

**CHAMBERS COUNTY COMMISSION MEETING .....October 5, 2015**

The Chambers County Commission met on Monday, October 5, 2015, at 4:00 PM CST with the following members present: Commission Chairman, David Eastridge, Commissioners, Charlie Williams, James Brown, Joe Blanks, and Henry Osborne. Commissioner Debbie Wood was absent. County Engineer Josh Harvill, County Attorney McCoy and County Manager Regina Chambers were also present.

Chairman Eastridge called the meeting to order. Commissioner Williams led the pledge of allegiance and Commissioner Blanks gave the invocation. Linda Anderson conducted a roll call to establish a quorum. District 1 – Present, District 2 – Present, District 3 – Present, District 4 – Present, District 5 – Present, District 6 – Absent; County Attorney McCoy – Present

**PUBLIC COMMENTS**

Ms. Lynn Oliver

Ms. Lynn Oliver stated that the LaFayette Rotary Club was holding the first annual “LaFayette Rotary Club Christmas Festival” on the Square on Saturday, December 5, 2015, from 10:00am until 3:00pm CST. She asked the Commission for permission to use the Courthouse restroom facilities on that day and to allow Christmas trees, with decorations made by area school children, to be displayed in the Courthouse security entrance area windows. Concerns were raised regarding security and insurance liability. The request was tabled until Ms. Oliver could come back to the Commission with names of county employees who would be providing courthouse security on that day.

Ms. Mary Appleby

Ms. Mary Appleby approached the Commission asking for County Road 265, which is a dirt road, to be maintained and ask about the possibility of it being paved.

Mr. Larry Phillips

Mr. Larry Phillips approached the Commission requesting that 49<sup>th</sup> Avenue SW off Cusseta Road be paved. County Engineer Harvill invited him stay for the public hearing after the regular meeting, where his questions would be addressed.

**COMMENTS FROM COMMISSIONERS**

Commissioner Henry Osborne

Commissioner Henry Osborne recognized Mr. David Bell of the VTN who was sitting in for Mr. Cy Wood.

**PROCLAMATION FOR CHAMBERS COUNTY NATIONAL FARM CITY WEEK**

A proclamation was read observing November 20-26, 2015, as National Farm City Week in Chambers County. The proclamation was presented to Mr. Ken McMillan, representing the Farm City group (page 486).

### KEN MCMILLAN- EXTENSION SERVICE CDC GRANT UPDATE

Mr. Ken McMillan, Chambers County Extension Service Coordinator, gave a brief update on the CDC Grant, and 2<sup>nd</sup> phase thereof, which will feature raised gardens tended by citizens, a farmers' market and walking trail upon completion of the project (pages 487-488).

### APPROVAL OF MINUTES AND WARRANTS PAYABLE

Commissioner Osborne motioned to adopt the September 21, 2015, minutes and warrants payable and Commissioner Williams seconded it. It was **approved** by the "I" vote.

**RESOLVED:** "To adopt the September 21, 2015, minutes and approve the warrants payable"

### AGENDA APPROVAL

Commissioner Williams motioned to approve the agenda as presented for the October 5, 2015, meeting. Commissioner Blanks seconded the motion. It was **approved** by the "I" vote.

**RESOLVED:** "To approve the agenda for the October 5, 2015, meeting"

### NEW BUSINESS

#### CHIEF DEPUTY RICHARD CARTER – ALCOHOL LICENSE RETAIL BEER (OFF PREMISES ONLY) – D And B GROCERIES

Chief Deputy Richard Carter presented a request for an Alcohol License Retail Beer (off premises only for Denise M. Tucker of D and B Groceries (pages 489-492). Chief Carter stated that the structure that housed the store was a small metal type building and that he would recommend the fire marshal look at the building to make sure it met with code. Attorney McCoy stated that this would be a good idea prior to issuing the license, just in case it does not meet standards. Commissioner Willams motioned to table the license application until a check could be done. Commissioner Brown seconded the motion. It was **approved** by the "I" vote.

**RESOLVED:** "To table the D and B alcohol license application until a check could done of the store building"

#### CHIEF DEPUTY RICHARD CARTER – SURPLUS PROPERTY

Chief Deputy Richard Carter asked the Commission to declare one Sheriffs' Office 2008 wrecked Crown Vic, Vin #2FAFP71V88X156590, as surplus property and allow it to be donated to Randolph County, to be used as parts. Attorney McCoy said this was permissible since it was an inter-governmental transfer. Commissioner Blanks motioned for the surplus declaration and donation. Commissioner Brown seconded the motion. It was **approved** by the "I" vote.

**RESOLVED:** “To declare one Sheriffs’ Office 2008 wrecked Crown Vic, Vin#2FAFP71V88X156590, as surplus property and allow it to be donated to Randolph County”

COUNTY MANAGER CHAMBERS – 2016 SEVERE WEATHER PREPAREDNESS SALES TAX HOLIDAY

County Manager Chambers asked the Commission to adopt a resolution approving the participation of Chambers County in the Severe Weather Preparedness Sales Tax Holiday, February 26-28, 2016 (page 493). Commissioner Osborne motioned for the resolution. Commissioner Blanks seconded the motion. It was **approved** by the “**I**” vote.

