

TALLADEGA COUNTY COMMISSION

MINUTES

June 22, 2015

STATE OF ALABAMA)
)
COUNTY OF TALLADEGA)

BE IT REMEMBERED that on the 22nd day of June, 2015, the Talladega County Commission assembled at the Talladega County Courthouse in the Commission Courtroom, it being the second regular meeting of June, 2015. The following proceedings were had to wit:

COMMISSION MEETING CALLED TO ORDER

Chairman Kelvin Cunningham called the meeting to order at 6:00 p.m. The roll was called with the following Commissioners being present: Commissioner Jackie Swinford, Commissioner Tony Haynes, Commissioner Kelvin Cunningham, Commissioner Malley Limbaugh and Commissioner Greg Atkinson. Chairman Cunningham stated a quorum was present.

The news media was represented by The Daily Home and Shoot First Video. Judge Barry Vaughn gave the invocation.

ADOPT AGENDA

Chairman Kelvin Cunningham asked if there were amendments to the agenda. Commissioner Jackie Swinford made a motion to adopt the Agenda as presented and seconded by Commissioner Tony Haynes. Motion carried.

APPROVE MINUTES OF MAY 27, 2015

Commissioner Tony Haynes made a motion to approve the minutes of May 27, 2015 and seconded by Commissioner Malley Limbaugh. Motion carried. Commissioners Jackie Swinford and Greg Atkinson abstained due to their absence on May 27, 2015.

APPROVE MINUTES OF JUNE 8, 2015

Commissioner Malley Limbaugh made a motion to approve the minutes of June 8, 2015 and seconded by Commissioner Greg Atkinson. Motion carried. Commissioner Tony Haynes abstained due to his absence on June 8, 2015.

**REQUEST APPROVAL FOR CHAIRMAN TO SIGN AGREEMENT
BETWEEN ALDOT AND COUNTY TO RESURFACE ROADS**

County Engineer Tim Markert requested Commission approval for the Chairman to sign an agreement between the ALDOT and County to resurface Turners Mill Road from Jackson Trace Road to Eastaboga Road. Commissioner Tony Haynes made a motion to approve and seconded by Commissioner Jackie Swinford. Motion carried.

SCHEDULE PUBLIC HEARING REGARDING TRANSFER OF CABLE FRANCHISE

County Administrator Pat Lyle stated that Coosa Cable Company is being acquired by USA Communications. USA Communications has requested County approval for transfer of existing franchise from Coosa Cable to CAP Cable, LLC d/b/a USA Communications in order to continue operation of the cable television system in the County. The County Attorney has instructed that a notice of public hearing be scheduled to provide the public the opportunity for comments. Ms. Lyle requested approval to schedule this matter for public hearing on July 6, 2015 at 5:30 p.m. in the Commissioners' Courtroom. Commissioner Jackie Swinford made a motion to approve and seconded by Commissioner Tony Haynes. Motion carried.

**APPROVE LIST OF PERSONAL PROPERTY INSOLVENT
TAXPAYERS PUBLICATION FOR THE 2014 TAX YEAR**

County Administrator Pat Lyle requested Commission approval to publish the list of insolvent personal property taxpayers for 2014 tax year. Commissioner Greg Atkinson made a motion to approve and seconded by Commissioner Malley Limbaugh. Motion carried.

**APPROVE RENEWAL OF INTERGOVERNMENTAL
AGREEMENT FOR HOUSING OF INMATES**

County Administrator Pat Lyle requested Commission approval for the Chairman to sign a renewal agreement with the Department of Corrections for the period June 9, 2015 and ending June 8, 2016. Commissioner Jackie Swinford made a motion to approve and seconded by Commissioner Tony Haynes. Motion carried.

CONFERENCE REQUESTS AND TRAINING

There were no conference requests.

PERSONNEL CHANGES AND REQUESTS

County Administrator Pat Lyle presented the personnel changes and requests for approval. A motion was made by Commissioner Tony Haynes and seconded by Commissioner Greg Atkinson to approve. Motion carried.

EXPENDITURES

County Administrator Pat Lyle presented the expenditures to the Commission for approval through June 22, 2015 in the amount of \$672,095.86 as well as the routine operating transfers. A motion was made by Commissioner Jackie Swinford to approve and seconded by Commissioner Tony Haynes. Motion carried.

