

BOARD OF COMMISSIONERS**December 3, 2009**

Ken Brison, Mayor
Stuart L. Johnson, Vice-Mayor
Eddie Arney, Commissioner
Allen Bissell, Commissioner
Toney Sutton, Commissioner
Shirley Forehand, City Manager
Larry Cantrell, City Attorney
David Mayberry, Recorder

Present: Brison, Johnson, Bissell, Arney, Sutton

Others Present: Cantrell, Lovvorn

- 1. Mayor Brison called the meeting to order at 7:00 p.m.**
 - A. The Prayer and Pledge to the Flag were led by Donn Lovvorn.
- 2. Approval of the Agenda –**
 - A. Commissioner Sutton made a motion to approve the agenda. Vice-Mayor Johnson seconded. All were in favor.
- 3. Citizen Comments – (Limited to the first five (5) citizens to sign in and a limit of three (3) minutes each). – NONE**
- 4. Awards and/or Recognitions – NONE**
- 5. Public Announcements –**
 - A. Mayor Brison announced that the Census Bureau is looking for part-time workers in this area. He directed anyone interested to contact the City Manager.
- 6. Approval of the Minutes –**
 - A. Presented for approval were the minutes of the Board of Commissioners Meeting held on December 3, 2009. Johnson made a motion to approve the minutes as presented. Sutton seconded the motion. Mayor Brison noted that there were some typographical errors on one page that needed to be corrected. All were in favor.
- 7. Old Business –NONE**
- 8. New Business –**
 - A. Cancellation of Town Hall meeting on December 31, 2009 – Vice Mayor Johnson moved to cancel the meeting due to the holiday, and Commissioner Bissell seconded. All were in favor.
 - B. Approval of 4th extension of time on contract with Bowie Commons, LLC. Mayor Brison informed the Board that this extension would be through January 29, 2010. Commissioner Bissell asked Ralph Knauss, who was present, what the status of the project was. Knauss stated that the bank had approved a bridge loan and they hoped to close on 3 privately held properties the following day. He also stated that he expected to close

on the City's property before the January 29 deadline. Commissioner Bissell added that people were anxious and wanted to see progress on the project. He requested someone else from the partnership that was involved in the financial side come to the meeting if they asked for another extension. Knauss assured him that he would do that if they asked for another extension. Commissioner Sutton then asked when the date to vacate the current fire hall was. Knauss stated that it was April 9, 2010. Sutton added that if something delayed the move to the new station, he hoped SouthStar would be as cooperative as the City had been. Commissioner Arney made a motion to approve the extension, and Commissioner Sutton seconded. *For:* Arney, Bissell, Johnson, Sutton. *Abstain:* Brison.

9. City Manager Items for Discussion -

- A. Miscellaneous Updates – In Forehand's absence, Donn Lovvorn presented information regarding the damage done to Meadow Wood Drive by the AutoZone construction crew. There were gouges in the pavement that appeared to be caused by the tracks of a piece of equipment. Lovvorn referred the Commissioners to a memo from James Civil Engineering regarding the damage. He recommended that the road be resurfaced and not replaced. As of right now, the damage is mostly cosmetic. Lovvorn stated that the estimates to fix the damage were around \$5,000. His recommended course of action was to try and recoup the money from the contractor and fix the road next spring once the asphalt plants opened. Arney added that the damage was not significant right now, but with the freeze and thaw of the winter, it would get worse. He stated that he intended to ask the contractor to pay for the damage at the next Board of Commissioners meeting. Bissell asked about the site bond, and Lovvorn informed them it was not within the scope of the bond to fix the road damage. Vice-mayor Johnson then asked Lovvorn if the contractor had refused to pay for the damage. Lovvorn said that they had not refused, but they were not currently in agreement on fixing the road. Commissioner Arney added that he intended to discuss this at the next Planning Commission meeting.
- B. City Attorney Comments – Cantrell wished everyone Happy Holidays and stated that he had enjoyed working with the Board and the City this year.

10. Communications from the Mayor and Commissioners –

- A. Commissioner Sutton wished everyone a Merry Christmas and thanked the employees of the City for their service. He encouraged people to support local businesses. He mentioned the needs of Helping Hands, stating that they were in dire need of canned goods, cash donations, and other help.
- B. Commissioner Arney mentioned the ordinance that contractors keep the roadways clean, and stated that the contractors at the new fire hall should also abide by this. He also wished everyone a Merry Christmas.
- C. Commissioner Bissell wished everyone a Merry Christmas and expressed optimism that next year would be a very good year.
- D. Vice-Mayor Johnson wished everyone a Merry Christmas.
- E. Mayor Brison wished everyone a Merry Christmas.

11. The meeting adjourned at 7:23 p.m.

David Mayberry
City Recorder