



# ***Dale County Commission***

## **Commission Meeting Minutes – November 11, 2020**

The Dale County Commission convened in a regular session Wednesday, November 11, 2020 according to Ala code 11-3-1. The following members were present: Chairman Steve McKinnon; District One Commissioner Chris Carroll; District Two Commissioner Donald O. Grantham; District Three Commissioner Charles W. Gary; and Four Commissioner Frankie Wilson.

Chairman McKinnon called the meeting to order at 10:00am. Commissioner Gary opened with the Pledge of Allegiance. Commissioner Carroll followed with prayer.

### **APPROVED – AGENDA**

Commissioner Carroll made a motion to approve the agenda with the removal of items #5-employment contract for County Administrator and #12-add benefit item for employees to select-Survival Flight Memberships.

Commissioner Gary seconded the motion, all voted aye. Motion carried.

### **APPROVED – MEMORANDUM OF WARRANTS**

Commissioner Wilson made a motion to approve the following Memorandum of Warrants:

- Accounts Payable Check Numbers 88301-88562.
- Payroll Check Numbers: 154716-154717.
- Direct Deposit Check Numbers: 36434-36573.

Commissioner Gary seconded the motion, all voted aye. Motion carried.

**APPROVED – OCTOBER 27, 2020 MINUTES**

Commissioner Carroll made a motion to approve the Minutes of the Commission Meeting on October 27, 2020.

Commissioner Gary seconded the motion, all voted aye. Motion carried.

**APPROVED - RULES & PROCEDURES – COMMISSION MEETINGS**

Commissioner Carroll made a motion to approve the Rules and Procedures for the Dale County Commission meetings. See Exhibit 1.

Commissioner Wilson seconded the motion, all voted aye. Motion carried.

**APPROVED - VICE-CHAIRMAN OF THE DALE COUNTY COMMISSION**

Commissioner Grantham made a motion to approve Commissioner Chris Carroll as Vice-Chairman of the Dale County Commission.

Commissioner Wilson seconded the motion, all voted aye. Motion carried.

**APPROVED - CANCELLATION OF DECEMBER 22, 2020 COMMISSION MEETING**

Commissioner Grantham made a motion to approve the cancellation of the regularly scheduled meeting of the Dale County Commission on December 22, 2020.

Commissioner Gary seconded the motion, all voted aye. Motion carried.

**APPROVED – PERSONNEL**

Commissioner Wilson made a motion to approve the following:

- Tisha Eyl – Maintenance Dept. - Promotion – Maintenance Tech - \$13.44/hr -11/18/20.
- Jessie Gore – Jail -Promotion – from Temporary to Full-time – Jailer - \$11.12/hr -11/12/20.
- Justin Henderson – Jail - Full-time (New Hire) – Jailer - \$11.12/hr -11/12/20.
- Christopher Blocker – Jail -Temporary – Jailer - \$10.00/hr -11/12/20.
- Sean Brewer – Jail - Temporary – Jailer - \$10.00/hr – 11/12/20.
- Donald Hoover – R & B - Laborer – Re-Hire - \$10.50/hr – 11/16/20.
- Richard Outlaw – R & B – Laborer – New Hire - \$10.50 hr – 11/16/20.
- Sarah Dawn Williams – Revenue Dept. – New Hire – tag/title clerk - \$11.46/hr – 11/23/20.

Commissioner Grantham seconded the motion, all voted aye. Motion carried.

**APPROVED - BUDGET POSITION CHANGE – REAPPRAISAL**

Commissioner Grantham made a motion to approve the posting for a Real Property Appraiser III position. If filled, Real Property Appraiser II position will be closed. This change will not result in a budget amendment, but this position was not approved in the FY21 budget. State has agreed that this will only need a line item budget adjustment.

Commissioner Wilson seconded the motion, all voted aye. Motion carried.

**APPROVED – SIGNATURES ON BANK ACCOUNTS**

Commissioner Gary made a motion to approve the following: effective December 1, 2020, both Chairman Steve McKinnon and County Administrator Cheryl Ganey are to be signatures for all bank accounts for the Dale County Commission.

Commissioner Grantham seconded the motion, all voted aye. Motion carried.

**APPROVED – DALE CO PERSONNEL APPEALS BOARD**

Commissioner Wilson made a motion to approve the renewal of Heath Hughes for another 6-year term on the Dale County Personnel Appeals Board effective November 21, 2020 with term ending November 21, 2026.

Commissioner Carroll seconded the motion, all voted aye. Motion carried.

