

RECESSED COMMISSION MEETING
MAY 31, 2005

A recessed meeting of the Cullman County Commission was held on Tuesday May 31, 2005, at 10:00 a.m., in the County Commission Office Conference Room. Present were Chairman Wiley Kitchens, Commissioner Doug Williams, and Commissioner Stanley Yarbrough. Chairman Kitchens called the meeting to order.

TWIN PINES COAL COMPANY

Commissioner Yarbrough stated that an amendment to the current resolution of Howel Cemetery in the beat 8 community needs to be made. The community has agreed for Twin Pines Coal Company to move Howel Cemetery and place these grave sites in the Corinth Church of Christ Cemetery.

Attorney Dan Willingham stated by amending the old resolution the community would be entering into a new agreement with Twin Pines Coal Company.

Commissioner Yarbrough stated at this time he would like to open the floor for public comments pertaining to the new agreement with Twin Pines before the Commission has a vote.

Carolyn Calvert said that she and Janice Crook have a list of names and their children. That was obtained from files here at the courthouse.

Janice Crook stated there were two meetings at the Corinth Community Center last fall. At that time they elected a committee to be in charge of the cemetery and make decisions. All three committee members (Janice Crook, Terry Calvert and Donald Day) are in agreement to move the cemetery. But we would not make this decision without community input. We contacted each one that's a major part of this cemetery and got their blessing from just about everyone. We did have a second meeting where anyone could come and we did have a couple of people who did not want the cemetery moved, but the majority voted to have it moved. Everyone involved with this in 1998 and again in 2002 is in agreement.

Commissioner Williams ask if the \$10,000.00 donation to the church is that to help care for the grave sites after they are moved.

Mrs. Crook state that the church didn't ask for the donation, the committee did because they are giving up a portion of their cemetery for these graves and will be in charge of up keep.

Chairman Kitchens stated if all parties are in agreement with this move, then that's where the commission stands.

Commissioner Yarbrough made the motion to amend the agreement with Howel Cemetery for Twin Pines Coal Company to re-establish the cemetery to mine this area.

Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

RESOLUTION 2005-38 POSTINGS IN COUNTY COURTHOUSE

Chairman Kitchens announced basically what this is saying, is there will be no postings on County premises without the approval of the County Commission. This will include every building.

Commissioner Yarbrough made the motion to pass Resolution 2005-38. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

PUBLIC COMMENTS

At this time Chairman Kitchens opened the floor for public comments.

Brent Thornley stated he was here on behalf of Larry Harris with Edgewater Land concerning a road Mr. Harris is building. I have given you a preliminary copy of the road. We are submitting this to the Commission showing the proposed roadway in anticipation of building a road to meet the Standard Specifications of Cullman County. Once this is done we are hoping for acceptance by the County Commission. E911 has already given this road a number (County Road 899).

Ed Willoughby said concerning the meeting down at Arkadelphia a couple of weeks ago pertaining to County Road 4 & 6. The question I have is it or is it not a matter of public record the monies spend on projects and how do you go about obtaining this information.

The Commissioners answered his question that it is public record.

Commissioner Yarbrough stated that the West Side Road Department is working on expenditures for materials used at this time. We don't have a dollar figure, what we have is a list of materials used. You would need to pick up those tickets and match with a purchase order to get the dollar amount.

Chairman Kitchens stated the Road Department and Engineers are responsible for maintaining cost.

Attorney Dan Dillingham stated that when a road is state funded cost records are keep but not necessarily on county funded roads because a lot of time the materials comes from stockpiles.

ADJOURN

Upon a duly made and carried motion the meeting was adjourn.

Wiley Kitchens, Chairman

Doug Williams, Commissioner

Stanley Yarbrough, Commissioner

