

**MINUTES OF THE REGULAR MEETING  
OF THE ETOWAH COUNTY COMMISSION  
ETOWAH COUNTY, ALABAMA  
September 1, 2015**

The Etowah County Commission met in a regular meeting on the 1<sup>st</sup> Day of September, 2015. Commissioner Larry Payne called the meeting to order at 10:01 am. Sherrie Kelley, CAO, led the Prayer and Pledge to the Flag.

**PUBLIC COMMENTS FROM CITIZENS:** None.

**PUBLIC COMMENTS FROM ELECTED OFFICIALS AND OTHERS:** Sheriff Entrekin asked to make a comment regarding the courthouse security. He recommended in order to secure the building, all of the doors needed to be alarmed (and locked from outside) except one. He said the Commission has the Capital money to set it up, which is estimated to cost about \$254,000, and it would only be an additional \$44,000 in salaries to close the doors as opposed to just hiring 2 part-time deputies. He said the Commission needed to consider that when they are making this decision. The only way to secure the building is to lock it down with one entrance. He said he would respect their decision but according to the poll in the Gadsden Times, everyone was concerned with the Courthouse security issues.

Linda Barrett-Vaughan, Revenue Commissioner, then asked to speak as an elected official. She promised they would never hear another word out of her about the security. She said her department clocked out and came to the meeting on their own time to show support for courthouse security. She said as Revenue Commissioner, she feels like it is her place to speak on behalf of security. She said it's not about 'Linda Vaughan' – It's about her employees. She said, 'we are here 40 hours a week'. She said they see what happens on the floor and everything doesn't get reported to the Commission and that was her fault.

She said some felt the poll in the Gadsden Times didn't address the issue with the doors but she believes that it does. She said she does not live in fear but 'we see it every day – people with mental illnesses'. She said she is speaking on behalf of her employees and she thinks the Commission should approve what the Sheriff will sign off on. She knows the Commissioners jobs are hard because her job is hard and also said we are not the first courthouse to add security and will not be the last. She would just like to see it made a safer place to conduct business.

**CALL OF ROLL TO ESTABLISH A QUORUM:** Karen Bates, County Clerk, called the roll to establish a quorum. The following 6 out of 6 Commission members answered to their names and accordingly a quorum was found to be present:

District 1 – Joey Statum  
District 2 – Lewis Fuller  
District 3 – Larry Payne

District 4 – Jeff Overstreet  
District 5 – Carolyn Parker  
District 6 – Tim Choate

**ANNOUNCEMENTS:** The Courthouse will be closed on Monday, September 7, to observe Labor Day.

There will be a ceremony in honor of the victims of the attack on September 11, 2001, and their families at noon on Friday, September 11<sup>th</sup> at the park on the corner of Fourth and Broad Streets in downtown Gadsden. Everyone is invited for this special time of remembrance.

**AWARDS, PRESENTATIONS, PROCLAMATIONS:** None.

**CONSENT AGENDA:** Upon motion of Commissioner Choate, seconded by Commissioner Overstreet, with all other members present voting "yes", the following resolution was passed and adopted:

**BE IT RESOLVED BY THE ETOWAH COUNTY COMMISSION:** That the following items on the Consent Agenda were approved as presented:

- A. The Minutes of the Regular Meeting of the Etowah County Commission dated August 25th, 2015, be, and the same are hereby approved as written.
- B. The Proposed Agenda for September 1, 2015.
- C. Reported Financial Transactions.

**PASSED AND ADOPTED THIS 1st DAY OF SEPTEMBER, 2015.**

**OLD BUSINESS:** None.

**NEW BUSINESS:**

Upon motion of Commissioner Overstreet, seconded by Commissioner Payne, with all other members voting "yes", the following resolution was adopted:

**BE IT RESOLVED BY THE ETOWAH COUNTY COMMISSION:** That the following item was approved:

The Final Reading and Approval to appoint James Golden to the West Etowah County Water Authority to complete the unexpired term of Richard Smith (who resigned May 11, 2015). The term will expire on March 1, 2019.

