

**COMMISSION MEETING**  
**February 27, 2006**

**CALL TO ORDER AND WELCOME**

A regular meeting of the Cullman county Commission was held Monday, February 27, 2006 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 Doug Williams, and Commissioner Stanley Yarbrough. Attorney Dan Willingham gave the invocation and Chairman Kitchens led the pledge of allegiance.

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

Commissioner Yarbrough made the motion to approve minutes, appropriations, expenditures, requisitions, travel expense and all journal entries to be posted. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

**PUBLIC COMMENTS**

**Brian Robinson** – Stated on December 12, 2005 the County Commission held a public hearing for vacating a portion of County Road 96. To vacate this portion of County Road 96 was voted on and approved by the commission. Due to a problem with the minutes from this meeting, I would like to request a Quick Claim Deed.

County Attorney Dan Willingham stated that a Quick Claim Deed will be the same as vacating. I don't see a problem with a Quick Claim Deed, but if the commission wants to do this they would need to pass a resolution to authorize the Chairman to sign a Quick Claim Deed.

Also Mr. Robinson stated he had a signed agreement written by the County Attorney. This is on a portion of County Road 51. The agreement will need to be signed by the commission.

Attorney Willingham stated this pertains to a contribution/donation to the county for paving, and requested the paving of a road. The county can use these funds to pave the road but can not be prioritized. Mr. Willingham stated the commission will need to pass a resolution to accept the agreement on County Road 51 and authorized the signing of the agreement.

**Mr. Clendon** – Requested the status of County Road 12 & 14.

**Mrs. Swann** - Stated County Road 463 needs some road work (gravel).

Commissioner Yarbrough stated County Road 463 is not in the County Maintenance System. Commissioner Yarbrough agreed to meet with her after the commission meeting to discuss this road.

**NEW BUSINESS**

**A. Edward Byrne Memorial (JAG) Grant**

Terry Morgan with the Cullman County Sheriff's Department stated at times the Federal Government allows the department a direct issue grant. This grant is for \$11,761.00. Items requested for this grant are: Sex Offender Notification Postcard Mailing Service, Glock Simunition Trainers and Personal Safety Equipment and One (1) Diving Dry Suit. The only thing required by the grant is to notify the commission of the grant and how the grant money will be spent.

**B. Consider release of \$100,000.00 surety bond for Sheltered Cove Subdivision and acceptance of road (County Road 2011)**

Philip Widner, County Engineer stated in May of 2005 the county approved the final plat for Sheltered Cove, at that time the paving was incomplete. The Developers posted a \$100,000.00 bond to cover the paving and since that time the paving has been completed. We have checked the road and it meets the county's requirements. I recommend the county release the bond for Sheltered Cove, with the understanding the county will not be responsible for maintenance for a period of twelve (12) months from today.

Commissioner Yarbrough made the motion to release the bond for Sheltered Cove. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

**C. Consider amending Mitigation Plan – EMA**

Phyllis Little, EMA Director stated FEMA requires you to review the Hazard Mitigation Plan following a major disaster, and since the hurricanes in 2005 we're trying to meet those requirements. Because of the need for a project specific mitigation plan, I have spoken with a contractor who has given us an estimate of \$10,000.00 to rewrite our plan. I would like the commission to authorize me to sign a grant application with the state for \$10,000.00 to rewrite this plan. This will be a 75/25 match grant.

Commissioner Williams made the motion to allow EMA to amend the mitigation plan. Commissioner Yarbrough seconded, and upon a voice vote, the motion carried unanimously.

**D. Authorize Chairman to sign EMPG agreement**

EMA Director Phyllis Little stated this is a cooperative agreement the EMA has with the State and FEMA every year. The allocation from FEMA this year is \$32,421.00, the State allocation is \$2407.00. This is an annual agreement that needs the signature of the Chairman.

Commissioner Williams made the motion to authorize the Chairman to sign the cooperative agreement. Commissioner Yarbrough seconded, and upon a voice vote, the motion passed unanimously.

**E. Tax Levy for 2006 – Revenue Commissioner**

Revenue Commissioner Kay D. Smith stated this tax levy is done every February, it clarifies the county's portion is 6.5 mills. This has not changed since 1978.

Commissioner Williams made the motion to levy the same taxes we have been doing. Commissioner Yarbrough seconded, and upon a voice vote, the motion carried unanimously.

**F. Authorize Chairman to sign appropriation request letter for Corridor study for U.S. Hwy. 278**

Philip Widner, County Engineer stated he had letters to Congressman Aderholt, Senator Sessions and Senator Shelby to be signed by the Chairman, requesting assistance be provided to complete a corridor study to look at the feasibility to 4-lane a portion of U.S. Hwy. 278, beginning at the intersection of Alabama Hwy. 13 and conclude at I-65 in Cullman.

Commissioner Yarbrough made the motion for the Chairman to sign the letters being sent to the representatives.

