

**COMMISSION MEETING  
March 25, 2008**

**CALL TO ORDER AND WELCOME**

A regular meeting of the Cullman County Commission was held Tuesday, March 25, 2008 at 10:00 a.m., in the County Commission Office Conference Room. Chairman Kitchens called the meeting to order and welcomed all visitors.

**CALL OF ROLL TO ESTABLISH QUORUM, INVOCATION AND PLEDGE OF ALLEGIANCE**

Present were Chairman Wiley Kitchens, Commissioner Wayne Willingham, Commissioner Doug Williams and County Attorney Dan Willingham. Attorney Dan Willingham gave the invocation and Commissioner Willingham lead the Pledge of Allegiance.

**APPROVE MINUTES, APPROPRIATIONS, EXPENDITURES, REQUISITIONS, TRAVEL EXPENSE AND ALL JOURNAL ENTRIES TO BE POSTED**

Commissioner Williams made the motion to approve. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

**PUBLIC COMMENTS**

**Mrs. J. Williams** discussed some questions previously submitted to the Commission regarding the Animal Shelter and asked Commissioner Williams if he was aware of the answers she received back to these questions. Commissioner Williams said that he was aware of the response.

**David Bussman** informed the Commission that at this time, water restrictions have been lifted.

**Ed Calvert**, President of Grandview Community Center, requested \$15,000.00 for repairs to the community center.

**Nancy Schaffer** informed the Commission that on County Road 715 (Phelan Road) that cedar trees have been damaged on their property and limbs have been broken off dogwood trees. This damage was done by Cullman Jefferson Gas Department.

**PROCLAMATIONS**

Child Abuse Prevention – A Proclamation proclaiming April as Child Abuse Prevention Month was presented to Javon Daniels of Cullman Caring for Kids.

**Cold Springs Girls Basketball** – A Proclamation honoring the Cold Springs Girls Basketball Team, coached by Tammy West, for winning the State Class 2A State Girls Basketball Championship was presented.

**NEW BUSINESS**

**Consider Amended Tax Abatement for Topre International, Inc.**

Commissioner Williams made the motion to amend the Tax Abatement for Topre. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

**Library Board Appointment**

Commissioner Willingham stated he wanted to table the Library Board Appointment.

**Consider the surplus of five vehicles – Sheriff's Dept.**

Commissioner Williams made the motion to surplus five vehicles for the Sheriff's Department. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

**Consider the request to amend the 2007-2008 FY Appraisal and Mapping Budget – Revenue Dept.**

Revenue Commissioner Kay D. Smith stated that by state law the Appraisal Department can help pay for a new AS400 which will help the county out. Mrs. Smith requested that the Appraisal and Mapping Budget be increased by \$63,750.00 the approximate cost of the AS400.

Commissioner Williams made the motion to amend the budget for replacement purpose of the AS400. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

**Resolution 2008-14 consider vacating a portion of County Road 1157**

County Attorney Dan Willingham stated this road is on the west side of the county in the Baldwin Community. This is a dead end road, which dead ends at the Joe and Violet Willingham property. The adjoining property is owned by family members; vacating the road will not effect the bus turn around.

Commissioner Willingham made the motion to vacate this portion of County Road 1157. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

**Resolution 2008-14A consider vacating a portion of County Road 1763**

County Attorney Dan Willingham informed the Commission that this portion of County Road 1763 is in the Joppa area and has probably been abandoned for approximately twenty years. The County needs to do a formal vacation of this road. This was a relocation of a bridge that was moved some two-hundred feet up stream. The property owners need this action in order to clear a title up on this property.

Commissioner Williams made the motion to vacate that portion of County Road 1763. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

**Consider proposed plat for Bear Pen Cove Subdivision located in District 2 off County Road 2021**

Keith Creel, Engineering Assistant stated he had two items pertaining to the Subdivision. The first item is the proposed plat for Bear Pen Cove Subdivision. Mr. Creel recommended approval of the proposed plat.

Commissioner Willingham made the motion to accept the proposed plat. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

The second item for consideration is that the developers would like to be able to begin selling lots in the subdivision. The county needs to arrive at a figure for the bond for the road. The developer has presented a surety bond in the amount of \$210,000.00 to assure the road will be built. Mr. Creel recommended that the Commission accept this bond and approve signing the final plat once it is presented to the county with the appropriate signatures. Commissioner Willingham made the motion to accept the bond and for the final plat to be signed. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

**Consider the proposed plat for Water Dance Luxury Motor Coach Resort located in District 2 on County Road 222 & 69**

Mr. Creel stated he has two items for consideration on this proposed plat. The first item is to ask for a variance on the right of way width. The county's regulations specify a 50-foot minimum. These regulations are designed for residential subdivisions and this is a design for a Luxury Motor Coach Resort Park. These are small lots with a utility easement located at the back of the lots. The proposal is for a 24-foot paved roadway with 2-foot matted gutters on each side for a total of 28-foot roadway width. The Engineering Department recommends approving this variance for the 28-foot roadway width. This will be a private fenced motor coach park.

