

July 14, 2008

The Marshall County Commission met in regular session on Monday, July 14, 2008 at 10:00 a.m. in the Marshall County Commission Chambers.

PRESENT WERE:

Douglas D. Fleming, Chairman
 William H. Strickland, Dist. 1 Commissioner
 R. E. Martin, Dist. 2 Commissioner
 C. W. "Buddy" Allen, Dist. 3 Commissioner
 Tim Bollinger, Dist. 4 Commissioner
 Nancy R. Wilson, Chief Administrative Officer
 Tammy Moman, Administrative Assistant
 Bob Pirando, County Engineer
 Cathy Maddux, Engineer Office Manager

Chairman Fleming called the meeting to order and ask Commissioner Allen to deliver the invocation, he then ask Commissioner Strickland to led the Pledge of Allegiance.

Diamond Woodworth spoke to the Commission today about the junk ordinance. She believes that the ordinance needs to be enforced more as it was written. Ms. Woodworth suggests that possibly the using of Deputies to assist in enforcing of the ordinance. Could complaints be submitted through email?

Rita Story spoke to the Commission today on the subject of the proposed Wildlife Sanctuary trying to establish itself in our Community. I have made booklets for each one of you with a parcel map showing the site of the proposed Wildlife Sanctuary. This booklet describes what kind of exotic animals would live in this Sanctuary. Also, Exhibits with public health and public safety information.

Fred Lanting spoke stating that the bulk of the eye sore in the county was along the roadsides. He suggested that the jail inmates needed to be used to utilized and clean up the road. He suggested to use less government and more individual responsibility.

Commissioner Strickland presented Georgia Mountain volunteer fire department with a \$1000.00 direct support from his District and also they have \$2333.00 from Senator Hinton Mitchem to match their grant.

APPROVE MINUTES

A motion was made by Commissioner Strickland, duly seconded by Commissioner Martin and so carried to approve the minutes of the June 23, 2008 meeting.

DISTRICT 1 – PRELIMINARY PLAT – LEGACY POINTE PHASE II

A motion was made by Commissioner Strickland, duly seconded by Commissioner Martin and so carried to follow the recommendation of the County Engineer and approve the preliminary plat for Legacy Pointe Phase II.

DISTRICT 3 – SPEED LIMIT

A motion was made by Commissioner Allen, duly seconded by Commissioner Bollinger and so carried to follow the recommendation of the County Engineer and post a regulatory speed limit of 35 mph on Windmill Road from Mr. Hebron to the Etowah County line.

EMA – APPROVE EOC GRANT APPLICATION

A motion was made by Commissioner Strickland, duly seconded by Commissioner Martin and so carried to apply for this grant.

EMA SOLICIT BID (S) – VEHICLE

A motion was made by Commissioner Strickland, duly seconded by Commissioner Martin and so carried to ask the County Engineer to solicit bid(s) for new or used vehicle for EMA.

GRANT AGREEMENT – DRUG PREVENTION PROGRAM – PROJECT AL-CS-08-121

A motion was made by Commissioner Strickland, duly seconded by Commissioner Bollinger and so carried to accept the grant agreement for the Drug Prevention Program project AL-CS-08-121.

RESOLUTION'S ALABAMA LAW – ANIMAL CONTROL

A motion was made by Commissioner Strickland, duly seconded by Commissioner Bollinger and so carried to accept the resolution to protect dogs and cats from cruelty.

RESOLUTION

Be it resolved that the Marshall County Commission, Alabama hereby appoints that person who serves in the capacity of animal control officer for the County to inspect alleged violation of section 13A-11-240 *et. seq.* of the Code of Alabama as specifically provided by Section 13A-11-242 to protect dogs and cats from cruelty. Further, the animal control officer shall have any and all powers granted by Section 13A-11-243 of the Code of Alabama.

Done this 14th day of July 2008.