**APPROVED - OZARK-DALE CO ECONOMIC DEV CORP (ODEDC) BOARD**

Commissioner Gary made a motion to approve the appointment of Steve McKinnon to replace Mark Blankenship, effective November 11, 2020, in his position on the ODEDC Board with term ending October 1, 2021.

Commissioner Wilson seconded the motion, all voted aye. Motion carried.

**APPROVED - SICK LEAVE DONATION**

Commissioner Gary made a motion to approve the sick leave donation for Kathleen Evans.

Commissioner Grantham seconded the motion, all voted aye. Motion carried.

**APPROVED - 2021 HOLIDAY SCHEDULE**

Commissioner Carroll made a motion to approve the 2021 holiday schedule. See Exhibit 2.

Commissioner Wilson seconded the motion, all voted aye. Motion carried.

**APPROVED - WORK REQUEST – TOWN OF ARITON**

Commissioner Grantham made a motion to approve a work request for the Town of Ariton. See Exhibit 3.

Commissioner Wilson seconded the motion, all voted aye. Motion carried.

**APPROVED - PLAT FOR BULLOCK FARMS SUBDIVISION - PINKARD**

Commissioner Wilson made a motion to approve the plat for Bullock Farms Subdivision with Town of Pinckard to maintain the subdivision.

Commissioner Gary seconded the motion, Commissioners Carroll, Gary, and Wilson voted aye with Commissioner Grantham abstaining. Motion carried.

**ANNOUNCEMENT – NEXT REGULAR MEETING**

Chairman McKinnon announced that the next regular meeting of the Dale County Commission will be Tuesday, November 24, 2020 at 10:00am.

**ADJOURNMENT: CONFIRMATORY STATEMENT**

Commissioner Wilson made a motion to adjourn the meeting. Commissioner Grantham seconded the motion. All voted aye. Motion carried.

It is hereby ordered the foregoing documents, resolutions, etc., be duly confirmed and entered into the minutes of the Dale County Commission as its official actions.



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Steve McKinnon, Chairman

**Rules of Procedure  
Dale County Commission**

**I. Scope of Rules.**

- A. The following Rules of Procedures were duly adopted by the Dale County Commission as required by the Alabama Open Meetings Law Act (Act 2005-40) and shall govern the conduct of the meetings of the County Commission beginning on the 11<sup>th</sup> day of November, 2020.
- B. The following Rules of Procedure may be amended by affirmative vote of a majority of the members of the Commission. Provided; however, such changes in the Rules of Procedure shall not take affect until the next regular meeting of the Commission following the adoption of such change.

**II. Access to Meeting Facilities.**

- A. Meetings Open to Public. All regular meetings of the Commission shall be open to the public as required by the Alabama Open Meetings Act (Act 2005-40).
- B. Accessibility. All regular meetings of the Commission will be conducted in a building which is open to the public.
- C. Signs, Placards, Banners. For public safety purposes, no signs or placards mounted on sticks, posts, poles or similar structures shall be allowed in County Commission meeting rooms. Other signs, placards, and banners shall not disrupt meetings or interfere with others' ability to observe the meeting.
- D. Weapons. No weapons allowed.
- E. Meeting Dates and Times. All regular meetings of the Commission shall be held on the second and fourth Tuesday of each month with a work session beginning at 10:00 am with the formal Commission meeting commencing immediately thereafter. Regular meeting and dates and times may be changed by resolution with notice to the public as provided by law. Special meetings may be called by the Chairman or a majority of the Commission as needed after notice to the public as provided by law.

**III. Quorum.**

- A. Quorum. A majority of the members of the Commission shall constitute a quorum.
- B. Abstaining from Voting. Any member of the Commission who is present in the meeting chamber may, when he or she determines it to be necessary, abstain from voting or otherwise participating in the proceedings related to a particular matter. Such Commissioner who abstains but remains in the chamber shall be deemed to be present for the purpose of constituting a quorum but he or she shall not be deemed to be "present and

voting” for the purpose of determining whether a motion has received an adequate number of affirmative votes for passage.

- C. Loss of Quorum. In the event that a Commissioner departs a Commission meeting prior to adjournment, and the departure causes a loss of quorum, no further official action may be taken until or unless a quorum is restored, except to vote on a motion to adjourn.
- D. Failure to Obtain Quorum. Should no quorum attend within 15 minutes after the time appointed for the beginning of the meeting of the Commission, the Chair or the Vice Chair, or in their absence, another Commissioner, in order of seniority, shall announce that no quorum was present and that the meeting is canceled. The names of the members present for the meeting shall be recorded in the minutes of the next meeting of the Commission.

