

STATE OF ALABAMA §

LAUDERDALE COUNTY §

Alabama Governor Kay Ivey issued a State of Emergency in response to the COVID-19 (Coronavirus) outbreak and approved that County Commission Meetings could be held via teleconference during this State of Emergency in order to approve COVID-19 related items.

The Lauderdale County Commission convened via teleconference at 2:30 p.m. on the 31st day of March, 2020, for an emergency meeting. The meeting was called to order by the Chairman of the Lauderdale County Commission, Danny Pettus. Upon roll call, the following members answered present:

Danny Pettus	Chairman
Roger Garner	Commissioner, District 1
Brad Holmes	Commissioner, District 1
Fay Parker	Commissioner, District 2
Joe Hackworth	Commissioner, District 2
Legal Counsel:	
Christopher A. Smith	County Attorney

Chairman Pettus, upon declaration of a quorum being present, opened the meeting for the transaction of business.

The invocation and Pledge of Allegiance were delivered by Commissioner Garner.

Public Comments on Agenda items: None

Chairman Pettus read a statement describing today's meeting purpose as we pass a resolution to officially declare a local State of Emergency pursuant to Alabama State Code, The Stafford Act and all new legislation recently enacted. All this is done in cooperation with the leaders of the municipalities in our County, State EMA and State of Alabama government at large.

Commissioner Hackworth moved, seconded by Commissioner Garner that all items listed on the emergency meeting agenda be approved for immediate consideration. There being no discussion and upon a vote taken, motion unanimously approved. Agenda is herein recorded and made part of these minutes.

Commissioner Holmes moved, seconded by Commissioner Parker to approve a resolution authorized by the Governor's Emergency Declaration that will allow the County's law enforcement to issue a summons and complaint in lieu of custodial arrest for any violation of a misdemeanor during the current State of Emergency due to COVID-19 (Coronavirus). There are five separate exceptions to the summons in lieu of custodial arrest which are detailed in the resolution. The County may not authorize a law enforcement officer to issue a summons and complaint in lieu of arrest in certain circumstances relating to crimes involving violence, possession of alcohol or controlled substance that pose a risk to public safety, minor victims, driving under the influence and crimes that require restitution to victims. In situations where the

summons and complaint in lieu of custodial arrest apply, the County will set a fee schedule concurrent with the bail fee and courts costs currently associated with the custodial arrest of the same crime. To the extent a provision in the Governor's Supplemental Proclamation conflict with any provision of state law, that law is suspended by the Governor's Declaration for the duration of the State of Emergency and the Governor's Proclamation shall control. There being no discussion and upon a vote taken, motion unanimously approved. Resolution is herein recorded and made part of these minutes.

Commissioner Parker moved, seconded by Commissioner Garner to approve a resolution to declare the existence of a Local State of Emergency in Lauderdale County. This State of Emergency has been caused by the novel coronavirus, COVID-19, worldwide pandemic commencing on the 31st day of January, 2020. During the existence of said local emergency, the powers, function and duties of the Emergency Management Director and Emergency Organization of this County shall be those prescribed by state law and resolutions of the County. This State of Emergency will continue until its termination is declared by the Lauderdale County Commission. There being no discussion and upon a vote taken, motion unanimously approved. Resolution is herein recorded and made part of these minutes.

Scheduled Public Hearings: None

Staff Reports: None

Public Comment Period:

Lauderdale County Solid Waste Department Head, Tom Smith, stated that his department is maintaining normal business functions while adjusting employee schedules in the office and in the field in order to reduce close interaction with co-workers. The department has also implemented thorough cleaning procedures as a precaution during this time. Commissioner Holmes asked if landfill/scale house operations were continuing and Mr. Smith confirmed they were even as the adjusted work schedules in the field creates longer garbage routes as employees keep their distance from one another but continue to maintain normal business functions.

Emergency Management Director, George Grabryan, stated that after speaking with local municipalities and law enforcement representatives that they would be adopting resolutions similar to our resolution regarding the local State of Emergency. This formal declaration will help local businesses as they are affected by the impact of this situation and apply for grants and other programs available. Mr. Grabryan also informed the Commission that our local Harbor Freight is donating medical supplies, such as masks and gloves, to local hospitals to assist with supply shortages. George also stated that the Emergency Management Department remains unchanged as they maintain normal staffing and work hours during this time.

