

**CULLMAN COUNTY COMMISSION MEETING**  
**March 14, 2017**

**CALL TO ORDER AND WELCOME**

Chairman Walker called the Commission Meeting to order at 10:02 a.m.

**CALL OF ROLL TO ESTABLISH QUORUM**

The County Clerk called the roll; present were Chairman Kenneth Walker, Commissioner Kerry Watson, Commissioner Garry Marchman, County Administrator Gary Teichmiller and County Attorney Chad Floyd. The invocation was given by John Freeman. Sheriff Matt Gentry led the Pledge of Allegiance.

**APPROVE MINUTES OF THE FEBRUARY 28, 2017 MEETING; APPROVE APPROPRIATIONS, EXPENDITURES, REQUISITIONS AND ALL JOURNAL ENTRIES TO BE POSTED**

Commissioner Watson made the motion to approve the minutes from the February 28, 2017 Commission Meeting; approve appropriations, expenditures, payroll, requisitions and all journal entries to be posted. Commissioner Marchman seconded the motion which passed on a unanimous voice vote.

**PUBLIC COMMENTS**

There were no public comments.

**NEW BUSINESS**

**Proclamation – Cullman Caring for Kids-Making Cullman County Aware of Child Abuse**

The proclamation was read aloud and presented to the staff of Cullman Caring for Kids in recognition of the work they do in the education of child abuse prevention. Commissioner Watson made a motion to approve the proclamation. The motion was seconded by Commissioner Marchman and passed on a unanimous voice vote.

**Proclamation – April 2017 Child Abuse Prevention Awareness Month**

The County Clerk read the proclamation aloud and it was presented to representatives from Brook's Place and those who work with abused children. Commissioner Marchman made a motion to approve the proclamation. Commissioner Watson seconded and the motion passed on a unanimous voice vote.

**Consider a request from AGCOR Steel, LLC for the vacating of a portion of County Road 1615**

Chad Floyd, County Attorney, stated a petition has been received requesting the County vacate a portion of County Road 1615 in the Berlin community. He requested a public hearing date be set for April 11, 2017. Commissioner Watson made a motion to approve the setting of a public hearing concerning the vacating of County Road 1615. Commissioner Marchman seconded. The motion passed on a unanimous voice vote.

**Consider the recommendation of Attorney Mark Maclin (Wilmer & Lee) regarding the Stipulation and Agreement for the Distribution of Interpleader Funds in the matter of Ditech v. Jimmy Haynes, et al**

Attorney Floyd explained Mr. Haynes owes the County about \$30,000 in sales tax which was not remitted when he owned East Point Tire Co. Ditech had a mortgage on property that Mr. Haynes financed. They foreclosed on the property and sold it for \$2,200 more than the outstanding mortgage. The County has a lien from 2015 on the unpaid taxes. However, the IRS has a tax lien from 2012 against Mr. Haynes and their lien supersedes the County's claim. Therefore, excess proceeds from the property sale will go toward the IRS lien. Commissioner Marchman made a motion to accept the recommendation of Attorney Mark Maclin (Wilmer & Lee) regarding the Stipulation and Agreement for the Distribution of Interpleader Funds in the matter of Ditech v. Jimmy Haynes, et al. Commissioner Watson seconded. Upon a unanimous voice vote, the motion carried.

**Commissioner Watson to appoint Peggy Day to the Cullman 310 Authority (CCCDD) Board for a six (6) year term to expire 4-1-2023, replacing Wayne McCracken**

Commissioner Watson made a motion to appoint Peggy Day to the Cullman 310 Authority (CCCDD) Board for a six (6) year term to expire 4-1-2023, replacing Wayne McCracken. Commissioner Marchman seconded. The motion passed on a unanimous voice vote.

**Consider the purchase of a Kubota ZD1211-60-Diesel zero turn mower for Smith Lake Park from Dixie Tractor Company - \$12,999**

Doug Davenport, Parks Director, stated they obtained four quotes and looked at pricing on the state bid list, and he recommends the purchase of the Kubota. Commissioner Marchman made a motion to approve the purchase of the mower for Smith Lake Park from Dixie Tractor Company at a cost of \$12,999. Commissioner Watson seconded the motion which passed on a unanimous voice vote.

