

**COMMISSION MEETING**  
**February 13, 2007**

**CALL TO ORDER AND WELCOME**

A regular meeting of the Cullman County Commission was held Tuesday, February 13, 2007 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, Commissioner Wayne Willingham and Attorney Dan Willingham. Attorney Dan Willingham gave the invocation and Chairman Kitchens lead the pledge of allegiance.

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

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

**PUBLIC COMMENTS**

**Revenue Commissioner Kay D. Smith** ask if any defibrillators had been installed anywhere in the courthouse?

Commissioner Williams stated that two defibrillator had been purchased with Homeland Security Grants. The Safety Department is setting up classes for employees to be trained.

**Burt Jones** with PALS and as a citizen of Cullman County expressed his concern with the liter problem in Cullman County. Mr. Jones would like the commission to devote more resources to help with the liter problem.

**Cullman Christian School** – A representative with Cullman Christian School presented to the commission a booklet with information pertaining to the new school opening in the fall of 2007.

**Sue O’Neal** a resident on county road 404 expressed her appreciation to the commission for the returned telephone calls, also, for the opening prayer at the beginning of the commission meeting. Mrs. O’Neal had several concerns with the work on county road 404 (ditching and washing), and would like someone to look at this problem. She also addressed the excessive speed on the road.

**NEW BUSINESS**

**Authorize Chairman to sign agreement with the City of Cullman to purchase water line within Industrial Park #3 and to bring this area back into the service area of the Cullman County Water Department.**

Mr. David Bussman, Manager of the Cullman County Water Department stated this is the Industrial Park that includes Topre and Matco. The fee paid back to the City will be \$32,015.25 to gain this back into the counties territory. Commissioner Williams made the motion to authorize the Chairman to sign the agreement. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

**Authorize Chairman to sign agreement with Harris and Associates on the design for a building to house the EMA/Water Department.**

Mr. Bussman stated this started out as a simply roof replacement for the Water Department. The Water Department roof is a rubber roof and all the seams are starting to split. Estimates to replace the roof with tar and gravel would be 60,000.00 plus the renovations of the air conditioning units on top of the building will be another \$80,000.00. This would not include any engineering studies to see if the structure will hold the additional weight of the tar and gravel. We have 11,000 square feet now and using only 6,000 square feet but heat 9,000 square feet. In talking with the EMA the Board of Education is looking for additional space and EMA is looking for a place to go. I began looking at designing a building for the EMA and Water Department and see if it’s feasible. We need to look at another site to build on because our current building is located in a flood zone area.

Commissioner Williams made the motion to authorize the Chairman to sign the agreement for the study of a new building. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

**Authorize Chairman to sign agreement with Cullman Electric Coop allowing them to install 3 antennas on the Schmuck Mountain Tank.**

Mr. Bussman stated the Coop is installing meters that will read back over the power lines. The Coop has requested to install three antennas on the Smokes Mountain Tank. We have sent this to our engineer, it will not hurt our tank and it will give us space to install an antenna next to the Coops if the Water Department decides to go that route.

Commissioner Williams made the motion to allow the Chairman to sign the agreement. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

**Authorize the transfer of \$63,000.00 to the Water Department/Revenue Department for Arial Photography.**

Mr. Bussman stated this \$63,000.00 is to go from a 200 scale to a 100 scale on the eastern third of the county. The Revenue Department is switching next year to a 100 scale in their budget. Most of the county is getting involved in the GIS system to track their water lines, vehicles etc. at a cost of \$400,000.00. Thanks to the Revenue Department they have made this available to us for nothing. This is a \$63,000.00 investment for a \$400,000.00 system.

Commissioner Willingham made the motion to authorize this. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

**Consider awarding Bid No. 878 – Jail Supplies**

Commissioner Williams made the motion to award Bid No. 878 to North Alabama Chemical. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

**Consider awarding Bid No. 881 – Grader Blades**

County Engineer Fred Penn recommended awarding the bid to Tractor and Equipment.

Commissioner Willingham made the motion to award Bid No. 881 to Tractor and Equipment. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

**Authorize Revenue Commissioner to enter into a contract with Alabama Graphics.**

Kay D. Smith explained that Alabama Graphics is a company that does preserving of the counties older books. In the Archives Department the only record we have of the land is the plat books. These books are coming apart, two of these books are missing. What we are trying to do is to preserve what we have left. Alabama Graphics will scan, laminated and put on CD's. When this is thru the public will no longer use the books they will use the CD's on computers. We would like to do this in two years, beginning with the plat books first. The estimated cost for the first year is \$22,800.00. Then in the budget next year we need to do the lot books at an estimated cost of \$29,000.00.

Commissioner Williams made the motion to allow the Revenue Commissioner to sign an agreement with Alabama Graphics. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

**Authorize the Revenue Commissioner to sign GIS contract with the City of Cullman.**

Kay D. Smith, Revenue Commissioner stated the City of Cullman has entered into an agreement with the Revenue Department to include having all the sewer lines, water lines and etc. on the GIS system.

