

CULLMAN COUNTY COMMISSION MEETING
April 14, 2011

The meeting was originally scheduled for April 12th; however there was not a quorum due to some of the commissioners attending another meeting. It was rescheduled for April 14th.

CALL TO ORDER AND WELCOME

Chairman James Graves called the Commission Meeting to order at 10:10 a.m. and welcomed the visitors.

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

Charlotte Slatton, County Clerk, called the roll; present were Chairman James Graves, Commissioner Darrell Hicks, Commissioner Stanley Yarbrough, and County Attorney Rusty Turner. The invocation was given by Darrell Hicks. Stanley Yarbrough led the Pledge of Allegiance.

APPROVE MINUTES OF THE MARCH 29, 2011 MINUTES, APPROVE APPROPRIATIONS, EXPENDITURES, REQUISITIONS, TRAVEL EXPENSES; AND APPROVE ALL JOURNAL ENTRIES TO BE POSTED.

Commissioner Yarbrough made the motion to approve the minutes from March 29, 2011 Commission Meeting, approve appropriations, expenditures, requisitions, travel expenses and approve all journal entries to be posted. Commissioner Hicks seconded the motion which passed on a unanimous voice vote.

PUBLIC COMMENTS

Max Hand, Director of the Cullman County Library, announced this week is National Library Week.

NEW BUSINESS

Address the abatement of Alabama Cullman Yutaka Technologies expansion

Chairman Graves stated Yutaka will be doing a \$5,000,000 expansion. The City of Cullman has done the abatements and all documents have been sent to the County for our files.

Consider approval of contract with Goodwyn, Mills & Cawood for comprehensive evaluation of the Cullman County Water System

Chairman Graves stated the Commission wants a better overview of the status of Water Department since the County Commission now has control of all assets with the dissolution of the GUSC and the SCCD. Commissioner Hicks made a motion to approve a contract with Goodwyn, Mills & Cawood for a comprehensive evaluation of the water system. Commissioner Yarbrough seconded the motion which passed on a unanimous voice vote.

Consider approval of an extension of the water contract with the City of Cullman

Chairman Graves stated the original water contract with the City of Cullman was signed in November 2010. In discussions with the financial advisors for the Duck River Dam project, it has been determined there will be two bond issues for the project. The initial issue will be the largest, probably \$50 million, with a smaller issue toward the end of the project. This will extend the contract from 2040 until September 30, 2046 allowing time for all final cost to be determined. Commissioner Hicks made a motion to extend the water contract with the City of Cullman until 9-30-2046. Commissioner Yarbrough seconded. Upon a unanimous voice vote, the motion passed.

Consider surplus of equipment from the Road Department

1995 Ford F-150	Serial # 1FTEF14N85NA40543
2004 New Holland tractor	Serial # APC224410
2004 New Holland tractor	Serial # ACP229845

Chairman Graves stated the items will be disposed of on govdeals. Commissioner Yarbrough made a motion to surplus the items for disposal. Commissioner Hicks seconded the motion which carried on a unanimous voice vote.

Resolution 2011-34 – Commission to approve the transfer of the cable franchise for Charter Communications, LLC to purchase Windjammer Communications, LLC

Gary Teichmiller, County Administrator, stated on March 14, 2011 Charter Communications, LLC entered into an agreement to purchase Windjammer Communications, LLC. The resolution approves the transfer of the franchise. Commissioner Yarbrough made a motion to approve the resolution. Commissioner Hicks seconded. Upon a unanimous voice vote, the motion passed.

Resolution 2011-35 – Euthanasia of Animals

Chairman Graves stated the State Legislature is considering passage of a bill which would require euthanasia of animals by injection only. This will result in additional cost to the County. The County opposes the legislation without additional funding from the State to defray the increased costs. Commissioner Hicks made a motion to adopt the resolution concerning euthanasia of animals. Commission Yarbrough seconded the motion which passed on a unanimous voice vote.

Consider a \$1,000 donation to the Berlin Community Center a polling place

Commissioner Hicks made a motion to donated \$1,000 to the Berlin Community Center, a polling place. Commissioner Yarbrough seconded. The motion passed on a unanimous voice vote.

Consider a \$1,000 donation to Walter Community Center a polling place

Commissioner Hicks made a motion to donated \$1,000 to the Walter Community Center, a polling place. Commissioner Yarbrough seconded the motion which carried on a unanimous voice vote.

Consider vacating a portion of County Road 988 and set a public hearing date

Fred Penn, County Engineer, stated County Road 988 is in the Jones Chapel area off Highway 278. The road is being used as a dumping area and the property owners have requested the road be vacated. Commissioner Yarbrough made a motion to set the public hearing for the vacating of County Road 988 for May 24, 2011. Commissioner Hicks seconded the motion which passed on a unanimous voice vote.

