

August 24, 2009

On this the 24th day of August 2009 at 9:00 AM in the Office Complex, New Brockton, AL, the Coffee County Commission of Coffee County, AL met in a regular meeting. Those present at the said meeting were: Al Britt, Bernest Brooks, Kim Ellis, Tom Grimsley, Dean Smith, and Robert Stephens. Jim Thompson, Commissioner and Chairman, was presiding with no absences.

The Chairman noted that a quorum was present and the meeting was called to order. The Invocation and Pledge of Allegiance were led by Commissioner Bernest Brooks.

Motion was made by Kim Ellis and seconded by Dean Smith that the Coffee County Commission approve the Minutes of the August 10, 2009 meeting. All voted Aye.

Mr. Mike Harris, NRCS Director, came before the Commission on behalf of the Coffee County Forestry Landowners Advisory Committee to request the use of the Farm Center and that the fee be waived for their meetings. Motion was made by Bernest Brooks and seconded by Dean Smith that the Coffee County Commission approve this request. All voted Aye.

Motion was made by Robert Stephens and seconded by Bernest Brooks that the Coffee County Commission send out bids for Alternate Daily Cover for the County Landfill. All voted Aye.

Motion was made by Al Britt and seconded by Robert Stephens that the Coffee County Commission renew the contract (exercising the final option) with D & J for debris removal. All voted Aye.

Concerning the landfill gas collection and destruction system, Mr. Tindell reported that construction is continuing. He also reported that he and the Chairman, working with Attorney Jim Sledge of Tuscaloosa, has finalized negotiations of the Verified Emission Reduction Purchase Agreement by which the County would sell carbon credits arising from destruction of landfill gas to DTE Carbon, LLC, an affiliate of Detroit Edison. Motion was made by Jim Thompson and seconded by Robert Stephens that the Coffee County Commission enter into a contract with DTE Carbon, LLC, for a three year term ending December 31, 2012, with a three-year option period. The Chairman is hereby authorized to execute that certain Verified Emission Reduction Purchase Agreement between Coffee County and DTE Carbon, LLC. All voted Aye.

Motion was made by Robert Stephens and seconded by Bernest Brooks that the Coffee County Commission rescind a prior motion to patch the Elba Courthouse roof and resubmit bids for a new roof. The bids will be legally advertised using the prior specifications of 35 year shingles and plywood covering. Bids will be opened at September 14, 2009 meeting and upon approval that bid amount be placed in the budget effective October 1, 2009. Construction will begin within five days after October 1, 2009 and be completed by the November 10, 2009. All rotten timber will be replaced and old roofing materials will be disposed of at the County Landfill at the contractor's expense.

Motion was made by Tom Grimsley and seconded by _____ that the Coffee County Commission table this issue. Motion died due to the lack of a second.

The vote on the original motion. Al Britt, Bernest Brooks, Kim Ellis, Dean Smith, and Robert Stephens voted Affirmative. Tom Grimsley and Jim Thompson voted Negative. Motion carried.

Motion was made by Jim Thompson and seconded by Tom Grimsley that the Coffee County Commission enter Executive Session to discuss pending litigation with Mr. Craig Dillard of Webb and Eley. This session may last approximately 30 minutes. All voted Aye.

Motion was made by Jim Thompson and seconded by Tom Grimsley that the Coffee County Commission close the Executive Session. All voted Aye.

At 10:20 a.m., the regular meeting reconvened.

Motion was made by Jim Thompson and seconded by Robert Stephens that the Coffee County Commission permit the City of Elba to use the Courthouse once a month to hold municipal court upon the request of City Attorney Marty Marler. All voted Aye.

Motion was made by Jim Thompson and seconded by Tom Grimsley that the Coffee County Commission recess to set up the room for budget hearings and lunch. All voted Aye.

At 11:00 AM lunch was served and budget presentation was made by County Administrator Kathy Lolley. The Administrator's presentation included a comparison of the approved budgets for FY2008, FY2009, and a projection of the estimated outcome AT September 30, 2009 and a first round proposal that contained all of the department head and elected officials' requests for FY2010. The first proposal indicated the Commission would need to use \$648,942

of reserves to balance the general fund budget. The presentation also included a listing of ten (10) special requests that were included in this budget which totaled \$290,807.00.

After much discussion, motion was made by Robert Stephens and seconded by Bernest Brooks that the Coffee County Commission accept the first proposal and take \$648,942 out of reserves to balance the General Fund budget.

Motion was made by Dean Smith and seconded by _____ that the Coffee County Commission delete the ten requests except for \$50,000.00 for a new roof for the Elba Courthouse. Motion died due to the lack of a second.

The vote on the original motion. Bernest Brooks, Dean Smith, and Robert Stephens voted Affirmative. Al Britt, Kim Ellis, Tom Grimsley, and Jim Thompson voted Negative. Motion did not carry.

Motion was made by Jim Thompson and seconded by Tom Grimsley that the Coffee County Commission reject all ten special requests and use \$358,135 of reserve funds to balance the FY2010 budget.

Motion was made by Robert Stephens and seconded by Dean Smith that the Coffee County Commission amend this motion to include \$50,000 for the new roof at the Elba Courthouse totaling \$408,135 be taken from reserve account. Bernest Brooks, Kim Ellis, Dean Smith, and Robert Stephens voted Affirmative. Al Britt, Tom Grimsley, and Jim Thompson voted Negative. Motion to amend carried.

The vote on the motion as amended. Dean Smith voted Affirmative. Al Britt, Tom Grimsley, and Jim Thompson voted Negative. Bernest Brooks, Kim Ellis, and Robert Stephens Abstained. Motion to amend failed.

Motion was made by Kim Ellis and seconded by Bernest Brooks that the Coffee County Commission reject all ten special requests and send the proposals back to the department heads and request that they cut their budgets by another 3%. Bernest Brooks and Kim Ellis voted Affirmative. Al Britt, Tom Grimsley, Dean Smith, Robert Stephens, and Jim Thompson voted Negative. Motion did not carry.

Motion was made by Kim Ellis and seconded by Bernest Brooks that the Coffee County Commission delete all special requests from the budget and use \$358,135 of reserve funds to balance the General Fund budget. Al Britt, Bernest Brooks, Kim Ellis, Tom Grimsley, and Jim Thompson voted Affirmative. Dean Smith and Robert Stephens voted Negative. Motion carried.

Motion was made by Robert Stephens and seconded by _____ that the Coffee County Commission give all employees a one-step raise to be included in the FY2010 budget. Motion died due to the lack of a second.

The Administrator advised that the budget revisions based on the decisions of today will be ready for its official presentation on September 14, 2009.

With no further business, motion was made by Jim Thompson and seconded by Kim Ellis that the Coffee County Commission adjourn until the next meeting. All voted Aye.

_____ Dean Smith Commissioner District 1	_____ Kim Ellis Commissioner District 2	_____ Robert Stephens Commissioner District 3
_____ Al Britt Commissioner District 4	_____ Bernest Brooks Commissioner District 5	_____ Jim Thompson, Chm. Commissioner District 6
	_____ Tom Grimsley Commissioner District 7	

