

CULLMAN COUNTY COMMISSION MEETING
November 26, 2019

CALL TO ORDER AND WELCOME

Chairman Walker called the Commission Meeting to order at 10:00 a.m.

CALL OF ROLL TO ESTABLISH QUORUM

Meleigh Sullivan 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 Randall Waldrep, Water Department Manager. Randall Waldrep also led the Pledge of Allegiance.

APPROVE MINUTES OF THE OCTOBER 22, 2019 MEETING; APPROVE APPROPRIATIONS, EXPENDITURES, REQUISITIONS AND ALL JOURNAL ENTRIES TO BE POSTED

Commissioner Marchman made the motion to approve the minutes from the October 22, 2019 Commission Meeting; approve appropriations, expenditures, personnel actions, payroll, requisitions and all journal entries to be posted. Commissioner Watson seconded. The motion passed upon a unanimous voice vote.

OLD BUSINESS

Resolution 2020-04- Consider vacation of a portion of Cullman County Road Number 319. The Public Hearing for this item was held on September 24, 2019

Chad Floyd, County Attorney, addressed the Commission and explained the item of Old Business was discussed on September 24, 2019 in a public hearing. What is being proposed to be vacated is a portion of a cul-de-sac in the JG Speegle subdivision being 0.05 acres. Because this area falls below the 522' line, it is subject to Alabama Power's easement to flood up to 522'. Mr. Floyd also explained, what is being proposed by all the surrounding neighbors is to extend the current exiting cul-de-sac farther to the Southeast. Alabama Power responded and stated it was a permitted use in this area and Alabama Power has already started the process but needs a legal description of the property to finish the application. Mr. Floyd stated before the Commission today is whether or not to vacate the proposed 0.05 acres which inhabits the North Northeast section of the cul-de-sac. Commissioner Marchman made a motion to vacate this described portion of Cullman County Road 319. Commissioner Watson seconded under the circumstances discussed regarding leaving the cul-de-sac gravel. Upon a unanimous voice vote, the motion passed.

NEW BUSINESS

Public Hearing- Consider a vacating a portion of County Road 597/ Nancy Street in the Gillyville Subdivision

Commissioner Watson made a motion to open the Public Hearing. Commissioner Marchman seconded. Upon a unanimous voice vote, the motion carried and the public hearing began. County Attorney, Chad Floyd, explained to the Commission on September 24, 2019, an item was placed on the agenda that day concerning County Road 597 and today's Public Hearing was scheduled. Mr. Floyd explained he sent out first class letters of the Official Notice of Public Hearing to all utility providers and abutting land owners; Bobby and Reba Brockman, John Stanley Ballew and Beverly Ballew, Lavell and Jackie Thrasher. Also, Official Notice of the Public Hearing was published in the Cullman Times newspaper on October 12, 2019, October 15, 2019 and October 26, 2019, along with a copy being posted on the bulletin board at the rear main entrance of the Courthouse. Mr. Floyd presented everyone in attendance with a copy of the GIS map to show which area of property was being proposed to be vacated. An area highlighted in pink was the area being proposed. Mr. Floyd pointed out to everyone in attendance the actual subdivision plat provided for a road to be made within that pink area, but when the subdivision was constructed, no road was ever constructed through that area. The owner of lot 1 in the subdivision which is due North of the pink area is Lavell Thrasher as well as the area due South of the pink area. Just east which has been noted with a number 27 on the map is lot 2 within the Gillyville Subdivision owned by Bobby and Reba Brockman. Mr. Floyd stated up until this point, he has not received any correspondence from anyone.

Mr. Bobby Brockman, a land owner within Gillyville Subdivision, was initially concerned that this proposal could result in him being landlocked. After continuing to discuss, the proposal, Mr. Brockman stated he had no problem with the area being vacated.

Mr. Lavell Thrasher, a land owner within Gillyville Subdivision, addressed the Commission and stated he wanted to thank the Commission and congratulate them on making what he thinks is a wise decision to vacate.