**RESOLVED:** “To adopt a resolution approving the participation of Chambers County in the Severe Weather Preparedness Sales Tax Holiday, February 26-28, 2016.”

COUNTY MANAGER CHAMBERS – 105 FUND BUDGET AMENDMENT

County Manager Chambers made a recommendation to amend the 105 Public Safety Fund 2015-2016 FY Budget, in the amount of \$1,752.00 for the appropriation expense increase to be paid to the Lee County Development Center. Commissioner Brown motioned to approve the budget amendment (page 494). Commissioner Williams seconded the motion. It was **approved** by the “**I**” vote.

**RESOLVED:** “To amend the 105 Public Safety Fund 2015-2016 FY Budget in the amount of \$1,752.00 for the appropriation expense increase to be paid to the Lee County Development Center”

COUNTY MANAGER CHAMBERS – LEE COUNTY YOUTH DEVELOPMENT CENTER, INC 2015-2016 FY AGREEMENT

County Manager Chambers made a recommendation to adopt the 2015-2016 FY agreement with the Lee County Youth Development Center, Inc. for the provision of youth services at the LCYDC as required by the Chambers County Juvenile Court (pages 495-497). Commissioner Williams motioned for the recommendation. Commissioner Brown seconded it. It was **approved** by the “**I**” vote.

**RESOLVED:** “To adopt the 2015-2016 FY agreement with the Lee County Youth Development Center, Inc. for the provision of youth services at the LCYDC as required by the Chambers County Juvenile Court”

COUNTY ATTORNEY MCCOY – COUNTY INCOME TAX REFUND SETOFF PROGRAM

County attorney McCoy updated the Commission on the details of the Income Tax Refund Setoff Program following his and Manager Chambers attendance at several meetings and seminars. It was discovered that the program would not be as beneficial as expected for the County and Attorney McCoy and Manager Chambers recommended that the Commission allow the County to opt out of the program at

this time. Commissioner Brown motioned for Attorney McCoy's recommendation. Commissioner Blanks seconded the motion. It was **approved** by the "I" vote.

**RESOLVED:** "To allow the County to opt out of the Income Tax Refund Setoff Program"

COUNTY ENGINEER HARVILL – RESOLUTIONS

County Engineer Harvill asked that the first two of his resolutions appearing on the agenda, be tabled and discussed at another time. Commissioner Williams motioned for the request. Commissioner Blanks seconded the motion. It was **approved** by the "I" vote.

**RESOLVED:** "To table Engineer Harvill's first two resolutions, appearing on today's Agenda"

ENGINEER HARVILL – RESOLUTION – TRUCK PURCHASE

Engineer Harvill asked for a resolution to purchase "3" new current production model Mack GU 713, Dump Truck Chassis from the Association of County Commissions of Alabama's Joint Bid. Commissioner Blanks motioned for the resolution. Commissioner Brown seconded it. It was **approved** by the "I" vote.

**RESOLVED:** "To purchase "3" new current production model Mack GU 713, Dump Truck Chassis from the Association of County Commissions of Alabama's Joint Bid"

ENGINEER HARVILL – RESOLUTION – SURPLUS DECLARATION

Engineer Harvill asked for a resolution to declare Equipment Numbers 553 and 554, 2015 Mack Dump Trucks, as surplus in order to sale at the March 2016, JM Wood Auction. Commissioner Brown motioned for the resolution. Commissioner Blanks seconded it. It was **approved** by the "I" vote.

**RESOLVED:** "To declare Equipment Numbers 553 and 554, 2015 Mack Dump Truck, as surplus, in order to sale at the June 2016, JM Wood Auction"

ENGINEER HARVILL – RESOLUTION – SURPLUS DECLARATION

Engineer Harvill asked for a resolution to declare Equipment Number 550, 2015 Mack Dump Truck, as surplus in order to sale at the June 2016, JM Wood Auction. Commissioner Blanks motioned for the resolution. Commissioner Osborne seconded. It was **approved** by the "I" vote.

**RESOLVED:** "To declare Equipment Number 550, 2015 Mack Dump Truck, as surplus in order to sale at the June 2016, JM Wood Auction. "

ENGINEER HARVILL – RESOLUTION – MACK LOW BOY TRACTOR PURCHASE

Engineer Harvill asked for a resolution to purchase “1” new current production model Mack CHU 613 Low Boy Tractor from the Association of County Commissions of Alabama’s Joint Bid. Commissioner Blanks motioned for the resolution. Commissioner Brown seconded it. It was **approved** by the “I” vote.

**RESOLVED:** “To purchase “1” new current production model Mack CHU 613 Low Boy Tractor from the Association of County Commissions of Alabama’s Joint Bid”

ENGINEER HARVILL – RESOLUTION – SURPLUS DECLARATION

Engineer Harvill asked for a resolution to declare Equipment Number 548, 2015 Mack Low Boy Tractor, as surplus in order to sale at the March 2016, JM Wood Auction. Commissioner Blanks motioned for the resolution. Commissioner Brown seconded it. It was **approved** by the “I” vote.