#### **IV. Presiding Officer.**

- A. Chair. The Presiding Officer is the Chair of the County Commission. The Chair presides at all meetings of the Commission. The Chair’s responsibilities shall include, but not be solely limited to:
  - 1. Open the meeting, ascertain that a quorum is present at the appropriate time and call the meeting to order, if a quorum is present.
  - 2. Announce the business to come before the Commission, in accordance with the prescribed order of business.
  - 3. Recognize all Commissioners, the County Administrator, the County Engineer and the County Attorney, who seek the floor pursuant to these procedures.
  - 4. Preserve decorum and order, and in case of disturbance or disorderly conduct in the Commission chambers, may cause the same to be cleared or cause and disruptive individual to be removed.
  - 5. Declare the meeting adjourned when the Commission so votes, when a quorum is no longer present or at any time in the event of an emergency affecting the safety of those present.
  - 6. Such other responsibilities as are required by law or by Resolution of the Commission.

#### **V. Order of Business.**

- A. Official Agenda. There shall be an official agenda for every meeting of the Commission, including special and emergency meetings. As required by Alabama law, the official agenda for special and emergency meetings shall include only those items necessitating the holding of the special or emergency meeting.

- B. Special Operating Rule. Any matter of substantial importance with potential controversy and impact upon county government or its employees, must be brought before the Commission, either in work session or in a public meeting by a person, who shall give an explanation as to the reason for its necessity and its potential impact, and the matter shall lay over without action until the next regular session of the Commission, at which time it may be placed on the agenda and action taken if desired. This policy does not pertain to the conduct of day to day operations of a department of county government, or emergency matters for which time is critical, or to any matter at issue when the Commissioners unanimously agree to waive the rules.

## **VI. Rules of Debate.**

### **A. Motions.**

1. A motion and a second to the motion is to precede any action or debate on an agenda matter unless there are speakers (who are not members of the Commission) to be heard on the agenda matter.
2. All motions shall be made and seconded before debate may proceed.
3. When a motion is presented and seconded, it is under consideration and no other motion shall be received thereafter, except motions to adjourn, to lay on the table, to postpone, to carry over, to substitute, or to amend which shall have preference in the order in which they are listed.
4. Motions to “table” are made to end debate on a matter and to “remove” it from consideration by the body. The adoption of a motion to “table” has the affect of defeating the original motion and that item shall not be considered again during the same meeting unless a motion to “reconsider” is adopted as provided herein.
5. Motions to “postpone” or “carry over” must be made by stating the date or time for which the item shall be postponed or carried over. Should such a motion be adopted, the matter will be back before the Commission under “Old Business” at the first regular meeting of the Commission following the expiration of the time for which it was postponed or carried over.
6. Motions to “substitute” or “amend” a motion are used to make changes or revisions in the original motion. Such motions are made only after the original motion has received a second but prior to the adoption of the original motion. If the motion to “substitute” or “amend” is approved, the Commission then must take a second vote to approve the motion “as substituted” or “as amended”, as the case may be.
7. Any Commissioner may move to close, or end, debate and “call the question” on the motion being considered. This motion to “call the question” shall be non-debatable. A successful vote on the motion to “call the question” will end discussion of the item and a vote on all pending motions shall be taken

immediately without the offering of any other motions. The Commissioner moving the adoption of the original motion shall have the privilege of making closing remarks before the vote on the motion to “call the question” is taken.

8. Presiding officers who serve by virtue of holding the office of County Commission Chair, may not make or second a motion unless specifically authorized by law. Only those persons who represent a district on the Commission and hold the position of presiding officer by virtue of election by the Commission or by designation by chairman in chairman’s absence or because of a rotating system may make a motion or offer a second.
9. The following motions are not debatable and must be voted upon without debate: to adjourn; to table; and to call the question.

**B. Motions to Amend.**

An amendment to a motion must be germane, that is, it must relate to the substance of the main motion. An amendment may not introduce an independent question, and an amendment may not serve as the equivalent of rejecting the original motion. A Commissioner may amend the main motion in either of the following two ways:

1. By Consent of the Members. The Chair, or another Commissioner through the Chair, may ask for certain changes to be made to the main motion. If there are no objections from the maker of the motion, the motion shall stand as amended.
2. Formal Amendment. An amendment may be presented formally by moving to amend the motion in some way. If it is in the form of a formal motion to amend, a second shall be required and discussion shall follow on the amendment. If an amendment passes, the main motion shall be the motion as amended. If it fails, the motion shall be the motion as it was before the amendment was presented.

