

Town of County Line

Minutes Special called meeting September 28, 2010.

Meeting was called to Order at 7:06PM by Mayor Calvert. Mayor Calvert stated that this was a Special Meeting to discuss road maintenance in County Line. In Attendance was Commissioner Waymon Pitts from the Blount County Commission and Attorney Thomas Prickett.

Mayor Calvert asked Council Finch to open with prayer.

After prayer, Roll was called, with Mayor J.L. Calvert present. Present also were Councils Michael Calvert, Dennis Finch, Pam Sitton, Herman Mulvehill, and Ralph Calvert. A quorum being present, meeting proceeded.

Mayor stated again that this meeting was called after a letter was sent to Commissioner Pitts about road maintenance in the Town. Mayor Calvert spoke on information gained from the League of Municipalities and State Law stating that if Counties maintained roads prior to July 7, 1995 and the Town had not taken over this responsibility, then Counties were still responsible for these roads. Council Finch spoke about the drainage on Smith Mill Rd and the condition of Dean's Ferry Rd. and Cobb Brazeel Rd.

Commissioner Pitts spoke and said that his position and the commission's policy is that they own the Farm-Market roads, such as County Line Rd. and the Town's responsibility is all other roads. Mr. Pitts further spoke about the gas tax that the Counties and towns /cities receive. Mr. Pitts said he will not work on Town roads until an agreement is signed by the Town, with the Town paying for repairs. Mr. Pitts also spoke about one tow that the County does do road work is Rosa, but that Rosa gives all their gas tax receipts to the County.

Extensive discussion followed with questions from the Council about who constructed these road originally. Mr. Pitts replied he did not know that. Mayor Calvert pointed out that all these roads were constructed by Blount County and that since someone sued the County over work on Cobb-Brazeel Rd. That the County had not done much for the Town since. Mayor Calvert further mentioned that the Town had only 3 streets that he could remember and that was Doss St., Calvert St. and Rogers St. . Mayor Calvert again cited Alabama law and several Attorney General's Opinions. Re-enforcing the opinion that the County should be doing the road work in the Town.

Attorney Prickett spoke (for the Commission) and said that the association of County Commissioners advises the opposite and the Commission must do for the entire County and with the expenses and budget constraints, they can't fix them all. Therefore the they must make judgement calls on which roads to work on. Mr. Prickett said he will further into the sections of Alabama code that the Mayor cited. In answer to a question about stimulus money, Mr. Pitts said that money comes from the State of Alabama. Extensive discussion followed. Council Michael Calvert asked when County Line Rd. was re-done? Mr. Pitts said he believed it was 2005, at about 2.5 million. On question from Mayor, Mr. Pitts



said the record went back about 2 administrations. Commissioner Pitts said "do as the Law says". Attorney Prickett further stated that "all town must be treated the same."

On question from Council Sitton, Mr. Pitts said "there are no plans to do work in the Town at this time." And that commission guidelines forbid this wok. Attorney Prickett said he will get back to the Mayor next Friday.

Public Comment by Mr. Malcolm Calvert that the State said Towns were responsible for road since 1948 and where did city limits end? Mayor replied just past Mr. Finch's driveway. Coucil asked when did the policy change on road work? Mr. Pitts replied he did not know. Atty. Prickett also said a lawsuit had been filed about the damage done to Dean's Ferry Rd. by heavy coal trucks and that the actual ownership of mine was hard to trace through a bunch of LLC's. And that so far the Copunty had been unsuccessful in securing Bond mond from the mining company. Mayor Calvert asked who made the decision on what work was done on Dean's Ferry Rd. Mr. Pitts replied "I did". Further discussion followed.

Motion was made to adjourn

William Ivey

Town Clerk Reporting

APPROVED OCT 12 2010



John W. Dwyer
Town Clerk