Commissioner Watson made a motion closing the public hearing. Commissioner Marchman seconded. The motion passed upon a unanimous voice vote.

Resolution 2020-05- Adopt and approve a Resolution vacating a portion of County Road 597/ Nancy Street in the Gillyville Subdivision

Commissioner Marchman made a motion to adopt and approve Resolution 2020-05 vacating a portion of County Road 597. Commissioner Watson seconded and the motion passed upon a unanimous voice vote.

Consider the purchase of additional security cameras for the exterior of the Courthouse facility

Ken Walling, IT manager, addressed the Commission and explained the proposal is to add additional security cameras at the main parking lot, North parking lot and the front steps of the courthouse. The cameras will be built and installed by the IT Department at an estimated cost of \$6,241. Chairman Walker inquired if this proposal was recommended by Courthouse Security due to blind spots where we currently have no cameras. Mr. Walling confirmed that it was recommended by Courthouse Security, and that the addition of these new cameras would cover all blind spots. Commissioner Watson made a motion to approve the purchase of additional cameras for the exterior of the Courthouse facility. Commissioner Marchman seconded. Upon a unanimous voice vote, the motion carried.

Consider an adjustment to the adoption fees for animals at the Cullman County Animal Shelter

Dwain Floyd, Department Head over Animal Control, explained to the Commission that the Animal Shelter is currently exceeding their costs by \$3.35 on each adoption, and that does not include unexpected medical once the animal gets to the vet. Mr. Floyd recommended raising the adoption fees by \$10. Commissioner Marchman made the statement the adoption fee also helps to pay for the animals to be spayed and neutered. Mr. Floyd confirmed that was correct. Commissioner Marchman made a motion to approve the adjustment of the adoption fees for the animals at the Cullman County Animal Shelter. Commissioner Watson seconded and the motion passed upon a unanimous voice vote.

Consider terminating the employment contract of County Engineer, John Lang, per employee's request

John Lang, County Engineer, addressed the Commissioner and stated he appreciated the Commission's consideration for termination of his employment contract effective January 3, 2020. Mr. Lang also stated, "I am thankful for the friends and experience I have been able to get over the last 7 years and it really means a lot to me." Commissioner Watson made a motion approving the termination of the employment contract of County Engineer, John Lang. Commissioner Watson also stated, "John, you have done a good job for us and I appreciate the work you have done for the County and good luck with your future". Commissioner Marchman seconded the motion. Upon a unanimous voice vote, the motion carried.

After the motion passed, Chairman Walker stated "I am the one who hired John and I hate to see him go. He has done a phenomenal job but I will never try to keep someone from bettering themselves. John, I appreciate you and good luck".

Consider offer to purchase made by Leonard Design to purchase old health department building located at 305 4th Avenue NE. If accepted, authorize Chairman Walker to sign sales agreement on behalf of the Cullman County Commission, as well as to sign all documents related to the sale and transfer of the building

Chad Floyd, County Attorney, addressed the Commission and explained he and Mr. Leonard had been in contact over the last couple weeks now about the potential purchase of the former Health Department building. On November 25, 2019 at 3:00 p.m., a letter was delivered to the Commission office offering a cash price of \$137,500. This amount is in excess of the appraised value of the property. Mr. Leonard would like to close on the property on or before December 16, 2019. Mr. Floyd also explained that Mr. Leonard wanted the property as-is with a few stipulations. Mr. Leonard ask that the County provide a survey of the property, all cables that connect between the property and former Cullman County School property be permanently removed by Cullman County, and that Cullman County be responsible for removing all contents of the building and bear the cost associated with the removal of those contents. Mr. Floyd said as stated on the agenda, he would recommend today that Chairman Walker be granted authority to sign a sales agreement on behalf of the County Commission and that the Chairman be vested with authority to sign all documents related to the sale and transfer of ownership of the building. Commissioner Marchman made a motion to authorize the Chairman to sign a sales agreement on behalf of the Cullman Commission and to sign all documents related to the sale and transfer of the Old Health Department building. Commissioner Watson seconded and the motion passed upon a unanimous voice vote.

