOG to now be performed by the City of Decatur, Alabama.

NOW, THEREFORE, be it **RESOLVED** by the Limestone County Commission as follows:

1. That the Chairman shall give notice of termination of the Agreement to all remaining parties in the manner prescribed by Section 1-8(b) of The Agreement, to be effective 60 days from the date of delivery of said notice so that the Agreement shall thereby be terminated as to the Limestone County Commission and Limestone County, Alabama; and,

2. That the Chairman be and is hereby authorized to enter into negotiations for the development of a new agreement to consist of the same parties as are now members of the Agreement with the specific exception of NARCOG and TARCOG and with the functions performed under The Agreement by NARCOG to be performed by the City of Decatur, Alabama.

DONE this 19th day of March, 2012.

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STANLEY MENEFEE, CHAIRMAN
LIMESTONE COUNTY COMMISSION

[ATTEST]

PAM BALL, COUNTY ADMINISTRATOR
LIMESTONE COUNTY COMMISSION

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 the following agreement.

RIGHT OF ENTRY AND USE AGREEMENT

**LIMESTONE COUNTY
STATE OF ALABAMA**

WHEREAS, the **LIMESTONE COUNTY COMMISSION** is in need of repository sites for the disposal of organic debris resulting from damages to public and private property caused by tornados on March 2, 2012.

NOW, THEREFORE, the **ALABAMA DEPARTMENT OF CORRECTIONS**, a public entity within the State of Alabama, grants to the **LIMESTONE COUNTY COMMISSION** and its contractors or subcontractors, from the date of execution herein through June 1, 2012, the authority and permission to enter in and upon properties owned or under the control of the **ALABAMA DEPARTMENT OF CORRECTIONS**, near **LIMESTONE CORRECTIONAL FACILITY**, more specifically to include the following:

A parcel of land consisting of 10 acres, more or less, located on the NW corner of the intersection of Nick Davis and Sanderson Roads, and located within the SE ¼ of the SW ¼ of Section 1, Township 3 South Range 3 West, in Limestone County Alabama, and as indicated as "Debris Dump Site #1" on the attached Exhibit "A".

In consideration of this use, the **LIMESTONE COUNTY COMMISSION** will:

- a) Ensure that a restrictive fence is installed and/or maintained along the Nick Davis Road frontage along with an access gate that will restrict the general public from unauthorized access to the designated site.
- b) Ensure that only organic debris is dumped and stored at the site specified.
- c) Remove any unauthorized debris or garbage that by whatever means may be inappropriately deposited at said site.

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- d) Restore the site to its current state once all debris has been removed or otherwise disposed.

The purpose of this Agreement is to allow for access in and upon all public lands referenced above for the following activities: 1) the removal of organic debris; 2) to deposit organic refuse, trees, tree limbs, and other such materials; 3) to operate a chipping/mulching process for the debris disposal/reduction of the organic refuse, trees, tree limbs, and other such materials referenced above; and 4) the right to burn organic refuse trees, tree limbs, and other such materials on the designated disposal sites described above. It is explicitly understood that no construction or demolition debris or household garbage is to be deposited or stored. Further, this Agreement allows and provides for the preparation, operation, maintenance, and restoration of the designated disposal site by the **LIMESTONE COUNTY COMMISSION**, its contractors, subcontractors, agents, or employees.

The **LIMESTONE COUNTY COMMISSION**, and its contractors or subcontractors, further agrees and warrants that it will hold harmless and indemnify the **ALABAMA DEPARTMENT OF CORRECTIONS** for any damage or claim of damage of any type whatsoever as a result of the dumping of materials that would be or is/are violation(s) of any and all the rules and procedures of the Alabama Department of Environmental Management (ADEM) and/or the Environmental Protection Agency (EPA).

It is expressly understood and agreed by the parties hereto that under no circumstances shall the commitment under this Agreement constitute a debt to the State of Alabama, including the **ALABAMA DEPARTMENT OF CORRECTIONS**, as prohibited by Section 213, Constitution of Alabama 1901, as amended by Amendment No. XXVI.