**PASSED AND ADOPTED THIS 1st DAY OF SEPTEMBER, 2015.**

Upon motion of Commissioner Statum, seconded by Commissioner Fuller, with all other members voting "yes", the following resolution was adopted:

**BE IT RESOLVED BY THE ETOWAH COUNTY COMMISSION:** That the following item was approved:

The request of Debbie Parris, Purchasing Agent, to extend Bid No. FY 2013-2014-01 Sheriff's Office Uniforms which was awarded to McCain Uniforms for one year as provided for in the original bid.

**PASSED AND ADOPTED THIS 1st DAY OF SEPTEMBER, 2015.**

Upon motion of Commissioner Parker, seconded by Commissioner Choate, with 3 members voting "yes" and 3 members voting "no" following a roll call vote, the following resolution was not approved:

**BE IT RESOLVED BY THE ETOWAH COUNTY COMMISSION:** That the following item was not approved:

The Security Committee's recommendation to: close and secure all courthouse entrances, except the front door; to install alarms on the closed and secured doors; to implement a security check point at the front door by installing a walk through metal detector, X-ray machine, and required accessory equipment; to budget for four part-time deputy sheriff's (in addition to the current full time deputy at the Courthouse) to operate the security checkpoint and provide Courthouse security; to budget for the equipment necessary for the deputy sheriff's; and to require all persons entering the Courthouse to enter through the front door security checkpoint.

Tim Choate asked for a roll call vote and Commissioner Payne said he would like to have a discussion if that's okay. Commissioner Payne said "Sheriff, I hate to disagree with you because I agree with you most of the time but I think you would be looking at \$90,000 if you figure 4 positions of part-time people, which I confirmed with the CFO this morning to make sure it was correct. Now, I would like to start talking about the financial cost, some fix, some temporary, some to be voted on or not voted on so we are not clear as far as a complete fixed cost but we are pretty close so if you will go with me over these figures, I would appreciate it. We have a full time deputy at the present time for security; we have an allocation that was \$110,000 for the camera system; we have an allocation that is dangling out there based on the vote of \$85,000 to put a secure window at the Revenue Commission's office; we have a possibility of four additional part-time deputies, (those figures are correct) equip four additional part time people, that's \$32,000 each; doors opening has been estimated at \$250, that's a little short from what we have been told, \$500 probably as cheap as you going to get the doors at 14 doors, that's 7,000; an X-ray machine that's \$17,000; that's the cost right now of what we are talking about in addition to what we have already spent this year and I would like to go over those figures with you. We have allocated or have spent so far, a full time deputy which is \$40,000 plus, cameras at \$110,000, a possibility of 2 part-time deputies for \$44,000, possibility of fitting 2 part time deputies is \$16,000 and then adding the glass in the Revenue Commission Department at a cost of \$85,000; that's \$295,000. The total amount if you go part time and add the other figures in there you are looking at \$381,000. Now, the poll has come out, very small smidgen of the people that live in Etowah county even responded (.0013 of people) to the vote, 'Do you support increased security measures at the cost of making it more inconvenient?' We are supporting it, we are supporting it right now to the tune of close to \$295,000. Most of that money comes out of a trust fund that can only be spent on building or equipment but the other comes out of a general fund budget which will affect everyone in this room, and I mean everyone in here. Also, I surveyed the front door area and there's only 4 parking places, its adequate as you enter to have a machine there and there's probably plenty of room there with people coming in but the problem is there is only 4 places out front people can park and if they pull up with a disabled person in a wheel chair or have to have assistance they have to park there and take them inside and then leave them inside the courthouse while they go around and either go out of that area and go left and run into traffic or they have to go right and go all the way back around the building, so that is another issue that I have. I also want to point out the new CAO made an observation at the last meeting that in her county they took a priority listing, which is like Item C here and when it came time they could see they could afford it they would add that issue and do away with that problem as time went on. The other issue I have is that the person that has been in the courthouse longer than anybody as an elected official (24 years) he told me personally and told other people that he did not want to close the courthouse doors, we have 7 doors and if you can imagine that every time someone is going to push that door open and the alarm goes off and the deputies, however many we ever have will be running whatever direction they have to go so Bobby Junkins has given me the authority to tell you that he does not want to close the doors and he said that if we hire a minimum of 2 deputies part time, he is ok with that. My last statement I will make is, a lot of things, the deputy that got shot filling up his vehicle yesterday, these things are happening everywhere (Linda, like you say) and I agree with you. It's stemming a lot out of fear, and you mentioned that. And Second Timothy says for God hath not given us the spirit of fear; but of power, and of love, and of a sound mind." With that I will move on.