**RESOLVED:** “To declare Equipment Number 548, 2015 Mack Low Boy Tractor, as surplus in order to sale at the March 2016, JM Wood Auction.”

STAFF REPORTSATTORNEY MCCOY – VOTING PRECINCTS

Attorney McCoy stated that Commissioner Blanks, Probate Judge Easlick and former Probate Judge Crowder had been conducting a study on combining some voting precincts as well as relocating some voting places in the County. They have since met with Attorney McCoy with questions on legal issues and what would have to take place in order for the changes to be made. They have come forward with a three part recommendation to the County Commission. One, that the Shawmut, Langdale, Fairfax and RiverView precincts, that currently vote at the Valley Sportsplex, but in different precincts, be combined into one precinct voting at the Valley Sportsplex known as the City of Valley Sportsplex Precinct. Voters would sign in and vote alphabetically instead of by precinct, thereby cutting the number of personnel needed to conduct election and operating in a more cohesive manner. Two, they further recommend that City of LaFayette voters currently voting at the Courthouse, be relocated to the LaFayette High School Gym, which would allow better parking and handicap accessibility. Dr. Hodge was in agreement with this. Three, that Huguley voters currently voting at the Huguley Fire Station, but in the Lions Club precinct and the Rescue Squad precinct, be combined into one precinct voting at the Huguley Fire Station known as the Huguley Precinct. Since these three changes would involve a large number of voters and the time has to be considered, these changes were recommended first. If all goes well, it might be possible to have these changes in place by the March 2016, election. There will be other proposed changes concerning other polling place consolidations at a later time. The committee asked that the Commission set a Public Hearing on October 19, 2015, at 3:30pm CST, for the public to address concerns or voice opinions on the recommended changes. Chairman Eastridge said the hearing would be published.

ATTORNEY MCCOY – COUNTY PROPERTY SALE

Attorney McCoy stated that he had contacted landowners adjoining the firing range property, and received only one response from Mr. Albert Handy of New York, who expressed interest in the property. McCoy stated the County appraisal value on the 4 acres, was approximately \$1850.00 per acre. He recommended the Commission use this value as appraisal value to see if Mr. Handy seriously interested.

Commissioner Blanks motioned for Attorney to contact Mr. Handy of New York and offer him the acreage at \$1850.00 per acre. Commissioner Brown seconded it. It was **approved** by the “I” vote.

**RESOLVED:** “For Attorney McCoy to contact Mr. Handy of New York and offer him the firing range acreage at \$1850.00 per acre”

There was no further business. The meeting adjourned.

I have read the minutes and review the warrants payable. I do hereby **APPROVE** the minutes and warrants payable.

Chairman David Eastridge \_\_\_\_\_

Commissioner Charlie Williams \_\_\_\_\_

Commissioner Debbie Wood \_\_\_\_\_

Commissioner Joe Blanks \_\_\_\_\_

Commissioner Henry Osborne \_\_\_\_\_

Commissioner James Brown \_\_\_\_\_

PROCLAMATION



STATE OF ALABAMA  
CHAMBERS COUNTY

CHAMBERS COUNTY NATIONAL FARM-CITY WEEK 2015

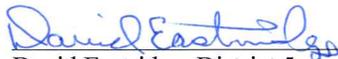
WHEREAS, For the past 59 years during Thanksgiving week, the American people have observed National Farm-City Week to express gratitude for the bounty with which God has blessed our land and to recognize the achievements of the farmers, rural townspeople, and city residents who make our Nation’s agricultural productions and distribution system so successful. Truly this cooperation between rural and city dwellers for mutual benefit helps ensure our country’s well-being; and

WHEREAS, America’s farmers have provided food and fiber to sustain our people throughout decade after decade of progress. Farmers’ productivity has increased steadily, thanks largely to their initiative in supporting and adopting the methods and materials developed by scientific research. Yield per acre has grown tremendously, with the result that American farmers are able not only to meet the Nation’s basic needs for foodstuffs, but also to produce agricultural goods for export and for a wide variety of specialty markets here in the United States and around the world; and

WHEREAS, American agriculture, and the many service industries that depend upon it in cities and towns and along all the routes in between, is a story of extraordinary labor creating extraordinary abundance. At this time of year, it is only fitting that all Americans offer some special sign of thanks to those who grow, harvest, and bring to our Nation’s tables the fruits of the sun, seed, and soil.

NOW, THEREFORE, be it proclaimed by the Chambers County Commission that the week of November 20 through November 26, 2015, shall be recognized as “National Farm-City Week” in Chambers County. We call upon all citizens in rural areas and cities alike to join in recognizing the accomplishments of our productive farmers and of our urban residents, who cooperate to create abundance, wealth, and strength of our Nation.