**C. Motions to Reconsider.**

A motion to reconsider any vote or proceeding of the Commission may only be made and seconded by a Commission Member who had previously voted on the prevailing side. Such motion must be made before the conclusion of the meeting during which the original motion was made and approved. A motion to reconsider must be adopted by a majority of those members of the Commission present and voting.

**VII. Voting.**

- A. Voice Vote; Secret Ballots. Unless otherwise directed by the Chair or requested by a member of the Commission, all votes shall be taken by voice and the result shall be announced by the Chair, whose decision shall be final. Such ruling may not be appealed. No vote may be taken by secret or paper ballot.



- B. Tabulating the Vote. Should a roll call vote be directed by the Chair or requested by a member of the Commission, the person designated by the Chair shall call the Commissioners, in numerical order of their district numbers, for the purpose of each Commissioner announcing his or her vote. The Chair shall announce the results. Upon any roll call, there shall be no discussion by any Commissioner after the roll call has begun.
- C. Voting. Every member in Commission meeting room or chamber when the question is put must give his or her vote, unless the member has publicly stated that he or she is abstaining. A Commissioner who is serving as Chair by virtue of his or her being elected by the members of the Commission or by virtue of a rotating procedure shall vote when his or her district number is called. Such Chair shall only vote once on each motion and shall not cast an additional vote to make or break a tie vote.
- D. Voting by Chair. Unless otherwise authorized by law, Probate Judge Chairs and officials holding the office of County Commission Chair who do not represent a district shall only vote in those cases when his or her vote would break a tie vote. Commissioners who represent a district and also serve as Chair shall be entitled to one vote on all questions but shall not cast a second vote to break a tie vote.
- E. Majority Vote; Tie Vote. The passage of any motion, policy, ordinance or resolution shall require the affirmative vote of at least the majority of the members of the Commission, who are present and voting. In the case of a tie in votes on any proposal, the proposal fails.

### **VIII. Public Input: Addressing the County Commission**

A. Public Input. The Commission recognizes the importance of allowing citizens, including other elected officials, to express their opinions on the operation of County government and encourage public participation in the local government process. The Commission also recognizes the necessity for conducting orderly and efficient meetings in order to complete County business in a timely manner. Public Input during the Commission meeting, from both citizens and other elected officials, shall only be given during the time provided in the agenda and only within the procedures set out herein. Citizens or other elected officials shall not address the commission at any time other than as specifically provided in the agenda unless authorized by unanimous consent.

#### **B. Procedure for Public Input**

1. At regularly scheduled County Commission meetings, the Commission provides comment periods for citizens and other elected officials to speak and to offer input and comments on items pending before the commission as well as items that are of concern to the public. The remarks of each speaker shall be limited to no more than five (5) minutes if the speaker registers with the Commission by the Thursday preceding the Commission meeting, or three (3) minutes, unless the Chair extends the time, and no more than two (2) speakers may be heard on each subject unless authorized by affirmative vote of all members of the commission who are present.

2. A form will be provided for those citizens who wish to make comments. Each person wishing to speak must present this form to the County Commission office by the Thursday preceding the meeting date.
3. Any citizens wishing to make written comments may provide those to the County Administrator before the conclusion of the meeting. A copy of the written comments will then be provided to the members of the commission.
4. Members of the public are encouraged to communicate directly with their Commissioner prior to or after the commission meeting.

C. Addressing the Commission.

1. When the person's name is called, the person shall step up to the speaker's lectern and shall give the following information in an audible tone of voice for the minutes:
  - (a) name;
  - (b) place of residence or business address;
  - (c) if requested by the Chair, the person may be required to state whether the person speaks for a group of persons or a third party, if the person represents an organization, whether the view expressed by the person represents an established policy or position approved by the organization, and whether the person is being compensated by the organization.
2. All remarks shall be addressed to the Commission as a body and not to any member thereof.
3. No person, other than a member of the Commission, and the person having the floor, may be permitted to enter into any discussion, either directly or through a member of the Commission, without permission of the Chair. No question may be asked except through the Chair.
4. Speakers should make their comments concise and to the point, and present any data or evidence they wish the Commission to consider. No person may speak more than once on the same subject unless specifically granted permission by the Chair.