Consider plat re-subdividing lots 8 & 9 of Crystal Cove Estates Subdivision located on County Road 260 in District 2.

Keith Creel, Assistant Engineer, stated the lot line between lots 8 and 9 is being moved a few feet because of the location of a driveway. Both lots are owned by the same individual. Mr. Creel recommended approval of the plat contingent on all signatures being received. Commissioner Yarbrough made a motion to approve re-subdividing lots 8 and 9 of the Crystal Cove Estates Subdivision located on County Road 260 contingent on receipt of all signatures. Commissioner Hicks seconded. The motion passed on a unanimous voice vote.

Consider granting an extension for surety on Lakeshore West, Phase VIII and VIIIA, located in District 2 off County Road 175.

Mr. Creel stated there is a \$25,000 surety on Lakeshore West, Phase VIII and VIIIA developments. Part of the paving has been done. Only one lot has been sold and there is no construction taking place at the present. He recommended a one (1) year extension on the surety. Commissioner Yarbrough made a motion to grant a one (1) year extension on Lakeshore West, Phase VIII and VIIIA located off County Road 175. Commissioner Hicks seconded the motion which passed on a unanimous voice vote.

Consider granting an extension for surety on Shadowrock Estates, Phase 1, located in District 2 off County Road 871.

Mr. Creel stated the surety is \$93,000 on Shadowrock Estates, Phase 1. None of the roads have been paved. Three lots have been sold however there is no construction in the area. He recommended a one (1) year extension of the surety. Commissioner Yarbrough made a motion to extend the surety on Shadow Estates, Phase 1 located off County Road 871 for one (1) year. Commissioner Hicks seconded. Upon a unanimous voice vote, the motion carried.

Consider release of surety held by Cullman County Commission for Rocky Springs Subdivision located on County Road 67 in District 2.

Mr. Creel stated the surety is \$86,000. The paving was completed in October 2010, but it was overlooked for inspection at that time. The inspection has been done; the road is in good condition and meets the County's specifications. He requested the one year waiting period for acceptance into the county maintenance system be back dated to October 2010 and the surety be released. Commissioner Yarbrough made a motion to move the beginning of the one year period back to October 2010 and release the surety on Rocky Springs Subdivision located on County Road 67. Commissioner Hicks seconded the motion which passed on a unanimous voice vote.

Consider a \$5,000 appropriation for the *Wings Over Cullman* air show May 21, 2011

Gary Teichmiller, County Administrator, stated the appropriation for the *Wings Over Cullman* air show will come out of tourism. Commissioner Hicks made a motion for a \$5,000 appropriation for the air show. Commissioner Yarbrough seconded. The motion carried on a unanimous voice vote.

Consider extending the following bids

Bid No. 1031 – Fireworks, 4th of July at Smith Lake Park –Premier Pyrotechnics

Chairman Graves stated Premier Pyrotechnics has done the fireworks show for the 4th of July at Smith Lake Park for a number of years and has given good service. Commissioner Yarbrough made a motion to extend the bid with Premier Pyrotechnics for one (1) year. Commissioner Hicks seconded. The motion passed on a unanimous voice vote.

Bid No. 1037 – Elevator Service – Otis Elevator Co.

Commissioner Hicks made a motion to extend the bid for elevator service with Otis Elevator Co. for one (1) year. Commissioner Yarbrough seconded the motion which passed on a unanimous voice vote.

Bid No. 1041 – Batteries – Napa Auto Parts

Commissioner Yarbrough made a motion to extend the bid for batteries with Napa Auto Parts for one (1) year. Commissioner Hicks seconded. The motion passed on a unanimous voice vote.

Bid No. 1043 – Placement Bituminous Plant Surface – Charles Watts, Inc.

Commissioner Yarbrough made a motion to extend the bid for bituminous plant mix for one (1) year to Charles Watts, Inc. Commissioner Hicks seconded the motion which passed on unanimous voice vote.

Bid No. 1046 – Concrete – DCA Ready Mix

Commissioner Yarbrough made a motion to extend the bid for concrete for one (1) year to DCA Ready Mix. Commissioner Hicks seconded the motion. Upon a unanimous voice vote, the motion passed.

Bid No. 1047 – Guardrail – Alabama Guardrail, Inc.

Commissioner Yarbrough made a motion to extend the bid for guardrail to Alabama Guardrail, Inc. for one (1) year. Commissioner Hicks seconded the motion which carried on a unanimous voice vote.

