

**MINUTES OF CITY COUNCIL MEETING  
VALLEY GRANDE, ALABAMA**

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***Regular Meeting***

***August 1, 2016***

Call to order by Wayne Labbe, Mayor at 6:00 PM

Meeting held at Valley Grande City Hall

Minutes submitted by: Janet Frasier, City Clerk

Presiding: Wayne Labbe

Invocation: Patsy Moore

**In Attendance:**

Wayne Labbe, Mayor	Present
Tim White	Present
Ronald Sawyer	Present
Donna Downs	Present
Patsy Moore	Present
Kenneth Martin	Present

Quorum was made with all council members present.

The minutes from the July 18, 2016 regular meeting were presented by Janet Frasier. Motion was made by Donna Downs to receive the minutes as read. Ronnie Sawyer made the second. Motion carried by unanimous consent of the council by a show of hands vote.

<u>SHOW OF HANDS VOTE</u>	<u>YEA</u>	<u>NAY</u>
Wayne Labbe	X	
Tim White	X	
Ronald Sawyer	X	
Donna Downs	X	
Patsy Moore	X	
Kenneth Martin	X	

**Committee Reports:**

Public Safety Work Committee: No report.

**Reports of Officers:**

Boyd Pugh /Public Safety Director: Boyd Pugh reported 8 fire calls during the month of July.

Sam Smitherman/Building Inspector: Sam Smitherman reported nine houses currently permitted.

Harvey Holley/Sports and Recreation Coordinator: Harvey Holley reported that he has given out 10 or 11 packets for the co-ed softball and has one packet returned. Registration ends August 12<sup>th</sup>. The first softball game is scheduled for September 5, 2016.

Tim White /Public Safety & Beautification Advisory Group: No report.

Ronald Sawyer /Parks & Recreation Advisory Group: Ronnie Sawyer stated that the signs have been made and will be picked up tomorrow.

Donna Downs/Business/Community Development & Education Advisory Group: No report.

Patsy Moore/Annexation & Zoning Advisory Group: Patsy Moore reported the quote for the swing set came in and the total with for the swing set, shipping and installation was \$6,067.00

Patsy Moore made a motion to accept the quote and move forward with the purchase and installation of the swing set. Ronnie Sawyer made the second. Motion carried with a majority consent of the council.

<u>SHOW OF HANDS VOTE</u>	<u>YEA</u>	<u>NAY</u>
Wayne Labbe	X	
Tim White	X	
Ronald Sawyer	X	
Donna Downs	X	
Patsy Moore	X	
Kenneth Martin		X

Patsy Moore further stated that she would like to thank the mayor for picking up the limbs after the storm. She reported that there are still problems with the trash after parties at the pavilion and she feels that the park needs a caretaker to see after and to clean up the park.

Mayor Labbe suggested that we draft new rules for the park and have them place their garbage in the dumpster at the sports complex.

Kenneth Martin /Public Relations & History Advisory Group: No report.

**Old Business:** None.

**New Business:**

Mayor Labbe presented the council with Resolution 2016-51 a resolution declaring Tim White duly elected for the office of Place 1. Kenneth Martin made a motion to adopt Resolution 2016-51. Donna Downs made the second. Motion carried with majority consent of the council by a show of hands vote. Tim White abstained from the vote.

<u>SHOW OF HANDS VOTE</u>	<u>YEA</u>	<u>NAY</u>
Wayne Labbe	X	
Tim White	Abstain	
Ronald Sawyer	X	
Donna Downs	X	
Patsy Moore	X	
Kenneth Martin	X	

Mayor Labbe declared Resolution 2016-51 adopted as attached to these minutes.

RESOLUTION #2016-51

STATE OF ALABAMA

DALLAS COUNTY

CITY OF VALLEY GRANDE

**WHEREAS**, Section 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, provide for and regulate general and special elections in cities and towns of this state, except those cities and towns which have a commission form of government, and

**WHEREAS**, Section 11-46-43 of the Alabama Code of 1975 prohibits write-in candidates in elections held under Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, and

WHEREAS, Section 11-46-26 of the Alabama Code 1975, as amended, provides that if only one person has filed a statement of candidacy or has been nominated for an office for an election to be held pursuant to Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, at the time the deadline for qualification has passed, then such person shall, for all purposes, be deemed elected to such office, and the mayor or chief executive officer shall not cause the name of such person or the office for which his candidacy was declared to be printed on the ballot, but he shall immediately file a written statement with the governing body of the municipality, attested by the clerk, certifying the fact that only one person filed a statement of candidacy or was nominated for the office preceding the deadline set for an election of municipal officers of the municipality and setting forth the name of such person, and

**WHEREAS**, said Section 11-46-26, as amended, provides that the governing body of the municipality, after receiving such statement, shall adopt a resolution declaring the person named in the statement duly elected to the office described in the statement, and shall issue a Certificate of Election to such person, and

**WHEREAS**, the Mayor of the City of Valley Grande has filed a written statement with the governing body of the municipality, attested by the Clerk, certifying the fact that only one person filed a statement of candidacy for Place 1 prior to the deadline and that the name of that person who filed such statement was Tim White.

