

**MINUTES OF THE SPECIAL CALLED MEETING  
OF THE ETOWAH COUNTY COMMISSION  
ETOWAH COUNTY, ALABAMA  
October 30, 2018**

The Etowah County Commission met in a special called meeting on the 30th Day of October, 2018. Commissioner Overstreet called the meeting to order at 10:00 am and Joey Statum led in the Prayer and Pledge to the Flag.

**PUBLIC COMMENTS FROM CITIZENS:** None.

**PUBLIC COMMENTS FROM ELECTED OFFICIALS AND OTHERS:** None.

**CALL OF ROLL TO ESTABLISH A QUORUM:** Karen Bates, County Clerk, called the roll to establish a quorum. The following 5 out of 6 Commission members answered to their names and accordingly and quorum was present:

District 1 – Joey Statum  
District 2 – Johnny Grant  
District 3 – Larry V. Payne

District 4 – Jeff Overstreet  
District 5 – Carolyn Parker

Absent: District 6 – Tim Choate

**NEW BUSINESS:**

Upon motion of Commissioner Statum, seconded by Commissioner Parker, 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 have an Executive Session to discuss threatened litigation after a roll call vote to approve the Executive Session. District 1 – yes; District 2 – yes; District 3 – yes; District 4 – yes; and District 5 – yes. This Executive Session has been certified by the County Attorney, Jim Turnbach, and the following people will be in the meeting: Commissioners, Sheriff, Assistant Deputy of Corrections, Deputy Administrator/CFO, CAO, and County Attorney. The Commissioners dismissed for Executive Session at 10:10 am.

**PASSED AND ADOPTED THIS 30th DAY OF OCTOBER, 2018.**

Upon motion of Commissioner Statum, seconded by Commissioner Parker, 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 10:32 am.

**PASSED AND ADOPTED THIS 30th DAY OF OCTOBER, 2018.**

Upon motion of Commissioner Statum, seconded by Commissioner Parker, 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:

A recommendation was passed that the Etowah County Commission, pursuant to Article I, Paragraph 3, UNFORESEEN CIRCUMSTANCES, and pursuant to Article VII, Paragraph 8, of the current Contract and Agreement Concerning the Incarceration of City of Gadsden Prisoners in the Etowah County Detention Center (“Contract”) give notice to the City of Gadsden that the Contract is hereby terminated for cause with 90 days written notice to be given to the City of Gadsden.

Further, the Etowah County Commission, pursuant to Article VII, Paragraph 7, of the Contract, give notice that the Contract is terminated without cause, effective twelve months from the date of the written notice to be given to the City of Gadsden, and will not be renewed after its expiration.

The latter notice of termination without cause is given if, for any reason, the 90 day termination provisions are determined to be ineffective or inapplicable.

Finally, attention is called to the City of Gadsden that pursuant to Article VII of the Contract, Paragraph 11, the City must assume responsibility for incarceration of its City Prisoners.

- After reading the item, during the ‘discussion’, David Akins stated that he believed the County and the City having a joint contract for the Jail was a good idea and that it can be run more efficiently together than apart. He added that because of the increase in the number of the City inmates, the added costs were hurting the County. Representatives from the County and the City of Gadsden have met several times to discuss the issues and the City asked for the meetings to be postponed until after the City Election. David Akins, CAO, stated that it is the intention of the County to negotiate a new Contract with the City of Gadsden concerning inmates.

A copy of the letter that was sent to the City of Gadsden’s City Clerk and Police Chief, as well as, to the Etowah County Sheriff, has been filed in Attachment Book 10, Page 019.

**PASSED AND ADOPTED THIS 30th DAY OF OCTOBER, 2018.**

**REPORTS FROM THE STAFF:**

**Chief Administrative Officer:** No Report.

**County Engineer:** No Report.

**County Attorney:** No Report.

**Other:** No Report.

**SCHEDULED PUBLIC HEARINGS:** None

**DISCUSSION BY COMMISSIONERS:** None.

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

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Joey Statum, Commissioner, District 1

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Jeff Overstreet, President, Commissioner, District 4

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Johnny Grant, Commissioner, District 2

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Carolyn Parker, Commissioner, District 5

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Larry V. Payne, Commissioner, District 3

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**ABSENT**

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Tim N. Choate, Commissioner, District 6