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

**G. Health Care Premiums**

Gary Teichmiller, County Administrator stated Blue Cross/Blue Shield is a third party administrator who pays the claims and the county reimburses BC/BS. BC/BS has looked a year ahead at what the county's claims forecast would be and suggested premiums for single coverage be \$393.00 and family coverage be \$1003.00 for the year (2005-06). Currently BS/BS premiums are set at single coverage \$400.00 and family coverage at \$900.00. I recommend the commission leave the premiums at this rate and look at the premiums again at the beginning of the fiscal year 2006-07.

Commissioner Williams made the motion to leave the health care premiums at the current rate for the remainder of this fiscal year. Commissioner Yarbrough seconded, and upon a voice vote, the motion carried unanimously.

**H. Consider the surplus of a 1997 Chevy Pickup Truck – Animal Shelter**

Commissioner Williams made the motion to surplus the 1997 Chevy Pickup Truck. Commissioner Yarbrough seconded, and upon a voice vote, the motion carried unanimously.

**I. Consider awarding Bid No. 836 – Paving**

County Engineer Philip Widner stated this is for the labor of placing the bituminous surface treatment. Only one (1) eligible bid was received from Charles E. Watts from Gadsden, Alabama. I recommend awarding the bid to Charles Watts. Commissioner Williams made the motion to award Bid No. 836 to Charles Watts. Commissioner Yarbrough seconded, and upon a voice vote, the motion carried unanimously.

**J. Consider awarding Bid No. 837 – Elevator Service**

Mr. Teichmiller, County Administrator state Bid No. 837 is for elevator maintenance. Two (2) bids were received, Bagley was the low bidder. I recommend awarding the bid to Bagley.

Commissioner Williams made the motion to award Bid No. 837 to Bagley. Commissioner Yarbrough seconded, and upon a voice vote, the motion carried unanimously.

**K. Consider awarding Bid No. 838 – Traffic Signs**

Mr. Widner stated four (4) bids were received for traffic signs. Low bidder was Traffic Signs from Jacksonville, Alabama. I recommend awarding the bid to Traffic Signs.

Commissioner Yarbrough made the motion to award Bid No. 838 to Traffic Signs. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

**L. Walter Water Board Appointment – Yarbrough**

Commissioner Yarbrough made motion to reappoint Mr. E. H. Duke to the Walter Water Board upon the recommendation for reappointment. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

**M. Resolution No. 2006-06 Support of Guard and Reserves**

Commissioner Williams read Resolution No. 2006-06 Statement of support for the Guard and Reserve. Recognizing the National Guard and Reserve as essential to the strength of our nation and the well-being of our communities.

Commissioner Williams made the motion to pass Resolution No. 2006-06. Commissioner Yarbrough seconded, and upon a voice vote, the motion carried unanimously.

**N. Consider County wide striping project**

County Engineer Philip Wider stated he would like to bring this project before the commission for consideration. The engineering department has identified approximately 40 miles of roads within the county that needs striping or a portion of the road need striping. Some of these roads were resurfaced in 2005, others are highly travel roads. This would be done under the county striping bid at a cost of approximately \$50,000.00.

**O. Consider road cleaning crews**

Commissioner Yarbrough stated he had spoken with Sheriff Tyler Roden and Brian Bugler at the jail, both were receptive of the ideal for using inmates to help pickup trash along the roadsides. The county currently has two employees that could over see these crews. This is something we may need to table until details are worked out.

Chairman Kitchens and Commissioner Williams both stated this would be a good ideal, but several details will need to be worked out.

**P. Consider approval for Annual Spring Clean-up sponsored by the Cullman County Commission**

Commissioner Williams made the motion to approval the Annual Spring Clean-up. Commissioner Yarbrough seconded, and upon a voice vote, the motion carried unanimously.

**Q. Resolution No. 2006-07 Agreement on County Road 51 and authorizing the Chairman to sign the agreement**

County Attorney Dan Willingham explained the agreement regarding county road 51 is where a private corporation made a contribution to the county for paving county road 51 upon due course. The Attorney Generals Opinion states corporations, etc. can make contributions to projects but they can't be placed ahead of other projects. It's my recommendation to pass the resolution authorizing the chairman to sign the agreement.

Commissioner Yarbrough made the motion to authorize the chairman to sign the agreement. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

**R. Resolution No. 2006-08 Authorize Chairman to sign a Quick Claim Deed for County Road 96**

Mr. Willingham stated if there are any questions pertaining to the minutes in vacating a portion of county road 96, in clarification this has been thru a public hearing (December 12, 2005). This resolution reaffirms the described portion of county road 96 that was vacated. Also authorize the Chairman to sign the Quitclaim Deed to the vacated portion of county road 96.

Commissioner Yarbrough made the motion to authorize the Chairman to sign the Quitclaim Deed and to reaffirm that this portion of county road 96 has been vacated. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

**OLD BUSINESS**

**NEXT REGULAR COMMISSION MEETING MONDAY, MARCH 13, 2006**

Chairman Kitchens announced the next regular Commission Meeting will be Monday, March 13, 2006, at 10:00am in the Cullman County Commission Office Conference Room.

**ADJOURN**

Commissioner Yarbrough made the motion to adjourn. Chairman Kitchens seconded.

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Wiley Kitchens, Chairman

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Doug Williams, Commissioner

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Stanley Yarbrough, Commissioner