**NOW, THEREFORE, BE IT RESOLVED** by the City of Valley Grande Council of the City of Valley Grande that Tim White be and he is hereby declared duly elected to the office of Place 1 in the City of Valley Grande for the term of office commencing on the first Monday in November, 2016, and

**BE IT FURTHER RESOLVED**, that the Mayor of the City of Valley Grande be and he hereby is directed to issue a certificate of election to Tim White for the office of Place 1 for such term pursuant to the provisions of Section 11-46-25, as amended.

ADOPTED THIS THE 1st DAY OF August, 2016

Mayor Labbe presented the council with Resolution 2016-52 a resolution declaring Tammy Troha duly elected for the office of Place 4. Ronnie Sawyer made a motion to adopt Resolution 2016-52. Kenneth Martin made the second. Motion carried with unanimous consent of the council by a show of hands vote.

SHOW OF HANDS VOTE	YEA	NAY
Wayne Labbe	X	
Tim White	X	
Ronald Sawyer	X	
Donna Downs	X	
Patsy Moore	X	
Kenneth Martin	X	

Mayor Labbe declared Resolution 2016-52 adopted as attached to these minutes.

RESOLUTION #2016-52

STATE OF ALABAMA

DALLAS COUNTY

CITY OF VALLEY GRANDE

**WHEREAS**, Section 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, provide for and regulate general and special elections in cities and towns of this state, except those cities and towns which have a commission form of government, and

**WHEREAS**, Section 11-46-43 of the Alabama Code of 1975 prohibits write-in candidates in elections held under Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, and

WHEREAS, Section 11-46-26 of the Alabama Code 1975, as amended, provides that if only one person has filed a statement of candidacy or has been nominated for an office for an election to be held pursuant to Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, at the time the deadline for qualification has passed, then such person shall, for all purposes, be deemed elected to such office, and the mayor or chief executive officer shall not cause the name of such person or the office for which his candidacy was declared to be printed on the ballot, but he shall immediately file a written statement with the governing body of the municipality, attested by the clerk, certifying the fact that only one person filed a statement of candidacy or was nominated for the office preceding the deadline set for an election of municipal officers of the municipality and setting forth the name of such person, and

**WHEREAS**, said Section 11-46-26, as amended, provides that the governing body of the municipality, after receiving such statement, shall adopt a resolution declaring the person named in the statement duly elected to the office described in the statement, and shall issue a Certificate of Election to such person, and

**WHEREAS**, the Mayor of the City of Valley Grande has filed a written statement with the governing body of the municipality, attested by the Clerk, certifying the fact that only one person filed a statement of candidacy for Place 4 prior to the deadline and that the name of that person who filed such statement was Tammy Troha.

**NOW, THERFORE, BE IT RESOLVED** by the City of Valley Grande Council of the City of Valley Grande that Tammy Troha be and she is hereby declared duly elected to the office of Place 4 in the City of Valley Grande for the term of office commencing on the first Monday in November, 2016, and

**BE IT FURTHER RESOLVED**, that the Mayor of the City of Valley Grande be and he hereby is directed to issue a certificate of election to Tammy Troha for the office of Place 4 for such term pursuant to the provisions of Section 11-46-25, as amended.

ADOPTED THIS THE 1st DAY OF August, 2016

Mayor Labbe presented the council with Resolution 2016-53 a resolution declaring Jimmy Johnson duly elected for the office of Place 5. Tim White made a motion to adopt Resolution 2016-53. Patsy Moore made the second. Motion carried with unanimous consent of the council by a show of hands vote.

<u>SHOW OF HANDS VOTE</u>	<u>YEA</u>	<u>NAY</u>
Wayne Labbe	X	
Tim White	X	
Ronald Sawyer	X	
Donna Downs	X	
Patsy Moore	X	
Kenneth Martin	X	

Mayor Labbe declared Resolution 2016-53 adopted as attached to these minutes.

