

**CULLMAN COUNTY COMMISSION MEETING
DECEMBER 23, 2008**

CALL TO ORDER AND WELCOME

Chairman James Graves called the Commission Meeting to order at 10:04 a.m. and welcomed all the guests to the meeting.

CALL OF ROLL TO ESTABLISH QUORUM, INVOCATION AND PLEDGE OF ALLEGIANCE

Phyllis Thiot, Secretary, called the roll; present were Chairman James Graves, Commissioner Doug Williams, Commissioner Wayne Willingham, and County Attorney Dan Willingham. The invocation was given by Dan Willingham and Commissioner

Doug Williams led the Pledge of Allegiance.

APPROVE MINUTES OF THE DECEMBER 9, 2008 MEETING, APPROVE APPROPRIATIONS, EXPENDITURES, REQUISITIONS, TRAVEL EXPENSE; AND APPROVE ALL JOURNAL ENTRIES TO BE POSTED.

Commissioner Wayne Willingham made the motion to approve the December 9, 2008 meeting minutes, approve appropriations, expenditures, requisitions, travel expense and approve all journal entries to be posted. Commissioner Doug Williams made a second to the motion and upon a voice vote, the motion carried unanimously.

PUBLIC COMMENTS

There were no public comments.

NEW BUSINESS

AUTHORIZE ACCEPTANCE OF PROPERTY DONATED TO CULLMAN COUNTY BY NANCY TUCKER.

County Attorney Dan Willingham stated that Ms. Tucker is an employee of a financial institution that wants to donate the property. There are some title issues; thus, it is more advantageous to the financial institution to donate the property to the county rather than pursue litigation. The property does have some value. The county will pay what the county assessment is on the property. Commissioner Wayne Willingham made a motion to authorize acceptance of property donated to Cullman County. Commissioner Doug Williams made a second to the motion. Upon a voice vote, the motion passed unanimously.

AUTHORIZE THE CHAIRMAN TO SIGN THE FY 2009 TITLE III AGING CONTRACT WITH NARCOG

County Administrator Gary Teichmiller stated that the Title III Aging Contract is renewed every year; it is standard procedure. NARCOG serves a tri-county area of Lawrence, Morgan, and Cullman Counties. Mr. Teichmiller recommended that the Commission authorize the Chairman to sign the FY 2009 Title III Aging Contract with NARCOG. Commissioner Doug Williams made the motion to authorize the Chairman to sign the FY 2009 Title III Aging Contract with NARCOG. Commissioner Wayne Willingham made a second to the motion. A voice vote was taken and the motion passed unanimously.

AUTHORIZE THE CHAIRMAN TO SIGN A RENEWAL OF LIABILITY INSURANCE WITH ACCA

County Administrator Gary Teichmiller explained to the Commission that the Association of County Commissions of Alabama (ACCA) oversees the Liability Self-Insurance Fund, a program that runs for three years at a time. This renewal will be for three (3) years beginning January 1, 2009. Mr. Teichmiller stated that the premium for 2009/2010 will be \$402,000.00, a decrease of \$8,000.00. Mr. Teichmiller recommended that the Commission authorize the Chairman to sign the renewal of liability insurance with ACCA. Commissioner Wayne Willingham made the motion to authorize the Chairman to sign the renewal of liability insurance with ACCA. Commissioner Doug Williams made a second to the motion. A voice vote was taken and the motion passed unanimously.

AWARD BID #982 FOR TWO OR MORE 25 YD REAR-LOADING REFUSE TRUCKS FOR THE SANITATION DEPARTMENT.

James Rollo, Director of the Sanitation Department, stated that ten bids were received. The lowest bid that met specifications was Southland International who bid \$128,990.00 per truck. Also, Southland offered 5 years of towing for \$450.00 per truck. Commissioner Doug Williams made the motion to award Bid #982 to Southland International. Commissioner Wayne Willingham made a second to the motion. A voice vote was taken and the motion passed unanimously.

AWARD BID #983 FOR TWO OR MORE SIX CUBIC YD SIDE-LOADING GARBAGE TRUCKS FOR THE SANITATION DEPARTMENT.

