

June 25, 2012

The Marshall County Commission met in regular session on Monday, June 25, 2012, at 10:00 am. in the Marshall County Commission Chambers.

PRESENT WERE:

James Hutcheson, Chairman
William H. Strickland, III, Dist. 1 Commissioner (entered after pledge of allegiance)
James Maze, Dist. 2 Commissioner
Richard Kilgore, Dist. 3 Commissioner
Tamey Hale, Dist. 4 Commissioner
Shelly Fleisher, County Administrator
Jennifer Lewis, Commission Clerk
Bob Pirando, County Engineer
Karen Young, Administrative Assistant
Clint Maze, County Attorney

Chairman Hutcheson called the meeting to order and asked his Administrative Assistant, Rhonda McCoy to deliver the invocation. He then asked Commissioner Hale to lead the Pledge of Allegiance.

CONSENT AGENDA

A motion was made by Commissioner Hale, duly seconded by Commissioner Kilgore, all members voting affirmatively, and so carried to approve minutes from April 17, 2012 (special meeting), April 24, 2012, May 29, 2012, June 11, 2012 and approve June 5, 2012-June 11, 2012 claims as read by Chairman Hutcheson.

DISTRICT 4 – APPROVE RESOLUTION FOR MCP 48-40 TO INITIATE FEDERAL AIDE PROJECT TO REPLACE 26 FEET LONG BRIDGE OVER TURKEY CREEK ON COCHRAN ROAD

A motion was made by Commissioner Hale, duly seconded by Commissioner Kilgore, all members voting affirmatively, and so carried to approve resolution for MCP 48-40 to initiate federal aid project to replace 26 feet long bridge over Turkey Creek on Cochran Road.

RESOLUTION

COUNTY OF MARSHALL

PROJECT NO. 48-40-12

STATE OF ALABAMA

FUNCTIONAL CLASSIFICATION NO. N/A

WHEREAS, the County Commission of Marshall County, Alabama, is desirous of constructing or improving by force account, by contract, or both, a section of road included in the Marshall County Road System and described as follows:

Replacement of an existing 26.0 feet long bridge over Turkey Creek on Cochran Road.
Structure No. CO 0400 48 0000126 Z 00 BIN 016065
Sufficiency Rating = 33.9
Status = 1
Location map attached.

WHEREAS, the County agrees to all of the provisions of the County-wide agreement executed between the State and the County covering preliminary engineering by State forces and equipment on the project, and

WHEREAS, the County agrees to all of the provisions of any agreement which has been executed or will be executed covering the construction of the project.

June 25, 2012

Done at the regular session of the County Commission of Marshall County, this day of June 25, 2012.

Marshall County Commission
Governing Body

s./James Hutcheson
James Hutcheson, Chairman

s./Richard Kilgore
Richard Kilgore, Commissioner

s./William H. Stricklend, III
William H. Stricklend, III, Commissioner

s./Tamey Hale
Tamey Hale, Commissioner

s./James Maze
James Maze, Commissioner

DATA PROCESSING – APPROVE EQUIPPING NEW PHONE SYSTEM WITH BACKUP CAPABILITY; AN INCREASE TO THE MONTHLY BILL OF \$113.20

A motion was made by Commissioner Maze, duly seconded by Commissioner Kilgore, with Commissioner Stricklend voting yay and Commissioner Hale abstaining, and so carried to approve equipping the new phone system with backup capability. This will increase the monthly bill by \$113.20.

REVENUE COMMISSION – APPROVE THE INSOLVENCIES, ERRORS AND TAXES IN LITIGATION FOR CURRENT YEAR

A motion was made by Commissioner Kilgore, duly seconded by Commissioner Hale, all members voting affirmatively, and so carried to approve the insolvencies, errors and taxes in litigation for this current year.

EMA – APPROVE PRICE INCREASE FOR FENCE

A motion was made by Commissioner Hale, duly seconded by Commissioner Kilgore, all members voting affirmatively, and so carried to approve the price increase for the fence and going with the next bidder due to the original winning bidder could not provide the specified gate at the quoted price.

APPROVE THE DELTA COMPUTER SYSTEMS AGREEMENT FOR FISCAL YEAR 2013

A motion was made by Commissioner Hale, duly seconded by Commissioner Kilgore, all members voting affirmatively, and so carried to approve the agreement with Delta Computer Systems for the fiscal year of 2013.

APPROVE THE DRUG TESTING CONTRACTOR AGREEMENT WITH MARSHALL COUNTY COURT REFERRAL SERVICES, INC.

A motion was made by Commissioner Maze, duly seconded by Commissioner Stricklend, all members voting affirmatively, and so carried to approve the drug testing contractor agreement with Marshall County Court Referral, Inc.

EXECUTIVE SESSION

A motion was made by Commissioner Hale, duly seconded by Commissioner Stricklend, all members voting affirmatively and so carried by roll call vote to go into executive session to discuss the county going into litigation regarding the redistricting.

ADJOURN EXECUTIVE SESSION

A motion was made by Commissioner Stricklend, duly seconded by Commissioner Kilgore, with Commissioner Maze voting yay and Commissioner Hale voting nay, and so carried to adjourn the executive session.

June 25, 2012

APPROVE COUNTY ATTORNEY TO SUBMIT INQUIRY TO ACCA AND ALL COUNTIES IN ALABAMA REGARDING REDISTRICTING LITIGATION AND UPON FINDINGS AUTHORIZE RETENTION OF VOTING RIGHTS ATTORNEY GREG HAWLEY

A motion was made by Commissioner Maze, duly seconded by Commissioner Stricklend, with Commissioner Kilgore voting yay and Commissioner Hale voting nay, and so carried to approve county attorney, Clint Maze, to submit inquiry to ACCA and all Alabama counties regarding redistricting litigation. Upon findings of said inquiry authorize retention of voting rights attorney Greg Hawley and inquire about costs of such litigation and opinion letter.

DISCUSSION REGARDING REDISTRICTING LITIGATION

Commissioner Maze is in favor of the inquiry with regard to redistricting litigation, but is hesitant to spend an enormous amount of money without a secure guarantee of success. Commissioner Maze stated District 2 includes the City of Guntersville which was split in half with the redistricting. This has affected the schools by putting the high school and elementary schools in separate districts. Commissioner Hale is strongly opposed to the litigation inquiry and the filing of a lawsuit. Her opposition is due to the cost factor of same. Mrs. Hale stated filing suit would be an inconvenience for the county that will be faced with many financial inconveniences for the next few years due to the economy. Commissioner Stricklend is in favor of the inquiry and possible litigation due to the fact District 1 was seriously divided and affected by the redistricting.

ANNOUNCEMENTS

District 3 - Commissioner Kilgore announced the closing of bridge at Douglas Height Road due to test boring and possible clearing for new bridge. Also announced the District 3 shop will be closed the week of July 4th.

District 2 - Commissioner Maze announced the pavement completion of the walking trail at Grant City Park. He also announced the paving of the cross drains on Buck Island Road. Also announced the District 2 shop will be open the week of July 4th with a partial crew.

District 1 - Commissioner Stricklend announced the electronic gates at Park 2 were now completely installed and fully operational. Also announced the District 1 shop will be closed the week of July 4th.

District 4 – Commissioner Hale announced the District 4 shop will be open but with a partial crew.

ADJOURNMENT

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

MEETING ADJOURNED

James Hutcheson, Chairman

William H. Stricklend, District 1 Commissioner

James Maze, District 2 Commissioner

Richard Kilgore, District 3 Commissioner

Tamey Hale, District 4 Commissioner