**Consider the purchase of a 2018 Heil Lowlift CL6022 and 12 containers off the NJPA cooperative list through Ingram Equipment Co., Inc. for the Sanitation Department roll-off operation – Cost \$216,040.13**

Karl Price from the Sanitation Department stated with the increase demand for roll-off services, the Sanitation Department wants to expand the operation with an additional truck and twelve more roll-off containers. Commissioner Watson made a motion to approve the purchase of a 2018 Heil truck and twelve containers off the NJPA cooperative list through Ingram Equipment Co., Inc. at a cost of \$216,040.13. Commissioner Marchman seconded and the motion passed on a unanimous voice vote.

**Resolution 2017-21 – Set speed limit on County Road 1814 at 35 MPH**

John Lang, County Engineer, stated the Engineering Department received a request for the evaluation of County Road 1814 for a speed limit recommendation. They have looked at the road and recommend a 35 MPH speed limit be posted. Commissioner Marchman made a motion to set the speed limit on County Road 1814 At 35 MPH. Commissioner Watson seconded. The motion passed on a unanimous voice vote.

**Resolution 2017-22 - Initiating a federal aid project on County Road 222 from County Road 109 to County Road 96; Project No. CCP-222-67-18**

John Lang, County Engineer, explained this is a federal aid project for the resurfacing of County Road 222 from County Road 109 to County Road 96. He is hopeful the bid will let in November with the project to take place in 2018. Commissioner Watson made a motion authorizing the signing of the resolution to initiate the federal aid project for the resurfacing of County Road 222. Commissioner Marchman seconded. Upon a unanimous voice vote, the motion passed.

**Consider plat for Pinnacle Landing Subdivision, located in District 1 on Highway 31 & County Road 1285**

Keith Creel, Engineering Assistant, stated there are three lots in the subdivision all touching existing roadways. It qualifies as a minor subdivision and he recommended acceptance. Commissioner Marchman made a motion to approve the plat for Pinnacle Landing Subdivision, located in District 1 on Highway 31 & County Road 1285. Commissioner Watson seconded and the motion passed on a unanimous voice vote.

**Bid No. 1232 – Extension- Fireworks for July 1<sup>st</sup> Show at Smith Lake Park**

Doug Davenport, Park Director, stated Pyro Show of Alabama has agreed to extend the bid for the fireworks show. The price for the 22 minute show is \$20,000. Commissioner Watson made a motion to extend the bid for the bid for the fireworks display for the 4<sup>th</sup> of July weekend celebration with the show on Saturday night, July 1<sup>st</sup>. Commissioner Marchman seconded. The motion passed on a unanimous voice vote.

**Bid No. 1258 – Micro Surfacing of Various County Roads**

John Lang stated the previous bid was rescinded due to an administrative error in the writing of the bid. There were three bids received with Whitaker Contracting having the low bid. Commissioner Marchman made a motion to award the bid for micro surfacing to Whitaker Contracting. Commissioner Watson seconded the motion which passed on a unanimous voice vote.

**Bid No. 1259 – Computer Equipment**

Joey Martin, Director of IT, stated two bids were received for computer equipment. One bid did not meet the bid specs. Previously the bid for computer equipment has been a six month bid. However, this bid will be for one (1) year. He recommended awarding the bid to White River who currently has the bid. Commissioner Watson made a motion to award the computer equipment bid to White River. With a second by Commissioner Marchman, the motion passed on a unanimous voice vote.

**WORK SESSION**

The Commission will hold a Work Session on Tuesday, March 28, 2017 at 8:30 a.m. in the commission conference room.

**NEXT REGULAR COMMISSION MEETING MARCH 28, 2017**

Chairman Walker announced the next commission meeting will be Tuesday, March 28, 2017 at 10:00 a.m. in the commission meeting room.

**ADJOURN THE MEETING**

Commissioner Marchman made a motion to adjourn the meeting. Commissioner Watson seconded and the meeting was adjourned at 10:28 a.m.

/s/  
Kenneth Walker,  
Chairman

/s/  
Kerry Watson,  
Associate Commissioner

/s/  
Garry Marchman,  
Associate Commissioner