DISCUSSION ITEMS

Mr. Douglas Embry addressed the Commission regarding concerns of Bedell Lane not being paved. Commissioner Tony Haynes and County Engineer Tim Markert will meet with Mr. Embry to look at the road.

ANNOUNCEMENTS

- Commissioner Tony Haynes will have a garbage clean up on Saturday, June 27, 2015 from 8:00 a.m. to 4:00 p.m. at the Stemley Volunteer Fire Station No. 1, 125 Rock Church Road, Talladega
- County offices will be closed Friday, July 3, 2015 in observance of Independence Day
- The next Commission Work Session is scheduled Monday, July 6, 2015 at 5:00 p.m. in the Commission conference room followed by the Commission meeting at 6:00 p.m. in the Commission courtroom
- Commissioner Malley Limbaugh will have a garbage clean up on Saturday, July 11, 2015 from 8:00 a.m. to 4:00 p.m. at the Fayetteville Volunteer Fire Department located on Fayetteville Road at Fayetteville Circle across from Fayetteville High School
- Commissioner Greg Atkinson will have a garbage clean up on Saturday, July 25, 2015 from 8:00 a.m. to 4:00 p.m. at Five Points in Sylacauga
- There will be a grand opening for the new Revenue satellite office located in north Talladega County, 3802 Alabama Highway 21 South, Unit 1, Oxford, Alabama, on Friday, June 26, 2015 at 10:00 a.m.
- There will be a public hearing on Monday, July 6, 2015 at 5:30 a.m. in the Commission Courtroom, 1 Court Square, 2nd Floor, Talladega, Alabama to discuss the transfer of the cable television franchise from Coosa Cable Company to USA Communications

EXECUTIVE SESSION

County Attorney Barry Vaughn stated a resolution was passed by the Commission authorizing him to research and investigate the matter of the City of Lincoln police jurisdiction and include an association or engagement of experts, advisors or co-counsel if deemed necessary. Attorney Vaughn introduced Attorney Jim Sizemore to assist as co-counsel for the County in this matter.

Pursuant to the Open Meetings Act, Mr. Vaughn requested the Commission go into executive session to discuss the legal ramifications of potential litigation concerning City of Lincoln police jurisdiction. Commissioner Jackie Swinford made a motion to convene into an executive session and seconded by Greg Atkinson.

Mr. Vaughn stated the executive session would take approximately 30 minutes and would reconvene to either take action or adjourn the meeting. There was an unanimous roll call vote by all Commissioners to go into executive session. The executive session began at 6:28 p.m. and ended at 7:08 p.m.


Chairman Cunningham re-opened the session.

By unanimous vote, the Commission authorized its attorneys, Barry D. Vaughn and James Sizemore, to make a formal request under the Open Records Act of Alabama to the City of Lincoln, Alabama, for any and all public records and documents that said attorneys deem appropriate that pertain to the Lincoln Police Jurisdiction, including but not limited to annexation, finances, income, taxes, expenditures, minutes, correspondence, electronic media, reports, etc., to be produced within thirty days of said request, and upon failure to produce said public records, to take any appropriate legal action including filing suit against the City of Lincoln in the Circuit Court of Talladega County, Alabama, to compel said public records production in accordance with the Open records Act (Section 36-12-40 of the Code of Alabama).

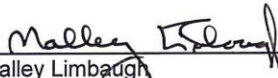
A Motion was made by Commissioner Jackie Swinford, and seconded by Commissioner Tony Haynes. Motion carried.

MEETING ADJOURNED

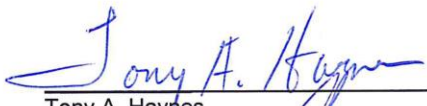
There was no further business for June 22, 2015 and a motion to adjourn was made by Commissioner Jackie Swinford and seconded by Commissioner Tony Haynes. The meeting was adjourned at 7:10 p.m. Motion carried.




Jackie Swinford
Commissioner District 1



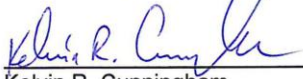
Malley Limbaugh
Commissioner District 4



Tony A. Haynes
Commissioner District 2



Greg Atkinson
Commissioner District 5



Kelvin R. Cunningham
Commissioner District 3