

August 12, 2013

The Marshall County Commission met in regular session on Monday, August 12, 2013 at 6:00 p.m. in the Marshall County Commission Chambers.

PRESENT WERE:

James Hutcheson, Chairman
William H. Stricklend, III, Dist. 1 Commissioner
R.E. Martin, Dist. 2 Commissioner
C.W. "Buddy" Allen, Dist. 3 Commissioner
Tamey Hale, Dist. 4 Commissioner
Shelly Fleisher, County Administrator
Jennifer Lewis, Commission Clerk
Bob Pirando, County Engineer
Karen Young, Administrative Assistant

Chairman Hutcheson called the meeting to order and asked Commissioner Hale to deliver the invocation. Commissioner Stricklend led the Pledge of Allegiance.

CONSENT AGENDA

A motion was made by Commissioner Hale, duly seconded by Commissioner Allen, all members voting affirmatively and so carried to approve the consent agenda as read by Chairman Hutcheson. The consent agenda includes the minutes from the July 22, 2013 commission meeting and the claim docket for July 18, 2013 – August 6, 2013 in the amount of \$2,042,946.70.

DISTRICT 2 – APPROVE FINANCE AGREEMENT FOR ST-048-888-009; BUCK ISLAND ROAD

A motion was made by Commissioner Martin, duly seconded by Commissioner Hale, all members voting affirmatively and so carried to approve finance agreement between Alabama Department of Transportation and Marshall County Commission for ST-048-888-008 (Buck Island Road Project).

EMA – APPROVE REQUEST FOR FUNDS (\$9,750) FOR UNANTICIPATED ROCK DRILLING FOR SIRENS; TO BE PAID FROM COUNTY WIDE FUNDS

A motion was made by Commissioner Hale, duly seconded by Commissioner Stricklend, all members voting affirmatively and so carried to approve request for \$9,750 to be paid from county wide funds for unanticipated rock drilling and pole relocation associated with siren installation.

ANNOUNCE WHITE GOODS PICK UP AUGUST 19, 2013

Chairman Hutcheson announced the next White Goods Pick Up will be August 19, 2013. District 1 & 2 will receive free dumpsters with District 3 & 4 paying for dumpsters.

DISCUSS RAINY DAY FUND

A motion was made by Commissioner Allen to approve for the Chairman's discretion be used regarding the amount of rainy day fund contribution presented to the Commission during budget process. With a roll call vote, Commissioner Stricklend voted nay, Commissioner Allen voted yay, Commissioner Martin voted yay and Commissioner Hale voted nay. This presented a tie vote in which Chairman Hutcheson voted yay, and so carried the motion.

COA – APPROVE RESOLUTION TO PLACE COA EMPLOYEES UNDER THE PERSONNEL BOARD

A motion was made by Commissioner Hale, duly seconded by Commissioner Allen, all members voting affirmatively and so carried to approve the resolution to place COA employees under the personnel board.

August 12, 2013

STATE OF ALABAMA)
)
MARSHALL COUNTY)

**RESOLUTION OF THE
MARSHALL COUNTY COMMISSION
COUNCIL ON AGING**

WHEREAS, the Marshall County Commission has requested, pursuant to an opinion of the Alabama Attorney General, that the employees of the Marshall County Council on Aging (“COA”) be placed under the Marshall County Personnel Board; and

WHEREAS, the Marshall County Personnel Board requested that the Marshall County Commission fund a pay scale study so that the COA employees would be properly placed on the Marshall County Pay Scale; and

WHEREAS, at the request of the Marshall County Personnel Board, the pay scale study was funded and performed by Dr. Diane Clark with Decisions, Inc.; and

WHEREAS, Dr. Clark has prepared job descriptions and made recommendations as to where each position should be placed on the current Marshall County Pay Scale and Classification Plan;

NOW THEREFORE be it resolved that the Marshall County Commission, effective October 1, 2013, agrees to fully fund the COA, by adding the difference between the current salary and benefit budget amount and the adjusted salary and benefit budget amount needed to comply with the recommendations of Dr. Clark in placing the full time COA employees under the Marshall County Personnel Board, and further that they shall be considered county employees for the purpose of considering cost of living adjustments and merit (longevity) pay raises in the future.