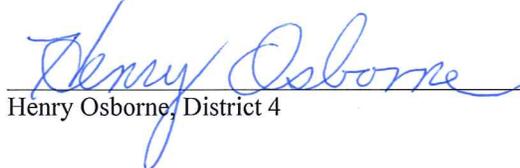
IN WITNESS WHEREOF, We have hereunto set our hands this 5<sup>th</sup> day of October in the year of our Lord two thousand and fifteen.

  
David Eastridge, District 5                      Chairman

  
Joe Blanks, District 3                      Vice-Chairman

\_\_\_\_\_  
Charlie Williams, District 1

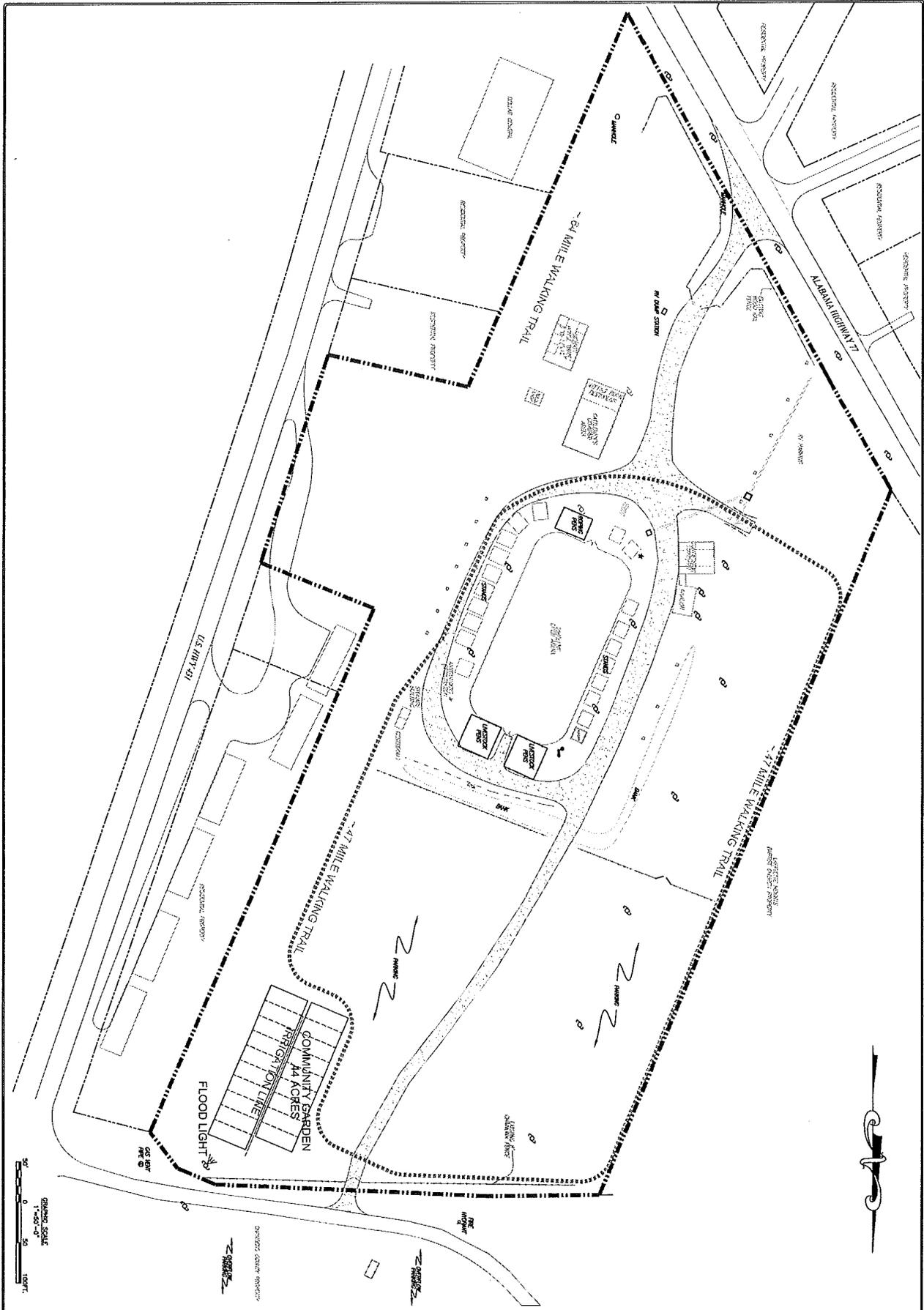
  
James Brown, District 2

  
Henry Osborne, District 4

\_\_\_\_\_  
Debbie Wood, District 6

Chambers County ALProHealth CDC Grant Summary, 10/5/15

- Purpose: Prevent and reduce Obesity in LaFayette community
  - Nutrition Education/Workshops and Outreach
  - Food Retail
  - Physical Activity
- 2 Locations:
  - Agricultural Arena
  - AL Avenue E
- Year 1 Expenditures (Total: \$22,807; rounded)
  - 5/1/15 – 9/29/15
  - Travel: \$23
  - Raised-bed Community Gardens: \$4,223
  - Farmers Market: \$3,978
  - Walking Trail and Outdoor Exercise Equipment: \$14,583
- Year 2 Proposed Budget (Total: \$25,000)
  - 9/30/15 – 9/29/16
  - Travel: \$1,032
  - Raised-bed Community Gardens: \$8,377
  - Farmers Market: \$2,200
  - Walking Trail and Outdoor Exercise Equipment: \$13,391
    - Materials/Supplies: \$6,809
    - Offset Highway Department Heavy Equipment: \$6,582
- Anticipated Year 3 Budget: Total: (\$25,000)
  - 9/30/16 – 9/29/17
- Contributing Partnership Opportunities:
  - Community Coalition: Priorities; implementation
  - City of LaFayette: Provide Water to Garden #1; Offload Exercise Equipment
  - Chambers County Career Technology Center: Signage Labor
  - Chambers County Commission
    - Heavy Equipment operations
      - Deliver M8910
      - Develop Walking Trail
    - Install Outdoor Exercise Equipment & Benches
    - Provide Water to Garden #2



GRAPHIC SCALE  
1" = 50'-0"  
0 50 100  
FEET

Project	CHAMBERS COUNTY AGRICULTURAL CENTER
Client	CHAMBERS COUNTY
Location	LAFAYETTE, ALABAMA
Date	23 SEPT 2015
Scale	1" = 50'
Sheet	1

**CHAMBERS COUNTY AGRICULTURAL CENTER**  
LAFAYETTE, ALABAMA

REVISIONS:			
NO.	DATE	BY	DESCRIPTION



**HARMON ENGINEERING & CONSTRUCTION CO., INC.**  
ENGINEERING - CONSTRUCTION - ENVIRONMENTAL MANAGEMENT  
13361 C.L. Tober, Jr. Parkway - Lafayette, Alabama 36342  
(334) 684-9135 / FAX (334) 684-4016



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION

Confirmation Number: 20150908110920380

Type License: 050 - RETAIL BEER (OFF PREMISES ONLY) State: \$150.00 County: \$50.00

Type License: State: County:

Trade Name: D AND B GROCERIES Filing Fee: \$50.00

Applicant: DENISE M TUCKER Transfer Fee:

Location Address: 3050 COUNTY RD 12 WAVERLY, AL 36879

Mailing Address: 3050 COUNTY RD 12 WAVERLY, AL 36879

County: CHAMBERS Tobacco sales: YES Tobacco Vending Machines: 0

Type Ownership: INDIVIDUAL

Book, Page, or Document info:

Date Incorporated: State incorporated: County Incorporated:

Date of Authority: Alabama State Sales Tax ID: R009243633

Name: Title: Date and Place of Birth: Residence Address:

Table with 4 columns: Name, Title, Date and Place of Birth, Residence Address. Row 1: DENISE M TUCKER, OWNER, 09/13/1976 CHAMBERS ALABAMA, 3052 COUNTY RD 12 WAVERLY, AL 36879

Has applicant complied with financial responsibility ABC RR 20-X-5-.14? YES
Does ABC have any actions pending against the current licensee? NO
Has anyone, including manager or applicant, had a Federal/State permit or license suspended or revoked? NO
Has a liquor, wine, malt or brewed license for these premises ever been denied, suspended, or revoked? NO
Are the applicant(s) named above, the only person(s), in any manner interested in the business sought to be licensed? YES
Are any of the applicants, whether individual, member of a partnership or association, or officers and directors of a corporation itself, in any manner monetarily interested, either directly or indirectly, in the profits of any other class of business regulated under authority of this act? NO
Does applicant own or control, directly or indirectly, hold lien against any real or personal property which is rented, leased or used in the conduct of business by the holder of any vinous, malt or brewed beverage, or distilled liquors permit or license issued under authority of this act? NO
Is applicant receiving, either directly or indirectly, any loan, credit, money, or the equivalent thereof from or through a subsidiary or affiliate or other licensee, or from any firm, association or corporation operating under or regulated by the authority of this act? NO

Contact Person: DENISE M TUCKER
Business Phone: 334-707-7201
Fax:

Home Phone: 334-707-7201
Cell Phone:
E-mail: TUCKERDEN39@YAHOO.COM

PREVIOUS LICENSE INFORMATION:
Trade Name:
Applicant:

Previous License Number(s)
License 1:
License 2:



STATE OF ALABAMA  
ALCOHOLIC BEVERAGE CONTROL BOARD  
ALCOHOL LICENSE APPLICATION



Confirmation Number: 20150908110920380

If applicant is leasing the property, is a copy of the lease agreement attached?

Name of Property owner/lessor and phone number: DENISE M TUCKER 334-707-7201

What is lessors primary business? BUSINESS OWNER

Is lessor involved in any way with the alcoholic beverage business? N/A

Is there any further interest, or connection with, the licensee's business by the lessor? N/A

Does the premise have a fully equipped kitchen? NO

Is the business used to habitually and principally provide food to the public? NO

Does the establishment have restroom facilities? NO

Is the premise equipped with services and facilities for on premises consumption of alcoholic beverages? NO

Will the business be operated primarily as a package store? NO

Building Dimensions Square Footage: 290 Display Square Footage:

Building seating capacity: 0 Does Licensed premises include a patio area? NO

License Structure: SINGLE STRUCTURE License covers: ENTIRE STRUCTURE

Location is within: COUNTY Police protection: COUNTY

Has any person(s) with any interest, including manager, whether as sole applicant, officer, member, or partner been charged (whether convicted or not) of any law violation(s)?

