

MINUTES, LIMESTONE COUNTY COMMISSION, DECEMBER 16, 2013

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, Steve Turner, James W. "Bill" Latimer, and Ben Harrison.
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 Steve Turner to approve the minutes of December 2 & 11, 2013.

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

MOTION was made by Steve Turner and seconded by Gary Daly to approve the following claims

12/03/13	Check # 26417 - 26423	\$181,663.02
12/05/13	Check # 26424 - 26460	\$168,137.93
12/06/13	Check # 26461 - 26476	<u>\$396,795.20</u>
	TOTAL	\$746,596.15

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; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by Ben Harrison and seconded by James W. "Bill" Latimer to authorize the Chairman to execute the following resolution for the Severe Weather Preparedness Tax Holiday.

**RESOLUTION PROVIDING FOR LIMESTONE COUNTY'S
PARTICIPATION IN THE "SEVERE WEATHER PREPAREDNESS TAX
HOLIDAY"
AS AUTHORIZED BY ACT NO. 2012-256**

WHEREAS, during its 2012 Regular Session, the Alabama Legislature enacted Act No. 2012-256, which provides an exemption of the state sales and use tax for certain "covered items" purchased related to severe weather preparedness during the first full weekend of July 2012 and the last full weekend of February in subsequent years; and

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WHEREAS, Act No. 2012-256 authorizes the county commission to provide for an exemption of county sales and use taxes for “certain” 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 30 days prior to the last full weekend of February in subsequent years; and

WHEREAS, the Limestone County Commission has affirmatively voted to grant the exemption of county sales and use taxes on purchases covered by Act No. 2012-256, beginning at 12:01 a.m. on Friday, February 21, 2014, and ends at twelve midnight on Sunday, February 23, 2014; 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; and

WHEREAS, the exemption of certain county sales and use taxes for the last full weekend of February 2014 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. 2012-256 beginning at 12:01 a.m. on Friday, February 21, 2014 and ending at twelve midnight on Sunday, February 23, 2014.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of the 16th day of December, 2013 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 16th day of December 2013.

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; Steve Turner, aye; James W. “Bill” Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

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MOTION was made by Steve Turner and seconded by Gary Daly to authorize the Chairman to execute the following Linton Road Development/Improvement Agreement, retroactive November 27, 2013.

"LINTON ROAD DEVELOPMENT/IMPROVEMENT AGREEMENT"

This Agreement ("the Agreement), is hereby made and entered into on the 16th day of 2013 (the "Effective Date"); between Bank Independent (the "Bank"), the County Commission of Limestone County, Alabama (the "County"), and the City of Athens, Alabama (the "City").

WITNESSETH:

Whereas, in 2007, the "City" and the City of Athens; Planning Commission approved the planned development known as "The Meres" Subdivision subject to certain improvements being constructed to Linton Road. Specifically, these improvements include the widening of Linton Road by four (4) feet along the entire frontage of the development and that said improvements would be constructed in accordance with the adopted City of Athens Subdivision Regulations;

Whereas, the "Bank" agrees to fund the improvements to Linton Road upon which the "City's" approval of "The Meres" Subdivision was predicated;

Whereas the "City" and the "County" have agreed to work together to widen and make improvements to Linton Road from Alabama Highway 251 to Nick Davis Road. These improvements will be completed in two stages:

Phase I - Widening improvements being completed within nine (9) months of the date of this agreement; and

Phase II - Paving improvements estimated to be completed within three (3) years of the date of this agreement.

OBLIGATIONS OF THE PARTIES

- 1) The "Bank" shall place \$25,000 (TWENTY FIVE THOUSAND) in escrow on or before December 31, 2013, or; in the alternative, shall make these funds available within 15 days of the request of the "City;" and
- 2) The "City" shall perform/oversee construction and improvements of the roadway within their jurisdiction; and
- 3) The "City" will contract with the "County" for their portion of the roadway improvements in a separate agreement.

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IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date first indicated above.

The City of Athens, Alabama

By: _____

Name: _____

Title: _____

ATTEST:

City Clerk

The County Commission of Limestone County, Alabama

By: _____

Name: _____

Title: _____

Approved December 16, 2013; retroactive to November 27, 2013

ATTEST:

County Administrator

Bank Independent

By: _____

Name: _____

Title: _____

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

MOTION was made by Ben Harrison and seconded by James W. "Bill" Latimer to approve Family Medical Leave for the following:

- Kayla Holt, beginning January 27, 2014 until April 21, 2014
- Glenda Malone, beginning December 30, 2013 until February 3, 2014

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

MOTION was made by Gary Daly and seconded by Steve Turner to employ Evan Whiteside as Deputy Sheriff and to promote David Inman from Corrections Officer to Deputy Sheriff.

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

MOTION was made by Steve Turner and seconded by James W. "Bill" Latimer to transfer Chris Shedd to Equipment Operator III in the Paving Crew.

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, abstained; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries.

MOTION was made by James W. "Bill" Latimer and seconded by Steve Turner 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
Rebekah Davis	Archivist	12/07/13
Matthew Dean	Corrections Officer	12/05/13
Martin Evans	Deputy	12/03/13
David Hargrove	Communications Officer	12/14/13
Jamie King	Deputy	12/17/13
Joshua McLaughlin	Lieutenant	11/02/13
Gil Moore	Deputy	12/07/13
Johnny Morell Jr.	Deputy	12/10/13
William Rogers	Deputy	12/19/13
Matthew Williamson	Equipment Operator II	12/17/13

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

MOTION was made by Ben Harrison and seconded by James W. "Bill" Latimer to sell the following vehicles on GovDeals:

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Department	Item	Inventory #	Serial #
District 4	2004 Ford Explorer	400	1FMZU72K44ZA90818
District 4	1995 Ford F150 Truck	401	1FTEX15NOSKA91290

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

MOTION was made by Steve Turner and seconded by Gary Daly to approve 2014 Bingo Permits for the following:

- Disabled American Veterans Chapter 51
- V.F.W. Post 4765
- The Vietnam Veterans of America Chapter 511

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

MOTION was made by James W. "Bill" Latimer and seconded by Steve Turner to approve to close County offices on December 31st & January 1st for the New Year's holiday.

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

A public hearing was announced to solicit public comment concerning the County's Solid Waste Management Plan (SWMP or Plan) on Monday, January 20, 2014 at 10:00 AM at the Limestone County Clinton Street Annex, 100 Clinton Street, Athens, AL, as required by the Alabama Solid Wastes & Recyclable Materials Management Act (SWRMMA), Code of Alabama 1975, §22-27-47.

Chairman Menefee announced the Senior Centers will be closed from December 23, 2013 through January 1, 2014.

Chairman Menefee and each Commissioner wished every a Merry Christmas and a Happy New Year.

MOTION was made by Steve Turner and seconded by James W. "Bill" Latimer to approve the following road improvement project in District 2.

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Road Name	Length in miles	Width in feet	Note	Cost
Estate Drive	0.21	20	Resurface Asphalt Plant Mix	\$25,000.00

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

Recessed at 10:09 a.m. until 10:00 a.m. on Wednesday, January 2, 2014, at the Washington Street Courthouse Annex, 310 West Washington Street, Athens, AL.