Commissioner Willingham made the motion to grant the variance. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

The second item is that Engineering recommends that the proposed plat be approved.

Commissioner Willingham made the motion to accept the proposed plat. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

**Consider granting an extension until September 1, 2008 for surety held by Cullman County Commission for Lake Alaqua Subdivision located in District 4 on County Road 479**

Keith Creel, Engineering Assistant, stated that the Developers of Lake Alaqua Subdivision are requesting an extension until September 1, 2008 to finish paving the roadway.

Commissioner Williams made the motion to grant the extension until September 1, 2008. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

**Resolution No. 2008-11 set speed limit on County Road 453 at 30 mph**

County Engineer Fred Penn stated this road is near the Town Limits of Good Hope off the Day Gap Road. Due to the horizontal curves, he recommended posting at 30 mph. Commissioner Willingham made the motion to post at 30 mph. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

**Resolution No. 2008-12 set speed limit on County Road 616 from Hwy. 31 to I-65 at 40 mph**

Mr. Penn stated this is the Johnson Crossing road. The county is considering resurfacing this road and with the curves, he recommended posting this road at 40 mph. Commissioner Williams made the motion to reduce speed limit on County Road 616 at 40 mph. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

**Consider extending Bid No. 885 – Pest Control**

Mr. Teichmiller stated Melton's Pest Control has requested to extend their bid for one year for the same price as last fiscal year. He recommended extending the bid for one year. Commissioner Williams made the motion to extend the Pest Control Bid for one year. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

**Consider the extension of Bid No. 886 – Termite Control Service**

Mr. Teichmiller stated Cook's Pest Control currently has the Termite Control Bid for \$14,636.00. Cooks is requesting to extend this bid for one year with no increase. Commissioner Williams made the motion to extend the termite control bid for one year. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

**Consider awarding Bid No. 946 – Laser printer**

Joey Martin, IT Director, addressed the Commission concerning the purchase of one or more laser printers. The lowest responsible bidder is Reason with a bid of \$2,235.00. This covers the printer and a three years on-site warranty. Mr. Martin recommended awarding the bid to Reasons. Commissioner Williams made the motion to award the bid to Reasons. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

**Consider awarding Bid No. 948 – Metal Building**

Commissioner Williams stated this is a metal building for the East Side Road Department. The low bidder was Inland Buildings in the amount of \$51,305.00. Pending the financing Commissioner Williams made a motion to award the bid to Inland Buildings. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

**Consider awarding Bid No. 949 – IBM iSeries Turn Key Computer System Upgrade**

Mr. Martin stated the only one bid was received from Premise, Inc. in the amount of \$73,309.00.

Commissioner Williams made the motion to award the bid to Premise, Inc. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

**Consider freeze on any new positions**

Chairman Kitchens said this means there will not be any new positions created in any department, however transfers can be made between departments.

Commissioner Williams stated until we get through this legislative session and see what funding may be taken away from the county, there should be a freeze any new positions; vacancies can not be filled. Commissioner Williams made the motion to require each department to inform the Commission in writing when they have a vacancy and how they are planning to fill the position. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

**OLD BUSINESS**

Chairman Kitchens commented that residents from all over the county have come to him about a card they have received informing them their voting place has been changed. Fifteen years ago voting location lines were redrawn. Chairman Kitchens asked the county attorney if he could research and amend this change. That would allow the residents who have been voting in these places for twenty to thirty years to go back voting in these places.

Commissioner Williams expressed concerns that some time back the Commission had voted to give the Coroner a raise. This request was sent to the Legislation and it did not pass. This weekend an article appeared in the Cullman Times doubling the raise. Commissioner Williams stated that he contacted the Legislators and asked them about this bill; they said this bill was written by the Coroner. The paper said it was written by legislators so he does not know who wrote the bill or which bill is going forward. The Commission needs to know where the second bill came from and why the cost has doubled. The Commission budgeted for the increase that was agreed upon and not for the open end spending. Commissioner Williams asked the County Attorney to look into this bill. Also, Mr. Williams stated he is still in favor of giving the increase that the Commission has agreed upon.

**NEXT REGULAR COMMISSION MEETING TUESDAY, APRIL 8, 2008**

Chairman Kitchens announced the next regular Commission Meeting will be Tuesday, April 8, 2008 at 10:00 am in the Commission Office Conference Room.

**ADJOURN**

Commissioner Willingham made the motion to adjourn. Commissioner Williams seconded.

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Wiley Kitchens, Chairman

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J. Douglas Williams

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Wayne Willingham

Associate Commissioner

Associate Commissioner