Name: Violation & Date: Arresting Agency: Disposition:

Name:	Violation & Date:	Arresting Agency:	Disposition:



**STATE OF ALABAMA**  
**ALCOHOLIC BEVERAGE CONTROL BOARD**  
**ALCOHOL LICENSE APPLICATION**  
**Confirmation Number: 20150908110920380**

**Initial each**

**Signature page**

DA

In reference to law violations, I attest to the truthfulness of the responses given within the application.

DA

In reference to the Lease/property ownership, I attest to the truthfulness of the responses given within the application.

DA

In reference to ACT No. 80-529, I understand that if my application is denied or discontinued, I will not be refunded the filing fee required by this application.

NIA

In reference to Special Retail or Special Events retail license, I agree to comply with all applicable laws and regulations concerning this class of license, and to observe the special terms and conditions as indicated within the application.

NIA

In reference to the Club Application information, I attest to the truthfulness of the responses given within the application.

NIA

In reference to the transfer of license/location, I attest to the truthfulness of the information listed on the attached transfer agreement.

DA

In accordance with Alabama Rules & Regulations 20-X-5-.01(4), any social security number disclosed under this regulation shall be used for the purpose of investigation or verification by the ABC Board and shall not be a matter of public record.

DA

The undersigned agree, if a license is issued as herein applied for, to comply at all times with and to fully observe all the provisions of the Alabama Alcoholic Beverage Control Act, as appears in Code of Alabama, Title 28, and all laws of the State of Alabama relative to the handling of alcoholic beverages.

The undersigned, if issued a license as herein requested, further agrees to obey all rules and regulations promulgated by the board relative to all alcoholic beverages received in this State. The undersigned, if issued a license as herein requested, also agrees to allow and hereby invites duly authorized agents of the Alabama Alcoholic Beverage Control Board and any duly commissioned law enforcement officer of the State, County or Municipality in which the license premises are located to enter and search without a warrant the licensed premises or any building owned or occupied by him or her in connection with said licensed premises. The undersigned hereby understands that he or she violate any provisions of the aforementioned laws his or her license shall be subject to revocation and no license can be again issued to said licensee for a period of one year. The undersigned further understands and agrees that no changes in the manner of operation and no deletion or discontinuance of any services or facilities as described in this application will be allowed without written approval of the proper governing body and the Alabama Alcoholic Beverage Control Board.

DA

I hereby swear and affirm that I have read the application and all statements therein and facts set forth are true and correct, and that the applicant is the only person interested in the business for which the license is required.

Applicant Name (print): Denise Tucker

Signature of Applicant: Denise Tucker

Notary Name (print): Alison C. Brewer

Notary Signature: Alison C Brewer

Commission expires: 3/19

Application Taken: 9/8/15 App. Inv. Completed: 9/8/15 Forwarded to District Office:

Submitted to Local Government: Received from Local Government:

Received in District Office: Reviewed by Supervisor: Forwarded to Central Office:

Receipt Confirmation Page

Receipt Confirmation Number: **20150908110920380**  
 Application Payment Confirmation Number: **20354390**

Payment Summary	
Payment Item	Fee
Application Fee for License 050	\$50.00
<b>Total Amount to be Charged</b>	<b>\$50.00</b>

License Payment Confirmation Number:

Payment Summary			
Payment Item	County Fee	State Fee	Total Fee
050 - RETAIL BEER (OFF PREMISES ONLY)	\$50.00	\$150.00	\$200.00
			\$0.00
<b>Total Amount to be Charged</b>	<b>\$50.00</b>	<b>\$150.00</b>	<b>\$200.00</b>

Application Type

Application Type: APPLICATION

Applicant Information

License Type 1: 050 - RETAIL BEER (OFF PREMISES ONLY)  
 License Type 2:  
 License County: CHAMBERS  
 Business Type: INDIVIDUAL  
 Trade Name: **D AND B GROCERIES**  
 Applicant Name: **DENISE M TUCKER**  
 Location Address: 3050 COUNTY RD 12  
 WAVERLY, AL 36879  
 Mailing Address: 3050 COUNTY RD 12  
 WAVERLY, AL 36879  
 Contact Person: DENISE M TUCKER  
 Contact Home Phone: 334-707-7201  
 Contact Business Phone: 334-707-7201  
 Contact Fax:  
 Contact Cell Phone:  
 Contact Email Address:  
 Contact Web Address:

**RESOLUTION PROVIDING FOR CHAMBERS COUNTY'S  
PARTICIPATION IN THE "SALES TAX HOLIDAY"  
AS AUTHORIZED BY ACT NO. 2012-236 IN JULY 2012**