Consider the purchase of 6 Kenworth Dump Trucks for the road department from the ACCA Joint County Bid- cost \$149,257 each

John Lang, County Engineer, stated it is the Road Department's intention to buy 6 Kenworth Dump Trucks for a total of \$895,542. The purchases will be to two separate vendors. We will purchase the dump chassis from Truckworx for \$125,614 each and the truck beds will be purchased from Childersburg Truck Beds for \$23,643 each, making each truck \$149,257. Mr. Lang stated the County has been doing this annually and it is our expectation that we will cover the cost of driving the dump trucks. Commissioner Watson made a motion approving the purchase of 6 Kenworth Dump Trucks for the Road Department from the ACCA Joint County Bid. Commissioner Marchman seconded. Upon a unanimous voice vote, the motion carried.

Consider ratifying the purchase of a 4 ton split heat pump for Sanitation from Hawkins Heating and Air- Cost \$7,800

Commissioner Marchman made a motion to ratify the purchase of a 4 ton split heat pump for Sanitation from Hawkins Heating and Air in the amount of \$7,800. Commissioner Watson seconded and the motion passed upon a unanimous voice vote.

Consider authorizing payment to the City of Hanceville for Mud Creek Cleanup in the amount of \$15,000

Commissioner Watson made a motion authorizing payment to the City of Hanceville for Mud Creek cleanup in the amount of \$15,000. Commissioner Marchman seconded. Upon a unanimous voice vote, the motion carried.

Approve contract with the Alabama Department of Examiners to Audit Federal Awards received in FY-2018. Estimated cost- \$15,824

County Administrator, Gary Teichmiller, explained the Commission has to have an annual audit because we receive federal money exceeding \$750,000. Commissioner Marchman made a motion approving the contract with the Alabama Department of Examiners to Audit federal awards received in FY-2018. Commissioner Watson seconded and the motion passed upon a unanimous voice vote.

Approve the renewal of property insurance with Travelers for \$511,497.00, (10% increase) and purchase an additional policy thru Lloyds of London for wind and hail damage for \$58,459 which will reduce the deductible from \$500,000 to \$25,000. Smith and Gray is the local agent handling these policies and who the payment will be made out to

Gary Teichmiller, County Administrator, explained the Commission office searched for other insurers but due to the 2011 tornado and the 2018 hail storm, our exposure is significant (exposure due to 2011 tornado is \$4 million and 2018 hail storm is \$8 million). Travelers increased the policy by only 10% and increased the deductible to \$500,000 per incident. Mr. Teichmiller also explained the reasoning for the additional policy would be to bring the deductibles to \$25,000 per incident. Commissioner Watson made a motion approving the renewal of insurance with Travelers for \$511,497 and approving the

additional policy thru Lloyds of London for \$58,459. Commissioner Marchman seconded. Upon a unanimous voice vote, the motion carried.

Authorize an additional appropriation of \$65,000 for upgrades to the Cullman County Volunteer Fire Department Training Center

Commissioner Garry Marchman stated "I am not going to make a motion, if I was to make a motion it would be to reject this item. I think our volunteer fire departments are unmatched in what they do and they do a fantastic job with their response time and their professionalism is noteworthy to say the least, but we have so many things we have to appropriate money to and right now I do not think it would be a good idea to give \$65,000 for upgrades to a training center. I have miles and miles of road that needs \$65,000 worth of chip seal and I know that would only do a small amount, but it would take care of a small amount. So with that said, I am not going to make a motion".

Commissioner Watson stated he understood what Commissioner Marchman was saying regarding the roads, but the way Commissioner Watson looks at it is, high school kids will eventually be at the training center training to be firemen. Commissioner Watson made a motion to approve the additional appropriation of \$65,000 for upgrades to the Cullman County Volunteer Fire Department Training Center. Chairman Walker stated he thought all of this was taken care of about 6 months ago, and that the Volunteer Fire Department Training Center in Vinemont is the training center that is used by all the volunteer fire departments. Joe Golden is over the Volunteer Fire Department Association and is working with the Cullman Area Technology Academy (CATA). The CATA currently has an EMS program for high school students and Mr. Golden is working with Alabama Fire College to get a program at the CATA. Chairman also explained the training center would be a facility for high school kids to train and this would help with the shortage of volunteer firefighters. Chairman Walker seconded Commissioner Watson's motion to approve the additional appropriation. The motion passed up a motion and second from Commissioner Watson and Chairman Walker.