Commission Willingham made the motion to allow the Revenue Commissioner to sign contract with the City of Cullman. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

**Authorize Revenue Commissioner to sign Contract with Arista.**

The Revenue Commissioner stated under the Federal Privacy Act we will no longer be able to send out postcards as reminder notices for car tags. These will have to be in sealed envelopes. The company Arista will mail the notices out in sealed envelopes and include a return envelope as cheap as the postcards are costing. They are able to do the mail outs cheaper because of the volume. We are also looking at doing land taxes with Arista, because the higher the volume the cheaper our mail outs will be.

Commissioner Willingham made the motion to allow the Revenue Commissioner to enter into a contract with Arista with the stipulation of the County Attorney looking over the contract. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

**Authorize Chairman to sign with Department of Conservation of Natural Resources.**

Commissioner Williams explained that the Lions Club of Cullman County has a piece of property that was purchased long before Smith Lake Park ever came about. The Lions Club had entered into an agreement with the Department of Conservation of Natural Resources, Fish and Game to build a boat dock and ramp to provide a place for boats and the Lions Club would maintain the dock and ramp. After the opening of Smith Lake Park and its facilities this piece of property know as the Lions Club Landing which is a three acre tract became neglected and was not used because it was not located on a public road. The Lions Club gave the tract of land back to the State of Alabama. The State of Alabama has approached the County Commission, if they were to build a new boat dock, ramp and parking lot would the county agree to maintain this and oversee this area to open up another portion of the lake that would make it easier for boaters and fisherman to go too. Commissioner Williams made the motion to allow the Chairman to sign the agreement that the county will over see the three acre tract. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

**Consider the surplus of Computer and Monitor – Safety**

Commissioner Willingham made the motion to surplus the computer equipment from the Safety Department. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

**Resolution No. 2007-08 Reduce speed limit on County Road 1484 (20 MPH)**

Commissioner Williams made the motion to reduce the speed limit on County Road 1484 to 20 MPH. Commissioner Willingham seconded, and upon a voice vote the motion carried unanimously.

**Tax Levy for 2007 – Revenue Commissioner**

Revenue Commissioner Kay D. Smith explained this is done by Constitution by the first meeting in February of every year stating the millage rate. The millage rate will stay the same except for one exclusion, the new bill that was passed levying the minimum ten mills school tax. This will go into effect for real property (land) the first time you will pay taxes extra is October of 2007, it's going up three mills. The motor-vehicle division which you can't vote on until February of each will not be until January of 2008. We were waiting on a ruling from the Attorney General's ruling which we received last week. The resident's of Cullman County will be paying the extra three mills, the resident's of the City of Cullman will not be paying the extra three mills. The ruling they had is because the City of Cullman charges fifteen and one half City taxes and ten and one-half mills of that goes to their schools. The Attorney General's ruling says the City of Cullman is giving their school ten and one-half mills and the County has only seven mills.

Commissioner Williams made the motion to Levy Taxes for 2007. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

**Authorize Chairman to sign agreement for Catastrophic Inmate Medical**

County Administrator Gary Teichmiller stated this is a continuation of our current premium with Hunt Insurance Group that covers the medical of inmates that are hospitalized and their expenses exceeds \$10,000.00 this catastrophic insurance will cover the expenses. The cost is approximately 0.70 per day per inmate. The estimated premium is \$45,000.00 per year. I recommend the county continue the coverage.

Commissioner Williams made the motion to allow the Chairman to sign the agreement. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

**Discuss Contracting Disaster Services**

Chairman Kitchens stated this is pre-disaster services that can be bid out on a year to year base.

Kelly Allen stated that the State EMA Office is encouraging every county to have a pre-disaster plan. As soon as EMA has a contract to look at we will bring this back before the commission.

**Consider \$1,000.00 donation to the Fairview Senior Center**

Commissioner Williams made the motion to give a \$1,000.00 donation to the Fairview Senior Center. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

**OLD BUSINESS**

**Consider Accepting County Road 51 Extension and Windemere Lake Side Garden Homes**

Attorney Roy Williams representing Brian Robinson, Developer of Windemere Estates stated they had been before the commissioner several times on the extension of County Road 51 and acceptance into the counties maintenance system. I believe we have addressed all the issues by the County Engineer, Water Department and the County Attorney. All the signatures that are required on the plat have been turned over to the Engineer. The only signatures left are the Engineers and Water Department. We would like to ask that the commission accept this.

County Engineer Fred Penn stated they had extended County Road 51 to Windemere Lake Side Garden Homes (1.7 miles). Everything looks good on the road that was extended down to these homes. The road within The Windemere Garden Homes Subdivision will remain a private road. In the county specs it states private roads will have to be brought up to specs. We have a list of variance of that will need to be approved before acceptances.

Mr. Willingham made the recommendation to approve the variances and except the extension into the maintenance system.

Commissioner Willingham made the motion to grant the variances and except into the county maintenance system.

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

**NEXT REGULAR COMMISSION MEETING TUESDAY, FEBRUARY 13, 2007 ADJOURN**

Chairman Kitchens announced the next regular commission meeting will be Tuesday, February 27th at 10:00 am in the County Commission Office Conference Room

**ADJOURN**

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

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Wiley Kitchens, Chairman

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J. Douglas Williams  
Associate Commissioner

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Wayne Willingham  
Associate Commissioner