**WHEREAS**, during its 2012 Regular Session, the Alabama Legislature enacted Act No. 2012-236, which provides an annual "state sales tax holiday" weekend for purchases of specified items related to storm-preparedness, which for 2016, will begin on Friday, February 26, 2016; and in subsequent years will begin on the first Friday in February; and

**WHEREAS**, Act No. 2012-236 does not mandate the exemption of local sales and use taxes but authorizes the county commission to provide for an exemption of county sales and use taxes for purchases of items covered by the Act during the same time period in which the state sales and use tax exemption is in place, provided a resolution to that effect is timely and properly adopted authorizing participation; and

**WHEREAS**, to participate in this year's storm preparedness sales tax holiday, the county commission must adopt a resolution to that effect at least fourteen (14) days prior to the first full weekend in February 2016, which means that the resolution shall be adopted no later than January 26, 2016; and

**WHEREAS**, the Chambers County Commission has voted to grant the exemption of county sales and use taxes on purchases authorized by Act No. 2012-236 during the last weekend of February 2016, beginning at 12:01 a.m. on February 26, 2016 and ending at twelve midnight on Sunday, February 28, 2016; and

**WHEREAS**, the county commission does hereby adopt this resolution as evidence of its intent to participate and, pursuant to Code of Alabama 1975, § 11-51-210(e), shall forward a certified copy of this resolution to the Alabama Department of Revenue immediately upon its adoption; and

**WHEREAS**, this resolution shall authorize participation in this sales tax holiday for 2016 only and pursuant to Act No. 2012-236, if the county commission desires to participate in this sales tax holiday in future years, it will adopt a resolution to that effect at least 30 days prior to the last full weekend of February in any year it plans to participate.

**WHEREFORE BE IT RESOLVED BY THE CHAMBERS COUNTY COMMISSION** that it does hereby provide for an exemption of the county sales and use tax on purchases of items covered by Act No. 2012-236 beginning at 12:01 a.m. on Friday, February 26, 2016 and ending at twelve midnight on Sunday, February 28, 2016.

**BE IT FURTHER RESOLVED** that a copy of this resolution be spread upon the minutes of the October 5, 2015 meeting of the Chambers County Commission and that a certified copy be immediately forwarded to the Alabama Department of Revenue.

**IN WITNESS WHEREOF**, the Chambers County Commission has caused this Resolution to be executed in its name and on its behalf by its Chairman on this the 5<sup>th</sup> day of October, 2015.



\_\_\_\_\_  
David Eastridge, Chairman  
Chambers County Commission

## BUDGET AMENDMENT

Amend the 105 Fund in the amount of \$1,752 for the appropriation expense increase to be paid to Lee County Development Center.

The amendment will be as follow:

105.44271 from \$6,500.00 to \$6,695.00 (City of LaFayette)	(\$195.00)
105.44272 from \$12,645.00 to \$13,024.00 (City of Lanett)	(\$379.00)
105.44273 from \$14,450.00 to \$14,884.00 (City of Valley)	(\$434.00)
105.48000 from \$0 to \$744.00 (Chambers County Commission)	(\$744.00)
105.52600.404 from \$58,400 to \$60,152.00 (Lee County Youth Development Center)	(\$1,752.00)

LCYDC

## A G R E E M E N T

This agreement, entered into this 1st day of October, 2015, between Lee County Youth Development Center, Inc., a private non-profit corporation whose principal office is located at 1109 Spring Drive, Opelika, Alabama, 36801 (hereinafter referred to as "LCYDC") and the Chambers County Commission, whose principal office is located in the Chambers County Courthouse, LaFayette, Alabama, (hereinafter referred to as "Chambers County").

### WITNESSETH:

WHEREAS, LCYDC wishes to build and operate a Juvenile Detention Facility for youths needing such care; and

WHEREAS, Chambers County wishes to procure secure detention services for its young people judged to be in need of such care.

NOW THEREFORE, in consideration of the mutual promises herein contained, the parties hereto agree as follows:

#### 1. Definitions.

This agreement shall be construed in accordance with the definitions contained as follows:

- a. Appropriate Education - educational services which comply with regulations set forth by the Alabama State Department of Education.
- b. Beds - use of one or more bedroom units secured within the detention facility for the care of juveniles placed there by the Chambers County Juvenile Court.
- c. Day of Care - a period of time consisting of twenty-four hours or less during which a juvenile is served in detention.
- d. Department of Youth Services - the agency responsible in the State of Alabama for licensing detention care.
- e. Emergency Medical Care - Any physical or psychiatric need as determined by LCYDC staff requiring the services of a physician, hospital, clinic, or other professional service together with all reasonable associated expenses.
- f. Juvenile Detention Facility - A physical plant designed to securely house youths referred for care by the Chambers County Juvenile Court Judge.
- g. Board of Directors - a body established by the LCYDC which is empowered to set policy and regulation regarding the daily operation of Detention.
- h. Supplemental Billing - charges due and payable to LCYDC over and above the amount of the contract agreement for (1) medical costs incurred by LCYDC and (ii) days of care in excess of the amount specified in paragraph 5.a. below.