Commissioner Hackworth extended his appreciation for all department heads and staff for their dedication and service during this time as they continue to do the work of the County.


County Attorney, Chris Smith, stated that the City of Florence will be adopting a resolution similar to the resolution passed today regarding summons and complaint in lieu of custodial arrest. George Grabryan thanked Mr. Smith for being available to the Commissioners and the County, working weekends and after hours, in order to take care of business during this time of emergency.

There being no further business to come before the Commission and upon a motion made by Commissioner Parker and seconded by Commissioner Garner, the meeting was duly adjourned until the next regular meeting subject to call.

LAUDERDALE COUNTY COMMISSION



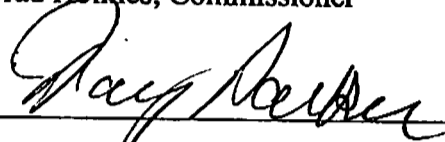
Danny Pettus, Chairman



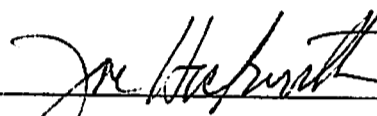
Roger Garner, Commissioner



Brad Holmes, Commissioner

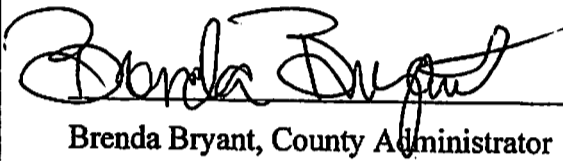


Fay Parker, Commissioner



Joe Hackworth, Commissioner

ATTEST:



Brenda Bryant, County Administrator

LAUDERDALE COUNTY COMMISSION

EMERGENCY MEETING AGENDA

March 31, 2020

A. OFFICIAL AGENDA

1. CALL TO ORDER AND WELCOME
2. CALL OF ROLL TO ESTABLISH QUORUM
3. INVOCATION AND PLEDGE OF ALLEGIANCE- Commissioner Holmes
- 4(a) PUBLIC COMMENTS ON AGENDA ITEMS
Per Rules of Procedure there is a three-minute time limit

Statement by Chairman Danny Pettus

B. REGULAR BUSINESS

1. Review and Motion to Consider Agenda Items
2. Resolution—Law Enforcement
3. Resolution—EMA

C. STAFF REPORTS— Updates on COVID-19 issues

D. PUBLIC COMMENT PERIOD

Per Rules of Procedure there is a three minutes' time limit

ADJOURN

STATE OF ALABAMA §

LAUDERDALE COUNTY §

RESOLUTION

WHEREAS, on March 26th, 2020, Governor Kay Ivey enacted an additional proclamation of State Public Healthcare Emergency based on the appearance of the 2019 novel Coronavirus known as COVID-19 in the State of Alabama; and

WHEREAS, the Governor's Emergency Declaration allows a County and municipality's law enforcement to issue a summons and complaint in lieu of custodial arrest for any violation of a misdemeanor and violation after adoption of an authorizing resolution; and

WHEREAS, the Governor's Declaration lists five separate exceptions to the summons in lieu of custodial declaration; and

WHEREAS, it is in the best interest of the citizens of Lauderdale County for the Sheriff's Department to issue summons and complaint in lieu of custodial arrest to decrease traffic at the Lauderdale County Detention Center.

NOW THEREFORE BE IT RESOLVED that as long as the Governor's State of Emergency Declaration stays in place, Lauderdale County law enforcement may issue a summons and complaint in lieu of custodial arrest for any violation of a misdemeanor with the following exceptions;