Commissioner Choate said 'I know a lot of these figures you have just thrown down are one-time costs, up-front costs. The deputies equipment they need, getting everything set up, securing the doors, so forth and so on. These are one time cost up front and I think what the sheriff was trying to get at, (and I figured 10 per hour) we are looking at a maximum cost of \$60,000. And I think that is what he is trying to say when he gave that figure of \$44,000 so I wanted to make that a little more clear than what it seemed.

Commissioner Parker said approximately \$250,000 was budgeted for security. That's what the \$110,000 for the cameras came out of leaving approximately \$140,000 to use for x-ray machines and to equip the deputy. The average citizen will not be at the courthouse on a daily basis so they will not be inconvenience more than a few times a year, if you want to call it an inconvenience (securing people's lives). The County Commission has

spent countless dollars on a piece of land but won't spend pennies in comparison to protect our citizens and employees and lastly Commissioner Vaughan can testify that I do not speak empty words but today you are the best employees we have in Etowah County and I appreciate you supporting this security measure and taking time off from your job to come and show your support and standing up for what you believe in, so I salute you today.

Commissioner Overstreet said my main concern by putting this into place, according to Ms Vaughan's figures, and correct me if I am wrong, you said you had approximate 210,000 going to your office annually, working on 210,000 on a 5 day work week, which is 260 days a year, 14 days of holidays, puts us about 246 days a year. About 960 people through this front door annually and I don't know if that can be done so that is my concern.

Commissioner Statum said I am for security and I do appreciate you guys also and I know some of you don't think I am but we do respect you and in my personal opinion (and I am only one) I don't see where it does us any good closing down to one entrance. The money we have spent and are going to continue to spend in adding security, I think it's a step in the right direction I know it's not a fix-it-all but even locking every door but the front door does not fix and solve everything because if someone wants to get you then I promise you they can. So I just don't think it's a viable solution for us. That's my opinion. But I do want us, once we take a vote; I am with us 100%, whichever way it goes. If it doesn't pass, I want us to add Item D, which is additional security because if we are for security, then we need to be for it as much as we possibly can. So if it doesn't pass 100% then surely it will pass, since we respect everyone here, for us to add part-time additional to what we have already spent.

Commissioner Payne asked if anyone had any more, additional comments and there were none.

He asked for a roll call vote. Commissioner Statum – no; Commissioner Fuller – no; Commissioner Payne – no; Commissioner Overstreet – yes; Commissioner Parker – yes; and Commissioner Choate – yes.

**The vote was three to three. The motion does not carry.**

Upon motion of Commissioner Fuller, seconded by Commissioner Statum, with 4 voting in favor of this item and 2 against it, the following resolution was adopted:

**BE IT RESOLVED BY THE ETOWAH COUNTY COMMISSION:** That the following item was approved by the majority of the Commission:

The decision to leave the Courthouse as it is regarding Security and to add 2 part-time deputies to be assigned to the Courthouse, to work no more than 29 hours each week.

When asked if there was any discussion, Commissioner Choate said 'I think this is absolutely ridiculous, to put 2 part-time deputies. This will not secure this Courthouse for the people that work here or that comes in this Courthouse. If we don't do this the right way the first time, I just don't see this as being proper. I would again like a roll call vote.'

Commissioner Statum – yes; Commissioner Fuller – yes; Commissioner Payne – yes; Commissioner Overstreet – yes; Commissioner Parker – no and Commissioner Choate – no.

**PASSED AND ADOPTED THIS 1st DAY OF SEPTEMBER, 2015.**

Upon motion of Commissioner Statum, seconded by Commissioner Fuller, with all other members voting "yes", the following resolution was adopted:

**BE IT RESOLVED BY THE ETOWAH COUNTY COMMISSION:** That the following item was approved:

The request of Linda Barrett-Vaughan, Revenue Commissioner, to hire Glenda Justus as a temporary Revenue Clerk Appraisal, effective October 1, 2015. This is a temporary position to be paid from the Reappraisal Fund at an hourly rate of \$9.75.