Consider awarding the following bids

Bid No. 1071 – Motor Oil

Fred Penn, County Engineer, stated Edison Petroleum, Inc. was the low bidder and he recommended awarding the bid. Commissioner Hicks made a motion to award the bid to Edison Petroleum, Inc. for motor oil. Commissioner Yarbrough seconded. The motion passed on a unanimous voice vote.

Bid No. 1072 – Heating Fuel

Mr. Penn stated All Gas, the current supplier, was the low bidder. Commissioner Yarbrough made a motion to award the bid for heating fuel to All Gas, Inc. of Arab. Commissioner Hicks seconded the motion which carried on a unanimous voice vote.

Bid No. 1073 – Traffic Signs

Mr. Penn stated Traffic Signs, Inc. was the low bidder and recommended awarding the bid. Commissioner Hicks made a motion to award the bid to Traffic Signs, Inc. for the supply of traffic signs. Commissioner Yarbrough seconded. Upon a unanimous voice vote, the motion passed.

Bid No. 1074 – Jail Supplies

Eulaylon Hadley stated the awarding of the bid will be split between two vendors. For the referenced brands of dish washer products and laundry products, Phenix Supply Company will be awarded the bid. These brands are required for compatibility with the automatic dispensers that are in place at the jail. North Alabama Chemical Co. will be awarded all other general supplies that are referenced in the bid. Commissioner Yarbrough made a motion to award the bid as recommended between the two suppliers. Commissioner Hicks seconded. The motion passed on a unanimous voice vote.

Bid No. 1075 – Concrete Pipe

Mr. Penn stated Harvey Culvert Co., Inc. was the low bidder. They have previously had the bid and the County has experienced problems with the company. After some discussion it was decided to award the bid; however it will be watched closely and if problems do arise the bid may be rescinded. Commissioner Yarbrough made a motion to award the bid for concrete pipe to Harvey Culvert Co., Inc. Commissioner Hicks seconded the motion which carried on a unanimous voice vote.

Consider awarding bid for upgrade of water transmission line along County Road 437

Randall Waldrep, Interim Manager of the Water Department, stated sixteen bids were received. He recommended awarding the bid to the low bidder, Kevin Miller Development, Inc., with a bid of \$87,900. Commissioner Hicks made a motion to award the bid for the upgrade of water transmission line along County Road 437 (Old Hwy 69) to Kevin Miller Development, Inc. Commissioner Yarbrough seconded. Upon a unanimous voice vote, the motion passed.

Authorize the Chairman to sign all documents pertaining to the meter change out program for the Water Department

Chairman Graves stated the Water Department is continuing to move forward on the project of changing out approximately half of the water meters in the county. The new meters will allow for remote reading of water usage. Commissioner Hicks made a motion to authorize the Chairman to sign all documents necessary for the meter changing program. Commissioner Yarbrough seconded. The motion passed on a unanimous voice vote.

Consider the following personnel actions

- Retired: Frankie Taylor Sanitation
- Resignation: Zachary Holmes Water Department
- Gary Minor OHV Park
- Wesley Bowers Sheriff Department
- Transfers: Eliseo Aragon from Sportsman Lake Park to Smith Lake Park
- Greg Laney from Smith Lake Park to Water Department
- Dismissals: Anna Armstrong CARTS
- David Bussman Water Department
- New Hires: Terry Campbell Sheriff Department (full-time)
- Delton Cagle CARTS (part-time)
- Brandi Martin Sheriff Department (full-time)
- Margaret Rasbury Sheriff Department (full-time)
- Pay Reductions: James Pair Sanitation Department
- Change of Job Title: Diane Harper CARTS – From Driver to Clerk
- Andrea McLendon CARTS - From Driver/Dispatcher to Dispatcher/Scheduling

Commissioner Yarbrough made a motion to approve all personnel actions. Commissioner Hicks seconded. Upon a unanimous voice vote, the motion passed.

The next NARCOG meeting will be April 27, 2011 at the Decatur office of NARCOG.

NEXT REGULAR COMMISSION MEETING TUESDAY APRIL 26, 2011

Chairman Graves announced the next commission meeting will be Tuesday, April 26, 2011 at 10:00 a.m. in the Commission Meeting Room.

ADJOURN THE MEETING

Commissioner Hicks made a motion to adjourn the meeting. Commissioner Yarbrough seconded the motion. Chairman Graves adjourned the meeting at 10:36 a.m.

/s/
James D. Graves, Chairman

/s/
Darrell Hicks
Associate Commissioner

/s/
Stanley Yarbrough
Associate Commissioner