S/ Douglas D. Fleming
 Douglas D. Fleming, Chairman

S/ C. W. "Buddy" Allen
 C. W. "Buddy" Allen, Dist 3 Commissioner

S/ William H. Strickland, III
 William H. Strickland, III Dist. 1 Commissioner

S/ Timothy F. Bollinger
 Timothy F. Bollinger, Dist 4 Commissioner

S/ R. E. Martin
 R. E. Martin, Dist. 2 Commissioner

A motion was made by Commissioner Bollinger, duly seconded by Commissioner Strickland approve the resolution as read by Chairman Fleming.

STATE OF ALABAMA

MARSHALL COUNTY

RESOLUTION

WHEREAS, Section 3-1-5 of the Code of Alabama allows county commissions to adopt prohibitions against dog or dogs not being confined to the limits of the premises of the owners, and

WHEREAS, there is a need in Marshall County for the adoption of a prohibition against dogs not being confined to the owner's premises, and

WHEREAS, it would be in the best interest of the citizens of Marshall County for this prohibition to be adopted.

NOW THEREFORE, BE IT RESOLVED by the Marshall County Commission as follows:

July 14, 2008

RESOLUTION CONT'(d)

1. Every person owning or having in charge any dog or dogs shall at all time confine the dog or dogs to the limits the premises on which the dog or dogs is or are regularly kept. However, the owner of any dog or dogs or of such dog or dogs in his or her charge shall not be prevented from allowing the dog or dogs to accompany persons elsewhere than on the premises on which the dog or dogs is or are regularly kept.
2. Any person violating this provision shall be guilty of a misdemeanor and shall be fined not less than \$2.00 nor more than \$50.00.

PASSED AND ADOPTED this 14th day of July 2008.

MARSHALL COUNTY COMMISSION

BY: SDouglas D. Fleming
Douglas D. Fleming, Chairman

ATTEST:

SNancy R. Wilson
Nancy R. Wilson, AdministratorBUDGET AMENDMENTS

A motion was made by Commissioner Martin, duly seconded by Commissioner Allen and so carried to amend the budget.

SHERIFFS DEPARTMENT LINE ITEM BUDGET INCREASE

A motion was made by Commissioner Stricklend, duly seconded by Commissioner Martin and so carried to increase the budget of \$1,639.80 for the Sheriffs department.

MILEAGE INCREASE

A motion was made by Commissioner Bollinger, duly seconded by Commissioner Allen and so carried to increase the mileage allowance to .585¢ effective July 1, 2008 as recommended by the state.

APPROVE - SCRAP/SURPLUS MOWER

A motion was made by Commissioner Stricklend, duly seconded by Commissioner Martin and so carried to approve the purchase of a new mower and put it on govdeals to be sold.

TARCOG - SENIOR AIDE AGREEMENT

A motion was made by Commissioner Martin, duly seconded by Commissioner Allen and so carried to approve the Senior Aide Agreement with TARCOG from July 1 2008 through to the county.

AMEND AGENDA

A motion was made by Commissioner Allen, duly seconded by Commissioner Stricklend and so carried to amend the agenda and move item number 2 in old business to the number 1 item and number 1 item into number 2 item.

REJECT BID - SHERIFF DEPARTMENT - BILLBOARDS

A motion was made by Commissioner Stricklend, duly seconded by Commissioner Bollinger to reject the bid for Billboards.

A motion was made by Commissioner Stricklend, duly seconded by Commissioner Bollinger and so carried to reject the bid for World of Ozark, Alabama, which was the next lowest bidder at \$2,047.00 per unit.

DOUGLAS DRIVE

A motion was made by Commissioner Stricklend, duly seconded by Commissioner Bollinger and so carried to vacate the portion of Douglas Drive.

CLAIMS

A motion was made by Commissioner Allen, duly seconded by Commissioner Bollinger and so carried to approve the payment of 27, 2007 through July 5, 2007 check numbers 83900 through 84176 in the amount of \$424,245.98 with data review upon request to the Chief Administrative Officer.

ADJOURNMENT

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

MEETING ADJOURNEDDouglas D. Fleming
Douglas D. Fleming, ChairmanWilliam H. Stricklend
William H. Stricklend, District 1 CommissionerR. E. Martin
R. E. Martin, District 2 Commissioner