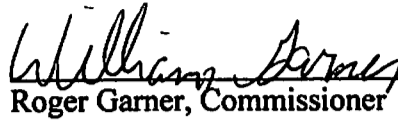
1. The county may not authorize a law enforcement officer to issue a summons and complaint in lieu of arrest in the following circumstances:
 - a. The person is charged with committing a crime involving violence, threat of violence, or domestic violence, defined under Article 7 (Commencing with §13A-16-130) 17 of Chapter 6, Title 13A;
 - b. The person is charged with the use or possession of alcohol or a controlled substance and, in the opinion of law enforcement officer, poses a risk to public safety;
 - c. A victim of the crime is a minor;
 - d. The person is charged with driving under the influence as codified in §32-5A-191; or
 - e. A person is charged with a crime that would require restitution to the victim.
2. The District Court is authorized by Rule 20 of the Alabama Rules of Judicial Administration to set a schedule of fines/fees for certain traffic offenses. The Governor's Emergency Declaration and this resolution authorizes and directs the county to set a fee schedule for the aforementioned summons and complaint that is concurrent with the bail fee and court costs currently associated with the custodial arrest of the same crime;
3. Further, to the extent a provision in the Governor's Supplemental Proclamation conflicts with any provision of state law, that law is suspended by the Governor's Declaration for the duration of the State of Emergency and the Governor's Proclamation shall control.

Done this the 31st day of March, 2020.

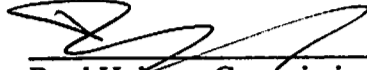
LAUDERDALE COUNTY COMMISSION



Danny Pettus, Chairman



Roger Garner, Commissioner

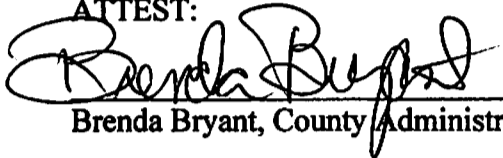


Brad Holmes, Commissioner

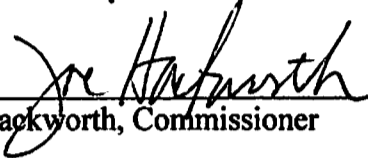


Fay Parker, Commissioner

ATTEST:



Brenda Bryant, County Administrator



Joe Hackworth, Commissioner

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RESOLUTION

WHEREAS, the Lauderdale County Commission is empowered by the Code of Alabama, 1975, section 31-9-1 thru 31-9-24 to declare the existence or threatened existence of a local emergency when said County is affected or likely to be affected by a public calamity; and

WHEREAS, the Lauderdale County Commission has been requested by the Emergency Management Director to declare the existence of a local emergency therein; and

WHEREAS, said County Commission does hereby find that conditions of extreme peril to the safety of person may well exist within Lauderdale County, caused by the novel coronavirus COVID-19 worldwide pandemic commencing on the 31st day of January, 2020, and that the aforesaid conditions of extreme peril warrant and necessitate the declaration of the existence of a local emergency.


NOW THEREFORE BE IT RESOLVED that a local emergency now exists throughout said Lauderdale County; and

BE IT FURTHER RESOLVED that during the existence of said local emergency, the powers, functions and duties of the Director of Emergency Management and the Emergency Organization of this County shall be those prescribed by state law and resolutions of the County.

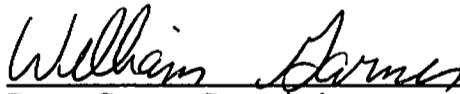
BE IT FURTHER RESOLVED that said state of emergency shall be deemed to exist until its termination is declared by the County Commission of Lauderdale County, Alabama.

Done this the 31st day of March, 2020.

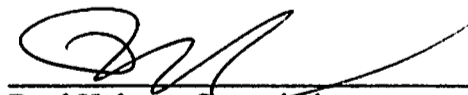
LAUDERDALE COUNTY COMMISSION



Danny Pettus, Chairman



Roger Garner, Commissioner

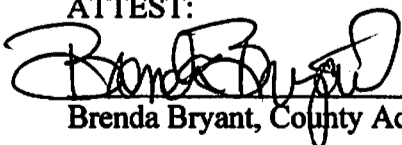


Brad Holmes, Commissioner

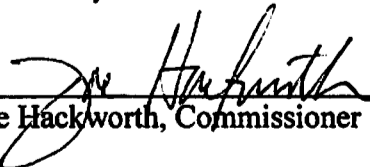


Fay Parker, Commissioner

ATTEST:



Brenda Bryant, County Administrator



Joe Hackworth, Commissioner