Commissioner Marchman stated "That is a good point. I was unaware Mr. Golden was trying to coordinate anything with our high schools until this morning and I have not had time to research any of that. So if it has been going on for 6 months then I was unaware of it". Chairman Walker stated "Mr. Joe came to talk to all of us in the work session about 6 months ago".

Resolution 2020-06- Consider relocating Voting Precinct 27 from White City Community Center to Johnson Crossing VFD No. 1

Benson Clark from the Probate Office explained the White City Community Center was hit by a storm in March of 2019. The community center has not been rebuilt and we do not look for it to be rebuilt within the near future. Mr. Clark stated it is the recommendation of the Probate Office that the Voting Precinct 27 be relocated to the Johnson Crossing Volunteer Fire Department No. 1. Commissioner Watson made a motion to relocation the Voting Precinct 27 from White City Community Center to Johnson Crossing Volunteer Fire Department No.1. Commissioner Marchman seconded and the motion passed upon a unanimous voice vote.

Consider request from State of Alabama DOT to sell excess ROW to abutting landowner at the intersection on US Hwy 278 and County Road 1602. Authorize County Attorney to respond by letter

Chad Floyd, County Attorney, addressed the Commission and stated last week Scott Haga from the Alabama Department of Transportation (ALDOT) contacted him to see if the County would have any objection to ALDOT selling some of their excess right-of-way near the intersection of County Road 1602 and US Hwy 278. Mr. Floyd also explained County Road 1602 lies due South of Royal Technologies between the plant and US HWY 278. The County Road 1602 is not a County maintained road. Mr. Floyd stated he did not know of a reason that the County should have an objection, so he prepared a letter to that effect, and that thanks the State for considering the Commission when contemplating their decision. Commissioner Marchman made a motion authorizing County Attorney, Chad Floyd, to send this prepared letter to ALDOT. Commissioner Watson seconded. Upon a unanimous voice vote, the motion carried.

Chairman to reappointment Barry Slatton to the E-911 Board for a 4-year term expiring on 09/01/2023

Commissioner Watson made a motion for Chairman Walker to reappoint Barry Slatton to the E-911 Board for a 4-year term expiring on 09/01/2023. Commissioner Marchman seconded and the motion passed upon a unanimous voice vote.

Commissioner Watson to appoint Keith Creel to the E-911 Board to fill the unexpired term of J.L. Parker expiring 09/01/2021

Commissioner Watson stated "Mr. Creel thinks he is going to get away from us by retiring but I decided I was going to put him on our E-911 Board. Keith has done a good job for us with the engineering and has worked for us for several years. I have a high regard for Keith and I think he will do a great job for the County on the E-911 Board. He will be replacing Mr. J.L. Parker who was a great man." Commissioner Marchman seconded. Upon a unanimous voice vote, the motion carried.

Consider the surplus of a 2012 Chevrolet Cruze VIN# 1G1PF5SC6C7407665 from the County Commission to be sold on GovDeals

Chad Floyd, County Attorney, explained the vehicle came to be owned by the Commission. It was an abandoned vehicle and not a vehicle used in service by any County Department. Mr. Floyd explained the Commission Office helped the Sheriff's Office by getting the vehicle off their lot. Mr. Floyd recommended that the Commission surplus the vehicle and sell it on GovDeals. Commissioner Watson made a motion to surplus and sell on GovDeals a 2012 Chevrolet Cruze VIN# 1G1PF5SC6C7407665. Commissioner Marchman seconded. The motion then passed upon a unanimous voice vote.

