

October 6, 2017

MOBILE COUNTY COMMISSION

The Mobile County Commission met in emergency session, upon the call of the President in the Auditorium at Government Plaza, in the City of Mobile, Alabama, on Friday, October 6, 2017, at 4:00 P. M. The following members of the Commission were present: Merceria Ludgood, President, and Connie Hudson, Member. Commissioner Carl was absent. Also present were John F. Pafenbach, County Administrator/Clerk of the Commission, Jay Ross, County Attorney, and W. Bryan Kegley II, Assistant County Engineer. President Ludgood chaired the meeting.

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**Commission President Merceria Ludgood:** Mr. Ross will you certify that all the requirements of the Notice have been given.

**County Attorney Jay Ross:** In reviewing the Notice that it was called and based on the fact that this meeting is being called to declare a state of emergency in Mobile County, I would certify that the proper Notice has been given under the Alabama Opening Meetings Act, and you are able to proceed with the sole item on the Agenda.

**Commission President Ludgood:** The County Commission is contemplating this action to make sure that it has certain administrative powers. This is not because we are ratcheting up our previously articulated concerns about the extent of this particular storm. We want to be able, for example, if we need emergency equipment to be able to do that without having to invoke the normal business of bid laws. It will give us the flexibility in an emergency situation to secure the personnel, to secure the services that we need and without this it is my understanding, we would be tied to our traditional procurement processes and that has the potential to impair our ability to respond in a timely fashion to the needs that may arise. Commissioner Hudson do you have anything you want to say?

**Commissioner Connie Hudson:** That was well stated. This is a precautionary measure based on the recommendation of our Deputy Public Works Director, our Assistant County Engineer as well as our County Attorney to give us those administrative authorities so that we can react more quickly if needed during this event.

**County Administrator John Pafenbach:** Commissioners, your assessment is exactly correct.

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October 6, 2017

AGENDA #1

ADOPT RESOLUTION DECLARING STATE  
OF EMERGENCY FOR MOBILE COUNTY

Commissioner Hudson moved, seconded by President Ludgood, that the Board adopt the following resolution:

**WHEREAS**, the Mobile County Commission is authorized by law to take certain action to protect the safety and welfare of the public upon a determination that an emergency or disaster has occurred or is imminently likely to occur; and

**WHEREAS**, there is an existing and increasing possibility of an emergency or disaster in that the National Hurricane Center has forecast that the path of Tropical Storm Nate may cross in or around Mobile County, Alabama within the next 24 hours.

**NOW, THEREFORE**, be it resolved that

The Mobile County Commission determines that an emergency or disaster has occurred or is imminently likely to occur relating to Tropical Storm Nate and declares a local state of emergency.

The Commission does hereby waive procedure and formalities otherwise required by law pertaining to the performance of public work, including but not limited to procedure and formalities set out in Section 11-3-8, CODE OF ALABAMA (1975), and the Alabama Open Meetings Act, related to calling and conducting its meetings; entering into contracts; incurring obligations, employment of temporary workers; utilization of volunteer workers; rental of equipment; acquisition and distribution, with or without compensation, of supplies, materials, and facilities (including, but not limited to, fuel as needed by federal, state and local governmental entities, relief organizations, and law enforcement and fire departments); and appropriation of public funds.

The Commission establishes the office of the Emergency Management Agency, 348 North McGregor Avenue, Mobile, Alabama, as a control center to serve as a command post for the County, commencing at such time as weather circumstances may require and continuing for the duration of the emergency.

The Commission requires that all department heads remain in Mobile County for the duration of the emergency.

Motion carried unanimously.

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October 6, 2017

AGENDA #2

ADJOURN

Commissioner Hudson moved, seconded by President Ludgood, that the Board approve a request for motion to adjourn until October 9, 2017.

Motion carried unanimously.

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Merceria Ludgood, President

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Connie Hudson, Member

ATTEST:

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John Pafenbach, County Administrator