#### 2. Description of the Services

The detention services to be operated by the LCYDC shall consist of a facility which is designed to hold a juvenile in a state of confinement pending further and/or final disposition by the Chambers County Juvenile Court. Such services shall comply with all licensing requirements set forth by the State of Alabama Department of Youth Services.

#### 3. Term of the Agreement.

This agreement shall begin effective October 1, 2015 and shall continue until September 30, 2016.

LCYDC

4. Responsibilities of the Parties;  
Cost of the Detention Service

a. Chambers County agrees to purchase the use of two (2) beds from the LCYDC for the period of time indicated in heading 3. This purchase in effect sets aside for Chambers County a total of 730 days of detention care.

b. Chambers County agrees to reimburse LCYDC for any emergency medical care provided to youth from their County while placed in detention. Costs for these expenses will be submitted as a supplemental billing to Chambers County and is due and payable within 30 days of receipt of the bill.

c. Chambers County agrees to abide by all rules governing the operation of detention as determined from time to time by the LCYDC Board of Directors.

d. Chambers County shall pay the amount of \$60,152.00 to LCYDC for the contracted detention in four installments of \$15,038.00 per quarter, due in advance at the beginning of each Calendar quarter.

f. LCYDC shall provide appropriate supervision and care for the juveniles referred by the Chambers County Juvenile Court Judge based on operational policy as determined by the LCYDC Board of Directors, and standards necessary to meet all State licensing requirements imposed by the Alabama State Department of Youth Services. Components of the detention program include but are not limited to food, clothing, shelter, appropriate education, physical exercise and emergency medical care as deemed appropriate by the LCYDC staff. Emergency medical care costs to be paid by the county as noted in 4(b).

g. LCYDC shall administer all aspects of the detention program and shall be responsible for implementing policy as established by the Board of Directors of the LCYDC.

5. Entire Agreement

This Agreement (i) supersedes all proposals and negotiations and constitutes the entire agreement between the parties; no representation or statement not expressed herein or incorporated by reference herein shall be binding upon either of the parties; (ii) may be changed only by an instrument in writing signed by both parties; and (iii) shall be governed by the laws of the State of Alabama.

6. Paragraph Headings.

Paragraph headings are provided for reference only and shall not be considered a part of this agreement.

7. Waiver.

It is acknowledged and agreed that if either party should at any time waive its right due to a breach by the other under any provision, such waiver is not to be construed as continuing waiver of other breaches of the same or other provisions of this agreement, whether preceding or succeeding the subject breach.

8. Billing Process.

Whenever one party is required pursuant to this agreement to make disbursements to the other party, the party which is to receive payment shall provide such documentation as may be reasonably requested by the party making payment, to support the amounts billed. LCYDC will submit four

regular billing statements to Chambers County for advance payment by the 10th day of the first month of each calendar quarter. Payment shall be considered delinquent if not received by the last day of the first calendar month.

IN WITNESS WHEREOF, the parties have caused this Agreement to be duly executed by their authorized officers and officials on the date first above referenced.

LCYDC

Lee County Youth Development Center, Inc.

By: [Signature]  
Executive Director

STATE OF ALABAMA,}  
Lee COUNTY.}

I, Nakeda Woods, a Notary Public in and for said County in said State, hereby certify that Laura Cooper whose name as Executive Director of Lee County Youth Development Center, a corporation, is signed to the foregoing conveyance, and who is known to me, acknowledged before me of this day that, being informed of the contents of said conveyance that he, in such capacity and with full authority, executed the same voluntarily as the act of said corporation.

Given under my hand and official seal of office this the 22 day of September, 2015.

[Signature]  
Notary Public

Chambers County Commission

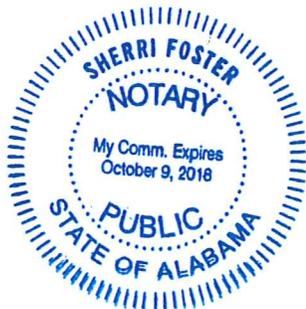
By: [Signature]  
Its Chairman

STATE OF ALABAMA,}  
Chambers COUNTY.}

I, Sherril Foster, a Notary Public in and for said County in said State, hereby certify that David Eastridge whose name as Chairman of Chambers County, a commission, is signed to the foregoing conveyance, and who is known to me, acknowledged before me of this day that, being informed of the contents of said conveyance that he, in such capacity and with full authority, executed the same voluntarily as the act of said corporation.

Given under my hand and official seal of office this the 5<sup>th</sup> day of October, 2015.

[Signature]  
Notary Public



**PUBLIC HEARING**

**CHAMBERS COUNTY 10 YEAR TRANSPORTATION PLAN**

County Engineer Harvill and Assistant Engineer Lundy conducted the second public hearing on the Chambers County 10 Year Transportation Plan. Information was given on county roads that needed repairs and the plan to perform preventative maintenance and/or repair roads according to need assessment. Mr. Moncus, Mr. Fuller and Mr. Phillips were in the audience, and asked questions concerning their perspective roads. Mr. Smith was also in attendance, however he had no questions.

Meeting adjourned.