RESOLUTION #2016-53

STATE OF ALABAMA

DALLAS COUNTY

CITY OF VALLEY GRANDE

**WHEREAS**, Section 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, provide for and regulate general and special elections in cities and towns of this state, except those cities and towns which have a commission form of government, and

**WHEREAS**, Section 11-46-43 of the Alabama Code of 1975 prohibits write-in candidates in elections held under Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, and

WHEREAS, Section 11-46-26 of the Alabama Code 1975, as amended, provides that if only one person has filed a statement of candidacy or has been nominated for an office for an election to be held pursuant to Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, at the time the deadline for qualification has passed, then such person shall, for all purposes, be deemed elected to such office, and the mayor or chief executive officer shall not cause the name of such person or the office for which his candidacy was declared to be printed on the ballot, but he shall immediately file a written statement with the governing body of the municipality, attested by the clerk, certifying the fact that only one person filed a statement of candidacy or was nominated for the office preceding the deadline set for an election of municipal officers of the municipality and setting forth the name of such person, and

**WHEREAS**, said Section 11-46-26, as amended, provides that the governing body of the municipality, after receiving such statement, shall adopt a resolution declaring the person named in the statement duly elected to the office described in the statement, and shall issue a Certificate of Election to such person, and

**WHEREAS**, the Mayor of the City of Valley Grande has filed a written statement with the governing body of the municipality, attested by the Clerk, certifying the fact that only one person filed a statement of candidacy for Place 5 prior to the deadline and that the name of that person who filed such statement was Jimmy Johnson.

**NOW, THEREFORE, BE IT RESOLVED** by the City of Valley Grande Council of the City of Valley Grande that Jimmy Johnson be and he is hereby declared duly elected to the office of Place 5 in the City of Valley Grande for the term of office commencing on the first Monday in November, 2016, and

**BE IT FURTHER RESOLVED**, that the Mayor of the City of Valley Grande be and he hereby is directed to issue a certificate of election to Jimmy Johnson for the office of Place 5 for such term pursuant to the provisions of Section 11-46-25, as amended.

ADOPTED THIS THE 1st DAY OF August, 2016

Mayor Labbe presented the council with Resolution 2016-54 a resolution issuing a certificate of election to Tim White for the office of Place 1. Patsy Moore made a motion to adopt Resolution 2016-54. Ronnie Sawyer made the second. Motion carried with majority consent of the council by a show of hands vote. Tim White abstained from the vote.

<u>SHOW OF HANDS VOTE</u>	<u>YEA</u>	<u>NAY</u>
Wayne Labbe	X	
Tim White	Abstain	
Ronald Sawyer	X	
Donna Downs	X	
Patsy Moore	X	
Kenneth Martin	X	

Mayor Labbe declared Resolution 2016-54 adopted as attached to these minutes.

RESOLUTION # 2016-54  
CERTIFICATE OF ELECTION

STATE of ALABAMA

DALLAS COUNTY

CITY OF VALLEY GRANDE

The undersigned hereby certify that, having duly filed a Statement of Candidacy and having no opposition Tim White was duly elected to the office of Place 1 of the City of Valley Grande, Alabama, for the term commencing on the first Monday of November, 2016.

Given under our hands pursuant to the requirements of Sections 11-46-20 et seq. of the Alabama Code of 1975, as amended, this 1<sup>st</sup> day of August, 2016.

Mayor Labbe presented the council with Resolution 2016-55 a resolution issuing a certificate of election to Tammy Troha for the office of Place 4. Donna Downs made a motion to adopt Resolution 2016-55. Kenneth Martin made the second. Motion carried with unanimous consent of the council by a show of hands vote.

<u>SHOW OF HANDS VOTE</u>	<u>YEA</u>	<u>NAY</u>
Wayne Labbe	X	
Tim White	X	
Ronald Sawyer	X	
Donna Downs	X	
Patsy Moore	X	
Kenneth Martin	X	

Mayor Labbe declared Resolution 2016-55 adopted as attached to these minutes.

RESOLUTION # 2016-55  
CERTIFICATE OF ELECTION

STATE of ALABAMA

DALLAS COUNTY

CITY OF VALLEY GRANDE

The undersigned hereby certify that, having duly filed a Statement of Candidacy and having no opposition Tammy Troha was duly elected to the office of Place 4 of the City of Valley Grande, Alabama, for the term commencing on the first Monday of November, 2016.

Given under our hands pursuant to the requirements of Sections 11-46-20 et seq. of the Alabama Code of 1975, as amended, this 1<sup>st</sup> day of August, 2016.

Mayor Labbe presented the council with Resolution 2016-56 a resolution issuing a certificate of election to Jimmy Johnson for the office of Place 5. Tim White made a motion to adopt Resolution 2016-56. Ronnie Sawyer made the second. Motion carried with unanimous consent of the council by a show of hands vote.