For any and all disputes arising under the terms of this Agreement, the parties hereto agree, in compliance with the recommendations of the Governor and Attorney General, when considering settlement of such disputes, to utilize appropriate forms of non-binding alternative dispute resolution including, but not limited to, mediation by and through the Attorney General's Office of Administrative Hearings, or where appropriate, private mediators.

In fulfilling the terms of this Agreement, the parties agree, and hereby acknowledge, that **LIMESTONE COUNTY COMMISSION** shall comply with all applicable state, federal, and local laws including the Beason-Hammond Alabama Taxpayer and Citizen Protection Act ("Act"). The signature below acknowledges receipt of any documentation required pursuant to said Act.

It is further agreed that if any provision of this Agreement shall contravene any statute, constitutional provision, or amendment either now in effect or which may during the course of this Agreement be enacted, then that conflicting provision in this Agreement shall be deemed null and void. All other portions of this Agreement shall remain in full force and effect.

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The parties agree that this Agreement and Exhibit A incorporated herein, make up the entirety of the Agreement between the parties, and any and all changes, oral or written, shall be in writing and signed by both parties.

Executed by and between the ALABAMA DEPARTMENT OF CORRECTIONS and the LIMESTONE COUNTY COMMISSION this ___ day of _____, 2012.

Alabama Department of Corrections

Limestone County Commission

Kim T. Thomas, Commissioner

Stanley Menefee, Chairman

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 suspend the Rules of Order, to add Homeland Security Grant to the agenda.

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 Bill Daws to authorize the Chairman to execute a Cooperative Agreement (#9NRL) with the State Homeland Security Grant Program, in the amount of \$27,662.00 for a badge system.

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 Bill Daws to award the following bid proposals to the lowest responsible bidder meeting specifications as follows:

Proposal No.	Item	Awarded To	Amount
2375	Horizontal Elliptical Concrete Pipe Delivered	No bid	

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HORIZONTAL ELLIPTICAL CONCRETE PIPE – PICKED UP

Bid Proposal No. 2376

April 1, 2012 – March 31, 2013

Quality Culvert

Size	Price Per Foot PICKED UP	24 Feet Price PICKED UP
18" (14x23)	\$26.14	\$627.36
24" (19x30)	\$40.88	\$981.12
30" (24x38)	\$57.22	\$1,373.28
36" (29x45)	\$81.70	\$1,960.80
42" (34x53)	\$115.06	\$2,761.44
48" (38x60)	\$141.17	\$3,388.08
54" (43x68)	\$172.28	\$4,134.72
60" (45x73)	\$208.22	\$4,997.28
72" (58x91)	\$287.47	\$6,899.28

CONCRETE PIPE – Picked Up & Delivered

Bid Proposal Numbers: 2377-2378

April 1, 2012 – March 31, 2013

SIZE	QUALITY CULVERT PICKED UP		HANSON PIPE & PRECAST DELIVERED		CUSTOMER INSTALLED PRICE	
	Per foot	24 feet	Per foot	24 feet	Per foot	24 feet
12"	\$10.70	\$256.80	\$8.56	\$205.44	\$20.83	\$500.00
15"	\$7.22	\$173.28	\$9.93	\$238.32	\$20.83	\$500.00
18"	\$9.84	\$236.16	\$10.88	\$261.12	\$22.92	\$550.00
24"	\$15.73	\$377.52	\$16.97	\$407.28	\$31.25	\$750.00
30"	\$22.29	\$534.96	\$24.00	\$576.00	\$37.50	\$900.00
36"	\$29.50	\$708.00	\$32.75	\$786.00	\$50.00	\$1,200.00
42"	\$41.89	\$1,005.36	\$42.87	\$1,028.88	\$75.00	\$1,800.00
48"	\$48.99	\$1,175.76	\$54.20	\$1,300.80	\$87.50	\$2,100.00
54"	\$64.94	\$1,558.56	\$67.93	\$1,630.32		
60"	\$77.62	\$1,862.88	\$81.93	\$1,966.32		
72"	\$108.23	\$2,597.52	\$113.00	\$2,712.00		

