

03/08/2017

The Marshall County Commission met in regular session on Wednesday, March 8, 2017 at 10:00am in the Marshall County Commission Chambers.

PRESENT:

James Hutcheson, Chairman  
William H. Stricklend, III, District 1 Commissioner  
R.E. Martin, District 2 Commissioner  
David Kelley, District 3 Commissioner  
Jessie C. Swords, District 4 Commissioner  
Shelly Fleisher, County Administrator  
Bob Pirando, County Engineer  
Karen Young, Administrative Assistant  
Norma Parker, Commission Clerk  
Clint Maze, County Attorney

Chairman Hutcheson called the meeting to order and led the invocation. He then asked Commissioner Martin to lead the Pledge of Allegiance.

CONSENT AGENDA

A motion was made by Commissioner Martin, duly seconded by Commissioner Kelley, 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 February 22, 2017 commission meeting and the claims docket for February 21 - March 6, 2017 in the amount of \$474,332.80.

DISTRICT 2 – PUBLIC HEARING TO VACATE POULTRY LANE

A Public Hearing was held. Attorney Wade Wright with Wright & Wright introduced the information. The request was made by the Burgess family, the only family that occupies Poultry Lane. County Engineer Bob Pirando confirmed there was no opposition regarding vacating Poultry Lane.

APPROVE VACATING POULTRY LANE

A motion was made by Commissioner Martin, duly seconded by Commissioner Kelley, all members voting affirmatively and so carried to approve adopting the resolution as read by the County Attorney to vacate Poultry Lane.

SHERIFF – APPROVE FUNDING FOR ELEVATOR REPAIR OF \$2,857 FROM COURTHOUSE AND JAIL FUND

A motion was made by Commissioner Stricklend, duly seconded by Commissioner Martin, all members voting affirmatively and so carried to approve funding for elevator repair of \$2,857 from Courthouse and Jail Fund.

APPROVE C & D LANDFILL APPLICATION

On March 06, 2017 Tommy Gamble hand delivered a letter to Marshall County Commission requesting to withdraw his application to re-open Marshall C & D Land Fill. A public hearing was scheduled for that same day. Marshall County Commission continued with the Public Hearing as scheduled. During the regularly scheduled work session the Commission decided to proceed with the application that had been submitted by Mr. Gamble. This decision was based on the facts, public concern, and pending litigation surrounding the landfill. A motion was made by Commissioner Kelley, duly seconded by Commissioner Swords, all members voting affirmatively and so carried to reject the application submitted by Tommy Gamble to re-open Marshall C & D Landfill. Chairman Hutcheson opened the floor for discussion. Commissioner Kelley discussed he would commit himself to follow up with the District Attorney and Alabama Department Environmental Management on permanently closing the landfill properly. Chairman Hutcheson agreed with Commissioner Kelley that steps needed to be taken to properly close the landfill and he would do whatever he could to assist Commissioner Kelley.

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County Attorney Clint Maze recommended the Commission pass a resolution at the next scheduled meeting, spelling out the facts learned at the public hearing. He also suggested calling on ADEM to reactivate the litigation from 2006 and properly close the landfill.

APPROVE APPOINTMENT OF DR. HANNAH NIXON TO THE MOUNTAIN LAKES BEHAVIORAL HEALTHCARE BOARD FOR NEXT TERM

A motion was made by Commissioner Stricklend, duly seconded by Commissioner Martin, all members voting affirmatively and so carried to re-appoint Dr. Hannah Nixon to the Mountain Lakes Behavioral Healthcare Board from April 2017 – April 2023.

APPROVE APPOINTMENT TO THE MARSHALL JACKSON MENTAL RETARDATION AUTHORITY BOARD

A motion was made by Commissioner Kelley, duly seconded by Commissioner Stricklend, all members voting affirmatively and so carried to appoint Patricia Moore to the Marshall Jackson Mental Retardation Authority Board. Patricia Moore is completing Nita Chastain's appointment which will expire October 2021. Ms. Chastain resigned February 2017.

APPROVE APPOINTMENT TO THE DOUGLAS WATER BOARD

A motion was made by Commissioner Kelley, duly seconded by Commissioner Swords, all members voting affirmatively and so carried to re-appoint Ben Jones to the Douglas Water Board.