D. Decorum.

1. Order must be preserved. No person shall, by speech or otherwise, delay or interrupt the proceedings or the peace of the Commission, or disturb any person having the floor. No person shall refuse to obey the orders of the Chair or the Commission. Any person making irrelevant, impertinent, or slanderous remarks or who becomes boisterous while addressing the Commission shall not be considered orderly or decorous. Any person who becomes disorderly or who fails to confine remarks to the identified subject or business at hand shall be cautioned by the Chair and given the opportunity to conclude remarks on the subject in a decorous manner and within the designated time limit. Any person failing to

comply as cautioned shall be barred from making any additional comments during the meeting by the Chair, unless permission to continue or again address the Commission is granted by the majority of the Commission members present.

2. If the Chair declares an individual out of order, he or she will be requested to relinquish the podium. If the person does not do so, he or she is subject to removal from the Commission Chamber or other meeting room.

3. Any person who becomes disruptive or interferes with the orderly business of the Commission may be removed from the Commission Chambers or other meeting room for the remainder of the meeting.

**IX. Executive Session.**

The Commission is authorized to enter into executive session as provided in The Alabama Open Meetings Act (Act 2005-40).

**X. Committees.**

The Chair, with the consent of the Commission, may appoint committees as may be needed to assist in the business of the Commission. The meetings of the Committees shall be governed by the Rules of Procedures. All such committees shall be provided a formal charge and shall report to the Commission its findings and recommendations, unless otherwise directed. The Chair shall designate the Chair for each committee appointed. Agendas for committee meetings shall be furnished to all members of the Commission.

**XI. Adjournment.**

No meeting shall be permitted to continue if a quorum is not present. The Commission may adjourn by majority vote.

# DALE COUNTY COMMISSION

## 2021 Holiday Schedule

|                            |          |                 | 10 hour<br>employees | 8 hour<br>employees |
|----------------------------|----------|-----------------|----------------------|---------------------|
| January 1, 2021            | Friday   | New Year's Day  | *                    | 8                   |
| January 18, 2021           | Monday   | MLK Day         | 10                   | 8                   |
| February 15, 2021          | Monday   | Presidents' Day | 10                   | 8                   |
| April 02, 2021             | Friday   | Good Friday     | X                    | 8                   |
| May 31, 2021               | Monday   | Memorial Day    | 10                   | 8                   |
| July 5, 2021               | Monday   | 4th of July     | 10                   | 8                   |
| September 6, 2021          | Monday   | Labor Day       | 10                   | 8                   |
| October 11, 2021           | Monday   | Columbus Day    | 10                   | 8                   |
| November 11, 2021          | Thursday | Veterans' Day   | 10                   | 8                   |
| November 25, 2021          | Thursday | Thanksgiving    | 10                   | 8                   |
| November 26, 2021          | Friday   | Thanksgiving    | X                    | 8                   |
| December 23, 2021          | Thursday | Christmas       | 10                   | 8                   |
| December 24, 2021          | Friday   | Christmas       | *                    | 8                   |
| Floating Hours             |          |                 | X                    | 6                   |
| <b>TOTAL Holiday Hours</b> |          |                 | <b>110</b>           | <b>110</b>          |

\* Holiday time must be taken within 60 days after holiday with Supervisor's approval.

# Work Request Form

Dale County Road & Bridge Department

Government Entity: Town of Ariton

Date Requested: 10/27/2020

Requested by: Chris Carroll

Signature: 

Project Location: Ariton Lagoon

Description of Work: Mowing

Cost Estimate: \$300.00

(to be completed by County  
Engineer and/or personnel

### Road and Bridge Reimbursement Options:

- 1. 100% by the requesting entity
- 2. 50% General Fund /50% requesting entity
- 3. 100% by the General Fund

Commission Meeting Date: 11/11/2020

Approved (Y/N): \_\_\_\_\_

**NOTE:** Responsible party will be invoiced the actual county cost for labor, equipment use and materials. Equipment use cost is based on Blue Book rates.

RESOLUTION

COUNTY OF DALE

STATE OF ALABAMA

Project No. DCP-23-04-20

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

Patching, Spot Leveling, Widening, Resurfacing, and Striping on County Road 54 from the intersection of County Road 33 East along County Road 54 to the intersection of County Road 57. Approximate length is 2.945 miles.

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.

Done at the special session of the County Commission of Dale County, this 24<sup>th</sup> day of November, 2020.

Dale County Commission  
Governing Body

  
Steve McKinnon, Chairperson

  
Chris Carroll, Member District 1

  
Donald Grantham, Member District 2

  
Charles Gary, Member District 3

  
Frankie Wilson, Member District 4