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**CONCRETE ARCH PIPE – Picked Up
Bid Proposal Numbers: 2379
April 1, 2012 – March 31, 2013**

1ST Choice: Quality Culvert

2nd Choice: Hanson Pipe & Precast

SIZE	Quality PICKED UP		CUSTOMER INSTALLED PRICE		Hanson PICKED UP		CUSTOMER INSTALLED PRICE	
	Per foot	24 feet	Per foot	24 feet	Per foot	24 feet	Per foot	24 feet
15" (11x18)	n/a			See 2 nd Choice	\$14.62	\$350.88	\$25.00	\$600.00
18" (13x22)	\$12.92	\$310.08	\$25.00	\$600.00	\$17.62	\$422.88		
24" (18x28)	\$21.99	\$527.76	\$35.42	\$850.00	\$22.57	\$541.68		
30" (22x36)	\$33.68	\$808.32	\$50.00	\$1,200.00	\$31.76	\$762.24		
36" (27x44)	\$41.01	\$984.24	\$62.50	\$1,500.00	\$42.00	\$1,008.00		
42"	n/a			See 2 nd Choice	\$52.20	\$1,252.80	\$79.17	\$1,900.00
48" (36x58)	\$63.00	\$1,512.00	\$95.83	\$2,300.00	\$62.10	\$1,490.40		

**CONCRETE ARCH PIPE – Delivered
Bid Proposal Number: 2380
April 1, 2012 – March 31, 2013**

Hanson Pipe & Precast - Delivered

SIZE	Delivered	
	Per foot	24 feet
15" (11x18)	\$14.62	\$350.88
18" (13x22)	\$17.62	\$422.88
24" (18x28)	\$22.57	\$541.68
30" (22x36)	\$31.76	\$762.24
36" (27x44)	\$42.00	\$1,008.00
42"	\$52.70	\$1,264.80
48" (36x58)	\$62.10	\$1,490.40
54" (40x65)	\$81.75	\$1,962.00
60" (45x73)	\$99.98	\$2,399.52
72" (54x88)	\$145.00	\$3,480.00

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**CRUSHED STONE
(Picked Up)
Bid Proposal No. 2381
April 1, 2012 – March 31, 2013**

* Districts should take into account the location of the jobsite and hauling costs when making purchases.

1st Option: Rogers Group, Inc. - Tanner Quarry – PICKED UP

Washed Paving Rock #5, #6, #7, #56, #57, #78, #89	Crusher Run	Crushed Limestone Screenings	Pug Mix Type B	Surge Rock	Rip Rap Class 1 or 2	Block Material
\$11.00/Ton	\$9.00/Ton	\$9.00/Ton	\$10.25/Ton	\$10.00/Ton	\$13.00/Ton	\$10.00/Ton

2nd Option 2: Hoover, Inc. – Huntsville Quarry – PICKED UP

\$11.60/Ton (#57 & #67)	\$10.60 (1 ½, ¾ & 810)	\$10.60/Ton	\$10.60/Ton	\$10.85/Ton	\$13.00/Ton (Class 2)	No bid
\$12.10/Ton (#78)						

3rd Option: M K Materials – Mt. Hope Quarry - PICKED UP

\$7.95/Ton	\$6.75/Ton	\$7.25/Ton	\$7.50/Ton	\$6.75/Ton	\$8.50/Ton	\$8.25/Ton
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**CRUSHED STONE
(Delivered)
Bid Proposal No. 2382
April 1, 2012 – March 31, 2013**

Rogers Group, Inc. - Tanner Quarry

Washed Paving Rock #5, #6, #7, #56, #57, #78, #89	Crusher Run	Crushed Limestone Screenings	Pug Mix Type B	Surge Rock	Rip Rap Class 1 or 2	Block Material
\$14.50/Ton For all Districts	\$12.50/Ton For all Districts	\$12.50/Ton For all Districts	\$13.75/Ton For all Districts	\$13.50/Ton For all Districts	\$17.00/Ton For all Districts	\$13.50/Ton For all Districts

2nd Option : RIP RAP ONLY FOR D1, D2 & D3 - Joe Keenum Excavation & Construction, Inc.