DISTRICT 2 – ANNOUNCE WHITE GOODS PICKUP AND DUMPSTER FOR MARCH 20, 2017

DISTRICT 3 – APPROVE RATIFYING THE CONTRACT WITH J.M. WOOD TO SELL 2011 KENWORTH DUMPTRUCK

A motion was made by Commissioner Kelley, duly seconded by Commissioner Swords, all members voting affirmatively and so carried to approve ratifying the contract with J.M. Wood to sell 2011 Kenworth Dump truck.

MAINTENANCE – APPROV PURCHASE OF LAWNMOWERS FROM EQUIPMENT REPLACEMENT FUND; \$14,372.50

A motion was made by Commissioner Kelley, duly seconded by Commissioner Swords, all members voting affirmatively and so carried to approve to purchase lawnmowers from Equipment Replacement Fund.

APPROVE DIRECT SUPPORT TO SOLID ROCK PRODUCTION; \$250 FROM CONTINGENCY FUND

A motion was made by Commissioner Kelley, duly seconded by Commissioner Swords, all members voting affirmatively and so carried to approve direct support to Solid Rock Production, \$250 from Contingency Fund.

APPROVE THE SELL, TRADE OR SCRAP OF FIXED ASSETS

A motion was made by Commissioner Kelley, duly seconded by Commissioner Swords, all members voting affirmatively and so carried to approve the sell, trade or scrap of fixed assets

	<u>FA#</u>	<u>DESCRIPTION</u>	<u>DEPARTMENT</u>	<u>PROCEEDS</u>	<u>REASON</u>
<u>SCRAPPED</u>	10110	Dell Towers	EMA		Item is obsolete, broken or worn out
	9824	Dell Tower	Jail		Item is obsolete, broken or worn out
	11038	Dell Tower	Jail		Item is obsolete, broken or worn out
	11227	Dell Tower	Jail		Item is obsolete, broken or worn out
	10543	Dell Laptop	Sheriff		Item is obsolete, broken or worn out
	9614	Dell Tower	Commission		Item is obsolete, broken or worn out

	9653	Think pad	Rev Commission		Item is obsolete, broken or worn out
	9828	Laptop	Commission		Item is obsolete, broken or worn out
	10111	Dell Tower	Data Processing		Item is obsolete, broken or worn out
	10112	Dell Tower	Data Processing		Item is obsolete, broken or worn out
	10385	Dell Tower	Rev Commission		Item is obsolete, broken or worn out
	10386	Dell Tower	Rev Commission		Item is obsolete, broken or worn out
	10454	Dell Tower	Rev Commission		Item is obsolete, broken or worn out
	10459	Dell Tower	Rev Commission		Item is obsolete, broken or worn out
	10667	Dell Tower	Commission		Item is obsolete, broken or worn out
	10739	Dell Tower	Probate		Item is obsolete, broken or worn out
	10790	Dell Tower	District 2		Item is obsolete, broken or worn out
	11008	Dell Tower	District 3		Item is obsolete, broken or worn out
	11008	Dell Tower	District 3		Item is obsolete, broken or worn out
	11044	Dell Tower	Jail		Item is obsolete, broken or worn out
	11373	Lap top	Sheriff		Item is obsolete, broken or worn out
<u>SURPLUS</u>	10339	Burster	Probate		Item no longer needed in department
		Xerox Fax	Probate		Item no longer needed in department
	10777	Printer	Probate		Item no longer needed in department
	11251	Bush Whacker	District 1		Item no longer needed in department
	10473	Paver	County wide		Item no longer needed in department
	9722	J.D Tractor	District 2		Item no longer needed in department
	10140	Bush hog	District 2		Item no longer needed in department
<u>TRADE</u>	11602	Bush Whacker	District 4	D # 2	Item no longer needed in department
	11576	Kubota tractor	District 4	D # 2	Item no longer needed in department

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

MEETING ADJOURNED

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James Hutcheson, Chairman

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William H. Strickland, District 1 Commissioner

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R.E. Martin, District 2 Commissioner

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David Kelley, District 3 Commissioner

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Jessie Swords, District 4 Commissioner