Adopted this the 12th day of August, 2013.

JAMES HUTCHESON, CHAIRMAN

ATTEST:

**WILLIAM H. STRICKLEND,
DISTRICT 1**

C. W. “BUDDY” ALLEN, DISTRICT 3

**R. E. MARTIN, DISTRICT 2
VICE CHAIRMAN**

TAMEY HALE, DISTRICT 4

ANNOUNCE TWO (2) WEEK APPLICATION PERIOD FOR MARSHALL COUNTY LIBRARY BOARD APPOINTMENT

Chairman Hutcheson announced the two (2) application period for Marshall County Library Board appointment. This appointment will be announced at the next Commission meeting August 26, 2013.

EMA – APPROVE ACCEPTANCE OF FY2012 EMPG GRANT; \$12,000 – NO MATCH

A motion was made by Commissioner Allen, duly seconded by Commissioner Hale, all members voting affirmatively and so carried to approve acceptance of FY2012 EMPG Grant in the amount of \$12,000. This grant has no match.

August 12, 2013

EMA – APPROVE ACCEPTANCE OF FY2013 STATE ALLOCATION EMPG GRANT; \$2,987 WITH 50% MATCH

A motion was made by Commissioner Stricklend, duly seconded by Commissioner Martin, all members voting affirmatively and so carried to approve acceptance of FY2013 State Allocation EMPG Grant in the amount of \$2,987. This grant has a 50% match.

APPROVE SELL, TRADE OR SCRAP OF FIXED ASSETS

A motion was made by Commission Allen, duly seconded by Commissioner Martin, all members voting affirmatively and so carried to approve sell, trade or scrap of fixed assets.

Surplus – 9655	1993 Tiff Motor Home – EMA
10139	Bushwacker Mower – District 2
10144	Bushwacker Mower – District 2

Transfer – 8560 Miscellaneous office equipment – Reappraisal to Domestic Violence

Per Alabama Code, County Attorney, Clint Maze made an oral declaration that an executive session was needed at this time to discuss matters regarding pending litigation involving Marshall County Revenue Commissioner, Joey Masters, and Marshall County Commission. No other matters will be discussed during this meeting.

APPROVE ENTERING INTO EXECUTIVE SESSION

A motion was made by Commissioner Allen, duly seconded by Commissioner Stricklend, all members voting affirmatively and so carried to enter into executive session to discuss threatened and pending litigation relative to Marshall County Revenue Commissioner, Joey Masters, and to discuss the status of Kenneth Downs v. Joey Masters and the Marshall County Commission.

APPROVE ADJOURNMENT OF EXECUTIVE SESSION

A motion was made by Commissioner Stricklend, duly seconded by Commissioner Martin, all members voting affirmatively and so carried to approve adjournment of executive session.

DISCUSSION

District 1: Commissioner Stricklend stated the first A-Trip project (Union Grove Road) is 95% complete.

District 2: Commissioner Martin stated the 2 safe rooms are completed the Buck Island Road paving project is coming along according to the utility companies.

District 4: Commissioner Hales stated District 4 will be donating \$700 to various volunteer fire departments.

ADJOURNMENT

There being no further business; a motion was made by Commissioner Allen, duly seconded by Commissioner Stricklend and so carried to adjourn.

MEETING ADJOURNED

August 12, 2013

James Hutcheson, Chairman

William H. Strickland, District 1 Commissioner

R.E. Martin, District 2 Commissioner

C.W. "Buddy" Allen, District 3 Commissioner

Tamey Hale, District 4 Commissioner