Rip Rap Class 1 or 2
D1: \$16.25 D2: \$17.75 D3: \$16.25

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PLANT MIX – PICKED UP & DELIVERED

Bid Proposal No. 2383

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The material has been awarded to all of the below Vendors. Districts should decide who to purchase from based on the following: **1) Which vendor can supply material needed; 2) Proximity of jobsite to plant; and 3) Cost of material.**

Joe Keenum Excavation & Construction, Inc.

Athens Plant

	Picked Up Price	Delivered
Bituminous Concrete Binder Layer or Plant Mix Bituminous Base ALDOT Spec. Sections 327 or 424	\$53.00	\$60.00
Bituminous Concrete Plant Mix ALDOT Spec. Sections 424 Limestone Aggregate	\$59.00	\$66.00
Bituminous Concrete Plant Mix ALDOT Spec. Sections 424 Siliceous Aggregate	\$63.00	\$70.00

Reed Contracting Company

Tanner Plant

	Picked Up Price	Delivered
Bituminous Concrete Binder Layer or Plant Mix Bituminous Base ALDOT Spec. Sections 327 or 424	\$48.60	\$58.60
Bituminous Concrete Plant Mix ALDOT Spec. Sections 424 Limestone Aggregate	\$60.41	\$70.41
Bituminous Concrete Plant Mix ALDOT Spec. Sections 424	\$59.42	\$69.42

APAC Mid-South, Inc.

Huntsville

	Picked Up Price	Delivered
Bituminous Concrete Binder Layer or Plant Mix Bituminous Base ALDOT Spec. Sections 327 or 424	\$49.00	\$61.00
Bituminous Concrete Plant Mix ALDOT Spec. Sections 424 Limestone Aggregate	\$58.20	\$70.20
Bituminous Concrete Plant Mix ALDOT Spec. Sections 424	\$58.20	\$70.20

Shelby Contracting Company – A Division of Wiregrass

Trinity Plant

	Picked Up Price	Delivered
Bituminous Concrete Binder Layer or Plant Mix Bituminous Base ALDOT Spec. Sections 327 or 424	\$56.00	\$64.00
Bituminous Concrete Plant Mix ALDOT Spec. Sections 424 Limestone Aggregate	\$67.00	\$75.00
Bituminous Concrete Plant Mix ALDOT Spec. Sections 424	\$70.00	\$78.00

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**TRAFFIC STRIPING
Proposal No. 2384
April 1, 2012 – April 31, 2013**