Consider the surplus of a 2005 Cavalier Mobile Home Serial #BC060L0136688 from Sheriff's Office to be sold on GovDeals
Commissioner Marchman made a motion to surplus and sell on GovDeals a 2005 Cavalier Mobile Home serial #BC060L0136688 from the Sheriff's Office. Commissioner Watson seconded and the motion passed upon a unanimous voice vote.

Consider the surplus of a 2013 Chevy Tahoe VIN# 1GNLC2E00DR372245 from the Sheriff's Office to be sold on GovDeals
Commissioner Watson made a motion to surplus and sell on GovDeals a 2013 Chevy Tahoe VIN# 1GNLC2E00DR372245 from the Sheriff's Office. Commissioner Marchman seconded. Upon a unanimous voice vote, the motion carried.

Consider proposed plat for Radford Place II Subdivision, located in District 1 on County Roads 1269 & 1251
Keith Creel, Assistant Engineer, stated the proposed plat is for 12 lots. It is what is considered a minor subdivision and it does meet the County's regulations. Mr. Creel stated it was his recommendation the County Commission approve the proposed plat. Commissioner Watson made a motion approving the proposed plat for Radford Place II Subdivision. Commissioner Marchman seconded and the motion then passed upon a unanimous voice vote.

Consider proposed plat for Smith Lake RV Resort Addition to Phase II, located in District 2 on County Road 2030
Assistant Engineer, Keith Creel, addressed the Commission and stated the proposed plat consist of 11 lots and is a private subdivision. Mr. Creel recommended that the proposed plat be approved contingent upon the words added in the header "lots 92-102" so it states they are adding those lots and that they add the private notes. Commission Marchman made a motion approving the proposed plat for Smith Lake RV Resort Addition to Phase II. Commissioner Watson seconded and the motion passed upon a unanimous voice vote.

Bid- Directional Boring Contract for 222 Waterline Replacement Project to Apel Machine & Supply Co., Inc
Randall Waldrep, Water Department Manager, addressed the Commission and explained on November 21, 2019, bids were opened for the Directional Boring Contract for 222 Waterline Replacement Project. Seven vendors placed bids and Apel Machine & Supply Company, Inc., has the lowest bid of \$360,930. Mr. Waldrep also stated he had a letter of recommendation from St. John and Associates recommending the bid be awarded to Apel Machine & Supply Company. Commissioner Watson made a motion awarding the Directional Boring Contract for 222 Waterline Replacement Project to Apel Machine & Supply Company, Inc. Commissioner Marchman seconded. Upon a unanimous voice vote, the motion carried.

Bid No. 1293- Extension- Traffic Signs- to Traffic Signs, Inc
John Lang, County Engineer, explained Traffic Sign, Inc., currently had the bid and Mr. Lang recommended the Commission extend. Commissioner Marchman made a motion extending bid No. 1293 for Traffic Signs to Traffic Signs, Inc. Commissioner Watson seconded. The motion then passed upon a unanimous voice vote.

Bid No. 1294- Extension- Traffic Striping- to J.C Cheek Contractors, Inc
County Engineer, John Lang, addressed the Commission and state J.C. Cheek Contractors, Inc., currently had the bid and recommended that the Commission extend. Commissioner Watson made a motion to extend bid No. 1294 for Traffic Striping to J.C. Cheek Contractors, Inc. Commissioner Marchman seconded and the motion passed upon a unanimous voice vote.

WORK SESSION

The Commission will hold a Work Session on December 10, 2019 at 8:30 a.m. in the commission conference room.

NEXT REGULAR COMMISSION MEETING TUESDAY, December 10, 2019

Chairman Walker announced the next commission meeting will be Tuesday, December 10, 2019 at 10:00 a.m. in the commission meeting room.

ADJOURN THE MEETING

Commissioner Watson made a motion to adjourn the meeting. Commissioner Marchman seconded and the meeting was adjourned at 10:35 a.m.

/S/
Kenneth Walker,
Chairman

/S/
Kerry Watson,
Associate Commissioner

/S/
Garry Marchman,
Associate Commissioner