**PASSED AND ADOPTED THIS 1st DAY OF SEPTEMBER, 2015.**

Upon motion of Commissioner Fuller, seconded by Commissioner Overstreet, with all other members voting "yes", the following resolution was adopted:

**BE IT RESOLVED BY THE ETOWAH COUNTY COMMISSION:** That the following item was approved:

The request of Linda Barrett-Vaughan, Revenue Commissioner, to hire Bonnie Yarnell as a temporary Collections Clerk, effective October 1, 2015. This is a temporary position to be paid from the Revenue Department, General Fund, at an hourly rate of \$9.75.

**PASSED AND ADOPTED THIS 1st DAY OF SEPTEMBER, 2015.**

Upon motion of Commissioner Statum, seconded by Commissioner Fuller, with all other members voting "yes", the following resolution was adopted:

**BE IT RESOLVED BY THE ETOWAH COUNTY COMMISSION:** That the following item was approved:

The request of Scott Hassell, Chief of Corrections, to purchase 14 stand-alone computers for use in the ICE Law Library at the Etowah County Detention Center with the understanding the charges will be reimbursed by the US Marshals Service for the initial purchase. Any upgrades or maintenance will not be reimbursable.

**PASSED AND ADOPTED THIS 1st DAY OF SEPTEMBER, 2015.**

Upon motion of Commissioner Statum, seconded by Commissioner Overstreet, with all other members voting "yes", the following resolution was adopted:

**BE IT RESOLVED BY THE ETOWAH COUNTY COMMISSION:** That the following item was approved after a roll call vote:

To authorize an Executive Session to discuss threatened litigation after a roll call vote with the majority approving the session. District 1 – yes; District 2 – yes; District 3 – yes; District 4 – yes; District 5 – yes; and District 6 – yes. The Commission President also requested Scott Hassell, Chief of Corrections, and Sheriff Entekin to attend the session. This was determined to meet the qualifications as a reason to meet in Executive Session by Jim Turnbach, Etowah County Attorney. The Commissioner went into Executive Session at 10:30 am.

**PASSED AND ADOPTED THIS 1st DAY OF SEPTEMBER, 2015.**

Upon motion of Commissioner Statum, seconded by Commissioner Fuller, with all other members voting "yes", the following resolution was adopted:

**BE IT RESOLVED BY THE ETOWAH COUNTY COMMISSION:** That the following item was approved:

To reconvene from Executive Session at 10:50 am.

**PASSED AND ADOPTED THIS 1st DAY OF SEPTEMBER, 2015.**

**REPORTS FROM THE STAFF:**

**Chief Administrative Officer:** Sherrie Kelley thanked Sheriff and his staff for giving her a tour of the facility and for all they do.  
**County Engineer:** No Report.  
**County Attorney:** No Report.  
**Other:** No Report.

**SCHEDULED PUBLIC HEARINGS:** None

**DISCUSSION BY COMMISSIONERS:**

Commissioner Statum thanked everyone that stayed and said he appreciated the employees and he believes the security decision made today was a step in the right direction.

Commissioners Fuller, Overstreet, and Choate did not have anything to add.

Commissioner Parker thanked all the people on the Security Committee and said they fought a good fight. She also thanked Commissioner Choate and wished him a happy birthday.

Commissioner Payne said we had a lively discussion about an issue we have been working on for many years, especially the cameras. He said we can finish this project and then move on to the next project. We are spending money we have never done before but have satisfied the camera issues. He said he appreciated the Committee bringing their recommendations to the Commission.

**ADJOURN:** The Chair then entertained a motion to adjourn the meeting. Upon motion of Commissioner Statum, seconded by Commissioner Overstreet, with all other members voting "yes", the motion was passed. The meeting was adjourned at 10:55 am.

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Joey Statum, Commissioner, District 1

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Jeff Overstreet, Commissioner, District 4

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Lewis H. Fuller, Commissioner, District 2

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Carolyn Parker, Commissioner, District 5

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Larry V. Payne, President, Commissioner, District 3

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Tim N. Choate, Commissioner, District 6