J. C. Cheek Contractors

Description	Cost
Permanent Traffic Stripe (4" Wide)	
• Broken Yellow (Class 1, Type A)	\$220.00 x 10 miles
• Solid Yellow (Class 1, Type A)	\$445.00 x 10 miles
• Solid White (Class 1, Type A)	\$445.00 x 20 miles
• Broken White (Class 1, Type A)	\$200.00 x 1 mile
• Broken Yellow (Class 2T, Type A)	\$800.00 x 10 miles
• Solid Yellow (Class 2T, Type A)	\$1,400.00 x 10 miles
• Solid White (Class 2T, Type A)	\$1,400.00 x 20 miles
• Broken White (Class 2T, Type A)	\$750.00 x 1 mile
Permanent Traffic Stripe (5" Wide)	
• Broken Yellow (Class 1, Type A)	\$275.00 x 5 miles
• Solid Yellow (Class 1, Type A)	\$480.00 x 5 miles
• Solid White (Class 1, Type A)	\$480.00 x 10 miles
• Broken White (Class 1, Type A)	\$275.00 x 1 mile
• Broken Yellow (Class 2T, Type A)	\$900.00 x 5 miles
• Solid Yellow (Class 2T, Type A)	\$1,500.00 x 5 miles
• Solid White (Class 2T, Type A)	\$1,500.00 x 10 miles
• Broken White (Class 2T, Type A)	\$900.00 x 1 mile
Temporary Stripe (4" Wide)	
• Broken Yellow (Class 1, Type A)	\$700.00 x 3 miles
• Solid Yellow (Class 1, Type A)	\$775.00 x 3 miles
• Solid White (Class 1, Type A)	\$775.00 x 6 miles
• Broken White (Class 1, Type A)	\$700.00 x 1 mile
Markings & Legends	
• Traffic Control Markings (Class 1, Type A)	\$2.00 x 100 square foot
• Traffic Control Legends (Class 1, Type A)	\$2.00 x 20 square foot
• Traffic Control Markings (Class 2, Type A)	\$4.50 x 100 square foot
• Traffic Control Legends (Class 2, Type A)	\$4.50 x 20 square foot
Pavement Markers	
• Class A-H (All Types)	\$5.00 x 1000 square foot

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HIGH PERFORMANCE ASPHALT COLD PATCH MATERIAL

Bid Proposal No. 2385

April 1, 2012 – March 31, 2013

ADVANCED ASPHALT PRODUCTS, LLC

****DELIVERED & PICKED UP****

Jasper Plant

PICKED UP	DELIVERED
\$87.50/Ton	\$94.50/Ton

SHELBY CONTRACTING COMPANY

****PICKED UP ONLY****

Trinity Plant

PICKED UP ONLY
\$108.00/Ton

EAGLE WHOLESALE SUPPLY

****50LB. BAGS ONLY****

Athens Plant

PICKED UP - 50LB. BAGS ONLY	DELIVERED - 50LB. BAGS ONLY
\$29.35/Bag	\$18.85/Bag

LIQUID ASPHALT – PICKED UP & DELIVERED

Bid Proposal No. 2386

April 1, 2012 – March 31, 2013

Vulcan Asphalt

Cordova, AL

	Picked Up Price Per Gallon	Delivered Price Per Gallon
CR-2 Emulsion	\$2.12	\$2.17
CRS-2p Emulsion	\$2.38	\$2.44

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**STEEL SLAG
Bid Proposal No. 2387
April 1, 2012 – March 31, 2013**

**DECATUR MILL SERVICE CO. a/k/a THE LEVY CO.
Trinity Plant**

1/2" x 0"	#899 (3/8" x 0")	3/4" x 3/8"	2" x 3/4"	4" x 2"	1 1/4" x 0"
\$8.25/Ton	\$8.75/Ton	\$4.00/Ton	\$3.00	\$3.00/Ton	\$4.00/Ton

Proposal No.	Item	Awarded To	Amount
2388	Cold Mix - Picked Up & Delivered	No bid	

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 subdivision:

Name	S/D Type	Approval Type	Lots	District	Location
Legacy Grove Addition #6	Major	Preliminary	22	2	Newby Road north side

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 Bill Daws to approve a request from Mr. Larry Fletcher for permission to run a water line on the county right of way from Fennell Road west along Zion Church Road to the church in District 3.

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 Bill Daws to approve a \$15,000 appropriation request for the Mental Health Center of North Central Alabama for alternative housing.

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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 Gerald Barksdale and seconded by Gary Daly to approve to contract for debris removal along the County right-of-ways as a result of the March 2, 2012 tornadoes.

