

**COMMISSION MEETING**  
**March 27, 2006**

**CALL TO ORDER AND WELCOME**

A regular meeting of the Cullman county Commission was held Monday, March 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 Retired Lt. Brown 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. Commission Williams seconded, and upon a voice vote, the motion carried unanimously.

**PUBLIC COMMENTS**

**James Rhodes** – Comments on Self Governance

**Ms. Gainer St. John** – President for the Cullman County Pals – Questions pertaining to Self Governance and the Commissions plans for littering in Cullman County.

**PRESENTATIONS**

**a. Proclamation – Sheriff's Department – Jimmy Arrington**

Commissioner Williams and Sheriff Tyler Roden, presented Carolyn Arrington wife of Jimmy Arrington a proclamation honoring his dedicated service to Cullman County.

**b. Proclamation – Victims Service (National Crime Victims' Rights Week – April 23-29, 2006)**

Commissioner Williams presented Victims Services a proclamation designating the week of April 23-29, 2006 as Crime Victims' Week.

**c. Proclamation – Child Abuse Prevention (April 2006 Child Abuse Prevention Month)**

Commissioner Yarbrough presented Javon Daniels, Director of Cullman Caring for Kids a proclamation proclaiming April 2006 as Child Abuse Prevention Month.

Commissioner Williams made the motion to pass and accept all three proclamations. Commissioner Yarbrough seconded, and upon a voice vote, the motion carried unanimously.

**NEW BUSINESS**

**a. Authorize the purchase of three voting machines – Probate**

Tammy Brown with the Probate Office stated on February 23, 2006 the County Commission approved the purchase of 53 voting machines in compliance with the Help America Vote Act. Under the new guidelines the state will also reimburse for a number of reserve voting machines equal to ten percent of the total number of machines authorized. At this time we are requesting the purchase of three additional voting machines to be used as reserves.

Commission Williams made the motion to order the three additional machines. Commissioner Yarbrough seconded, and upon a voice vote, the motion carried unanimously.

**b. Consider extending Bid No. 800 – Pest Control for Jail (Extension from April 2006-February 2007)**

Gary Teichmiller, County Administrator stated Cooks Pest Control currently has the bid for pest control and has agreed to extend the bid until February 2007. I recommend extending the bid.

Commissioner Williams made the motion to extend the bid. Commissioner Yarbrough seconded, and upon a voice vote, the motion carried unanimously.

**c. Consider awarding Bid No. 840 – Printers**

Joey Martin with Data Processing recommended awarding the bid for printers to the low bidder Dell Computers.

Commissioner Williams made the motion to accept the bid. Commissioner Yarbrough seconded, and upon a voice vote, the motion carried unanimously.

**d. Consider awarding Bid No. 841 – Computers**

Mr. Martin stated Dell Computers was also low bidder on computers and monitors. Low bidder for laptops was CDWG (Computer Discount Warehouse).

Commissioner Yarbrough made the motion to accept the bid. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

**e. Consider awarding Bid No. 842 – Fireworks**

Robbie Camp, Director of Park and Rec. stated three proposals were received for a \$17,000.00 firework presentation.

Premier Pyrotechnics presented the best bang for your buck. Also, if the county pays for the show by April 1<sup>st</sup> they will include and additional \$1700.00 in products. I recommend awarding the bid to Premier Pyrotechnics.

Commissioner Williams made the motion to award the bid to Premier Pyrotechnics and pay upfront for the show.

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

**f. Consider awarding Bid No. 843 – Reinforced Steel**

Philip Widner, County Engineer stated two bids were received. I recommend awarding the bid to Apel Steel.

Commissioner Yarbrough made the motion to award the bid to Apels. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

**g. Consider awarding Bid No. 844 – Bituminous Plant Mix**

Mr. Widner stated no bids were received. This will allow the county to negotiate with suppliers on the price if the county needs to purchase this type of mix. I recommend to no bid this bid.

**h. License Agreement with Ryan Creek Properties**

Attorney Willingham stated this is a License agreement with Ryan Creek Properties concerning a tank (used by the property owners) adjacent to Big Bridge that may or may not be on county right of way. The License Agreement will allow the property owners to leave the tank at its current location and the agreement will have a hold harmless clause in the agreement. I would recommend a License Agreement between the county and the property owners.

County Engineer Philip Widner stated the property owners indicated they would paid half of installing guardrail on the county right of way at this location.

Commissioner Yarbrough made the motion to authorize the License Agreement with Ryan Creek Properties with the property owners being responsible for the full cost of the guardrail. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

**i. Proposal for Cemetery**

Mr. Willingham stated he had reviewed the application the owners (Dwayne and Brenda Jackson) had submitted requesting to establish a private cemetery. (The Jackson Family Cemetery) I recommend sending the application to the Health Department for approval.

Commissioner Yarbrough made the motion to send the request to the Health Department. Commissioner Williams second, and upon a voice vote, the motion carried unanimously.

**j. Discuss Self Governance**

Mr. Willingham, County Attorney stated this is not something the county commission is considering pasting today, this is a discussion. The Limited Self-Governance Act would allow the county commission in certain instances to regulate or enforce regulations related to the abatement of weeds, the control of animals, the control of litter, the control of junkyards, and the abatement of noise nuisances, unsanitary sewage, or pollution upon approval of the qualified voters in the unincorporated areas of the county. In order for this act to be considered, to be passed in the county it has to be voted on by the people, the commission cannot pass this act. Two ways this act can be placed on the ballot: 1. The county commission by majority of vote 2. 10% of the population living in the unincorporated areas of the county can file a petition to place it on the ballot. The county commission would be in charge of enforcement. Timing makes it impossible to put on the June ballot. November's ballot would be the 1<sup>st</sup> available ballot.

**OLD BUSINESS**

**DISCUSSION ITEMS BY COMMISSIONERS**

**a. Old Health Department Building – Commissioner Yarbrough**

Commissioner Yarbrough stated he had spoken to Congressman Aderholt concerning guidelines to obtaining a V.A. Clinic. I would like permission to use the Old Health Department Building as a possible site for the clinic.

**b. Community Meeting Joppa Volunteer Fire Department March 30, 2006 at 7:00 p.m.**

Chairman Kitchens announced a community meeting will be held March 30, 2006 at 7:00 p.m. at the Joppa Fire Dept.

**Commissioner Williams** thanked all the representatives from Victims Services, Cullman Caring for Kids and Mrs. Arrington for being present at the commission meeting.

**Mrs. Arrington** stated she appreciated the proclamation that it really means a lot to her and his family.

**NEXT REGULAR COMMISSIONMEETING APRIL 10, 2006**

Chairman Kitchens announced the next regular commission meeting will be Monday, April 10, 2006 at 10:00 am in the County Commission Office Conference Room.

**ADJOURN**

Commissioner Williams made the motion to adjourn. Commissioner Yarbrough seconded.

---

Wiley Kitchens, Chairman

---

Doug Williams, Commissioner

---

Stanley Yarbrough, Commissioner