<u>SHOW OF HANDS VOTE</u>	<u>YEA</u>	<u>NAY</u>
Wayne Labbe	X	
Tim White	X	
Ronald Sawyer	X	
Donna Downs	X	
Patsy Moore	X	
Kenneth Martin	X	

Mayor Labbe declared Resolution 2016-56 adopted as attached to these minutes.

RESOLUTION # 2016-56  
CERTIFICATE OF ELECTION

STATE of ALABAMA

DALLAS COUNTY

CITY OF VALLEY GRANDE

The undersigned hereby certify that, having duly filed a Statement of Candidacy and having no opposition Jimmy Johnson was duly elected to the office of Place 5 of the City of Valley Grande, Alabama, for the term commencing on the first Monday of November, 2016.

Given under our hands pursuant to the requirements of Sections 11-46-20 et seq. of the Alabama Code of 1975, as amended, this 1<sup>st</sup> day of August, 2016.

Mayor Labbe presented the council with Resolution 2016-57 appointing the election officials to serve at the Valley Grande Community Center for the municipal election to be held on August 23, 2016 and a run-off election to be held, if necessary, on October 4, 2016. Kenneth Martin made a motion to adopt Resolution 2016-57. Patsy Moore made the second. Motion carried with a majority consent of the council by a show of hands vote. Donna Downs abstained from the vote.

<u>SHOW OF HANDS VOTE</u>	<u>YEA</u>	<u>NAY</u>
Wayne Labbe	X	
Tim White	X	
Ronald Sawyer	X	
Donna Downs	Abstain	
Patsy Moore	X	
Kenneth Martin	X	

Mayor Labbe declared Resolution 2016-57 adopted as attached to these minutes.

**CITY OF VALLEY GRANDE, ALABAMA**

**RESOLUTION #2016-57**

WHEREAS, a regular municipal election has been called to be held on the 23rd day of August, 2016, and a run-off election to be held, if necessary, on the 4th day of October, 2016, and

WHEREAS, Sections 11-46-27 and 17-11-3 of the Alabama Code of 1975, as amended, provide that the municipal governing body or a majority of them must, not less than 15 days before the holding of any municipal election, appoint from the qualified electors of the respective wards or voting districts officers to hold the election.

THEREFORE, BE IT RESOLVED, pursuant to the respective Code Sections, the following individuals are hereby appointed as election officials to serve in the following location and capacity:

Valley Grande Community Center

Inspector:	Judy Harris
Chief Clerk:	Mike Heath
1 <sup>st</sup> Clerk:	Julie Drinkard
2 <sup>nd</sup> Clerk:	Don Carter
3 <sup>rd</sup> Clerk:	Diane Spikings
4 <sup>th</sup> Clerk:	Mark Rouleau

Poll Workers shall be paid at the current county rate of \$75.00 for performing their duties on the day of the election and an additional \$25.00 for attending the election school.

THEREFORE, BE IT FURTHER RESOLVED, that pursuant to Section 17-11-15 of the Code of Alabama, City Clerk Janet Frasier shall perform the duties required in the handling of the absentee ballots.

The election school required by Section 11-46-30 of the Alabama Code of 1975, as amended is scheduled to be held August 16, 2016 at 2:00 p.m. at Valley Grande City Hall in the council chambers.

ADOPTED AND APPROVED this the 1st day of August, 2016.

**Mayor's Report:**

Mayor Labbe stated that he had called Jeff Chandler regarding a quote for resurfacing the walking trail and he hopes to hear back from him soon. He has also talked to Matt at Living Waters regarding his youth helping at the walking trial.

Mayor Labbe stated that he had Denmark Tree Service to come clean out trees around the area to be fenced at the lagoon.

Donna Downs made a motion to repeal Resolution 2016-48. Kenneth Martin made the second. Motion failed by a roll call vote with a majority of the council voting in opposition.

<u>ROLL CALL VOTE</u>	<u>YEA</u>	<u>NAY</u>
Wayne Labbe		X
Tim White		X
Ronald Sawyer		X
Donna Downs	X	
Patsy Moore		X
Kenneth Martin	X	

There being no further business to come before the council, a motion to adjourn was made by Kenneth Martin. Donna Downs made the second. The motion was carried by unanimous consent of the council.

The meeting was adjourned at 6:26 PM.

Approved: \_\_\_\_\_  
Wayne Labbe, Mayor

Attested: \_\_\_\_\_  
Janet Frasier, City Clerk