The Chairman asked if there was any discussion. There was concern expressed by the commissioners about setting a precedent by cleaning up the storm debris without a federal declaration of disaster being issued. Chairman Menefee said he and Commissioner Barksdale had met with Senator Bill Holtzclaw, Representative Mac McCutcheon and Representative Dan Williams and it was agreed that the excess TVA in lieu of tax in the amount of \$175,000 to be utilized for the debris cleanup since the funds are earmarked to be used for a public purpose. There was further discussion pertaining to cost, enacting a mutual-aid agreement or utilizing a contractor to pick up vegetative debris from the county right-of-way in the affected areas and the letting of an emergency bid to begin the process.

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 Gerald Barksdale to declare to let an emergency bid to contract for debris removal from County right-of-ways for the areas affected by the March 2, 2012 tornadoes.

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.

A public hearing was called to order to 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.

The following spoke against vacating the right-of-way:
Mark Durm, 19365 Edgewood Road
Shirley Adams, 22964 Pin Oak Drive
Jere Trent, attorney representing Mark Durm

The following spoke in favor of vacating the right-of-way:
James Pack, 202 Briarwood Road
Todd Howard, attorney representing Kenneth Faulkner

Also, present was County Attorney, Mark Maclin.

MINUTES, LIMESTONE COUNTY COMMISSION, MARCH 19, 2012

After much discussion the Chairman recessed at 11:05 for a brief executive session for the commission to discuss with the county attorney the county's role regarding litigation that had been mentioned during the public comments. The Commission returned to the public portion of the meeting at 11:14.

MOTION was made by Bill Daws and seconded by Gerald Barksdale to approve the following resolution.

RESOLUTION

WHEREAS, a Right-of-Way deed in favor of Limestone County was recorded in Volume 750, Pages 842-847 in the office of the Judge of Probate of Limestone County, AL, and

WHEREAS, only the easternmost 1200 feet of this right-of-way is currently in use as a public road, and

WHEREAS, the Limestone County Commission hereby finds it in the public interest to vacate a portion of said right-of-way, more particularly described as follows:

A strip of land having a uniform width of 60 feet, being 30 feet on each side of the Section Line running east and west between Sections 30 and 31, Township 2 South, Range 4 West and Sections 25 and 26, Township 2 South, Range 5 West; beginning on the Section Line between said Sections 30 and 31, 990 feet west of the Northeast corner of the Northwest Quarter of said Section 31; running thence west to the east right-of-way of Easter Ferry Road.

WHEREAS, the proposed vacation of said right-of-way has been duly advertised four consecutive weeks in the News-Courier, a newspaper of general circulation in Limestone County, and

WHEREAS, the adjoining property owners, Kenneth Wayne & Neta V. Faulkner, the Pack Living Trust, Mark W. & Tracy Lee Durm, Shirley H. Adams, Stephen L. & Sandra B. Lovell, Barry L. & Terri L. Thompson, Ronnie C. & Jimmie R. Bell, and Linda Richardson, have been notified of the proposed vacation and Public Hearing concerning the vacation of said right-of-way, and

WHEREAS, a Public Hearing was held on March 19, 2012 at 10:00 AM at the Clinton Street Annex of the Limestone County Commission,

THEREFORE, BE IT RESOLVED that the right-of-way as described above is hereby vacated in accordance with the Code of Alabama 1975 §23-4-1 and §23-4-2.

Done this 19th day of March, 2012.

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Stanley Menefee, Chairman

Gary Daly, District 1

Gerald Barksdale, District 2

Bill Latimer, District 3

Bill Daws, 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.

Chairman Menefee stated the Commission will take action to designate a County Safety Coordinator and Safety Committee at the March 28th Work Session.

Chairman Menefee announced that Buddy Shields passed way and the graveside service will be tomorrow at 11 a.m. Mr. Shields was the Commissioner in District 2 from 1994 to 1996.

Recessed at 11:17 a.m. until 10:00 a.m. on Wednesday, March 28, 2012, at the Washington Street Courthouse Annex, 310 West Washington Street, Athens, AL.