

COMMISSION MEETING
July 22, 2008

CALL TO ORDER AND WELCOME

A regular meeting of the Cullman County Commission was held Wednesday, July 22, 2008 at 10:00 a.m., in the Cullman 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 Wayne Willingham, Commissioner Doug Williams and County Attorney Dan Willingham. Attorney Dan Willingham gave the invocation and Commissioner Willingham lead the Pledge of Allegiance.

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

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

PUBLIC COMMENTS

Mrs. J. Williams addressed the Commission concerning the Animal Shelters Policies and Procedures.

NEW BUSINESS

Resolution No. 2008-36 Resurfacing and Traffic Stripe on County Road 548, beginning at the intersection of County Road 747 southeasterly 1.850 miles

Fred Penn, County Engineer, told the Commission this is the Monastery Road. Funds have been available to resurface this road. The work cannot begin until construction is complete and heavy trucks are off this road. Mr. Penn stated construction will be going on for awhile. He recommends starting the project on County Road 548. Commissioner Williams made the motion to accept Resolution No. 2008-36. Commissioner Willingham seconded and upon a voice vote the motion carried unanimously.

Consider the surplus of various vehicles Sheriff's Department

Commissioner Williams made the motion to surplus the list of vehicles from the Sheriff's Department. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

Consider awarding Bid No. 962 – One or more 4X4 ATV Vehicle(s)

Cherrie Hulsey, Assistant Manger of the OHV Park, stated that Basch Brothers submitted the only bid for \$5,700.00. In response to a question from the public, Commissioner Williams stated that the ATV vehicle is being purchased with grant money for use in the upkeep of the park and for use by the Sheriff's Deputy on duty providing security. The Commission wants to make it clear to the public that the ATV purchase will not be paid for out of county funds, but out of grant funds received for this purpose. Commissioner Williams made the motion to accept the bid from Basch Brothers. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

Consider awarding Bid No. 964 – Dozer

Commissioner Williams stated several bids were received. There were questions about the lowest bid as to whether the bid met specifications concerning the low ground pressure. The next lowest bidder was Tractor and Equipment; this bid met all specifications. The bid is for \$134,351.00 and includes a full machine warranty instead of a six month warranty. Commissioner Williams made the motion to accept Tractor and Equipment's bid. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

Consider awarding Bid No. 965 – Mud Creek

Gary Teichmiller, County Administrator, stated this is the annual bid for the mowing and maintenance of Mud Creek Channel. Only one bid was received from Hamrick Septic Tank Service whose bid was \$11,500.00. Mr. Teichmiller recommended awarding the bid to Hamrick Septic Tank Service. Commissioner Williams made the motion to award the bid to Hamricks. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

Consider awarding Bid No. 966 – Emulsified Asphalt

Fred Penn, County Engineer, stated the only bid was received from Ergon, who currently has the county bid. The asphalt price has increased from last year's price. Mr. Penn recommended awarding the bid to Ergon. Commissioner Williams made the motion to accept the bid from Ergon. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

EMA Grant

Phyllis Little, EMA Director, stated the first grant is in the amount of \$13,400.00 for the State Mortuary Response Team Grant. This grant will cover three different training classes for team members. This is a Homeland Security Grant at 100 percent reimbursement. Commissioner Williams made the motion to sign for the grant. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

Ms. Little stated the second grant is for the Board of Education. The Board of Education contacted the EMA office in January to serve as a sponsor for a Hazard Mitigation Grant for community shelter facilities grants at three of the county schools. These three schools are the Career Center, Garden City Elementary and Welti Elementary. That project was put on hold because FEMA had changed the rules and denied dual use of the facilities. In March, that decision was reversed by FEMA and these facilities can now be used for dual purposes. This is a 75/25 percent grant with the Board of Education paying the match. She recommended that the Commission authorize the Chairman to sign the grant. Commissioner Willingham made the motion to authorize the Chairman to sign the grant. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

Consider variance for Arrowhead Park Subdivision located in District 1 on County Road 941

Keith Creel, Engineering Assistant, stated this has been a private park and for several years they rented spaces to RV's. The Developer is retiring and wishes to sell these lots and has presented a plat for approval. As you enter this subdivision, there is one road that circles around to the right and one road that circles around to the left. The engineering department proposes to allow the developer a 30' foot variance for the roadway. The roadways will be one way; this will be gated and the roads will remain private roads that will be privately maintained. Mr. Creel recommended approval of this 30' variance. Commissioner Willingham made the motion to grant the variance. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

Consider rescinding plat approval for Catoma Ridge Subdivisions in District 3 on Catoma Lane NE

Attorney Dan Willingham addressed the Commission concerning the Catoma Ridge Subdivision stating that the Commission recently approved this mini subdivision off an existing county paved road. Due to irregularities in ownership, several issues must be resolved before it can become a public recorded document. Mr. Willingham recommended rescinding approval of that plat. Commissioner Williams made the motion to rescind approval of plat. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

DHR Board Appointment – Commissioner Willingham

Commissioner Williams made the motion to table this board appointment until he is able to speak with the individual recommended for appointment to the board.

DHR Board Appointment – Chairman Kitchens

Chairman Kitchens recommended reappointing Mr. Terry McGill to the DHR Board.

Commissioner Williams made the motion to appoint Mr. McGill to the DHR Board. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously. Mr. McGill's term will expire May 15, 2014.

DHR Board Appointment – Commissioner Williams

Commissioner Williams made the motion to table this board appointment until he is able to speak with the individual recommended for appointment to the board.

DHR Board Appointment – Commissioner Williams

Commissioner Williams made the motion to table this board appointment until he is able to speak with the individual recommended for appointment to the board.

Discuss Department Heads Contract

Chairman Kitchens, discussing the fact that a new Chairman will take office in November, stated there are many projects in the county he would like to see completed. Also, the Chairman addressed his desire to insure that good department heads will be able to remain in those positions after the new Chairman takes office.

Chairman Kitchens said her has never been in favor of employee contracts. He feels the department heads could suffer the loss of their jobs for purely political reasons. The Chairman asked the Commission to consult with the County Attorney regarding employee contracts. Both Commissioner Williams and Commissioner Willingham agreed the Chairman should further investigate the issue.

Reducing the speed limit on County Road 222 in the construction area

Commissioner Willingham stated that the State posted County Road 222 at 40 mph in the area under construction. There have been several accidents; the 40 mph speed limit is too high and creates dangerous driving conditions. Commissioner Willingham made the motion to post a 25 mph speed limit on this road through the construction area if there are no state or federal regulations stating the county is prohibited from dropping the speed limit in construction zones. Commissioner Williams made a second to the motion and, upon a voice vote, the motion passed.

Commissioner Willingham announced that the City-County Blood Drive will be Friday and would like everyone to come out and give blood.

OLD BUSINESS

Resolution No. 2008-32 Agreement on Project STPRH-2200 () for Cullman County to maintain all signs, markings and legends in accordance with the requirements of the State.

Mr. Penn stated this was tabled at the last meeting in order to determine if the county will be responsible for the cross arms. All the county will be required to maintain is the advance warning signs, and the markings and legends. The railroad will be responsible for the cross arms. Commissioner Williams made the motion on Resolution No. 2008-32 to allow the Chairman to sign. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

NEXT REGULAR COMMISSION MEETING TUESDAY, AUGUST 12, 2008

Chairman Kitchens announced the next regular Commission Meeting will be Tuesday, August 12, 2008 at 10:00 am in the Commission Office Conference Room.

ADJOURN

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

Wiley Kitchens, Chairman

J. Douglas Williams
Associate Commissioner

Wayne Willingham
Associate Commissioner