James Rollo, Director of the Sanitation Department, stated there were four (4) bidders. Nextran Truck Center submitted the lowest bid for an Isuzu Truck at \$78,925.00 EA plus \$500.00 for extended warranty. Commissioner Doug Williams made the motion to award Bid #983 to Nextran Truck Center. Commissioner Wayne Willingham made a second to the motion. A voice vote was taken and the motion passed unanimously.

AUTHORIZE THE CHAIRMAN TO SIGN AN AGREEMENT BETWEEN CULLMAN COUNTY AND THE VIETNAM VETERANS OF AMERICA, CHAPTER 416.

County Attorney Dan Willingham stated that the Vietnam Veterans of America, Chapter 416 have ownership of the Alabama Vietnam War Memorial Wall. The Chapter has experienced problems in the upkeep of the Wall and has sought a permanent location for it. Mr. George Mann, a member of the local Disabled Veterans of America Chapter, has been instrumental in arranging for the Alabama Vietnam Wall to be put on permanent display at the Cullman County Sportsman Lake Veterans Memorial Park. Mr. Willingham has drawn up an agreement between Cullman County and the Vietnam Veterans of America, Chapter 416 to define the responsibilities of each party. Mr. Willingham stated that this is a perpetual loan, not ownership of the memorial wall. Mr. Willingham recommends that the Commission authorize the Chairman to sign the agreement. Commissioner Wayne Willingham made the motion to authorize the Chairman to sign the agreement between Cullman County and the Vietnam Veterans of America, Chapter 416. Commissioner Doug Williams made a second to the motion. A voice vote was taken and the motion passed unanimously.

ALLOW THE OPENING OF THE OHV PARK TO BE DELAYED UNTIL FEBRUARY 4, 2009.

OHV Park Director John Sellers addressed the Commission citing weather conditions as the primary cause of delays in getting gravel on the parking lot at the park. He regrets the delay, but believes the park can be opened on February 4, 2009 as the weather is expected to improve which will allow the graveling work to be completed. Commissioner Wayne Willingham made the motion to delay the OHV Park Grand Opening until February 4, 2009. Commissioner Doug Williams made a second to the motion. A voice vote was taken and the motion passed unanimously.

CONSIDER AWARDING A CONTRACT TO HOLLIS CONSTRUCTION COMPANY TO ERECT A 40 X 50 X 12 STEEL MAINTENANCE BUILDING AT THE OHV PARK FOR A COST OF \$14,544.00.

OHV Park Director John Sellers stated that the Park needs a maintenance building in which to store equipment and do minor maintenance on the equipment. Mr. Sellers recommended awarding a contract to Hollis Construction Company to build the maintenance building. Commissioner Wayne Willingham made a motion to award a contract to Hollis Construction to erect a 40 x 50 x 12 steel maintenance building for the cost of \$14,544.00. Commissioner Doug Williams made a second to the motion. A voice vote was taken and the motion passed unanimously.

AUTHORIZE THE CHAIRMAN TO SIGN AN AGREEMENT WITH LAMAR ADVERTISING FOR A BILLBOARD AD TO BE PLACED AT THE HARTSELLE EXIT TO PROMOTE THE OHV AND CULLMAN COUNTY PARKS.

OHV Park Director John Sellers said he has been trying to find suitable locations on I-65 for billboard advertisement space for the OHV Park and the Cullman County Parks. Lamar Advertising has a double billboard located at the Hartselle exit available in the near future; the county will have two billboards for the price of one. If grant money does not pay for the billboard advertising, perhaps the tourism budget can cover the cost. Commissioner Wayne Willingham made the motion to authorize the Chairman to sign an agreement with Lamar Advertising for a billboard ad to promote the OHV and Cullman County Parks. Commissioner Willingham was asked if he would amend his motion to state that if grant funds are not available, the cost will be charged to tourism. Commissioner Willingham amended his motion. Commissioner Doug Williams made a second to the motion. A voice vote was taken and the motion passed unanimously.

INCREASE THE ECONOMIC DEVELOPMENT BOARD BUDGET BY \$5,000.00.

After brief discussion, Commissioner Doug Williams made the motion to increase the Economic Development Board Budget by \$5,000.00. Commissioner Wayne Willingham made a second to the motion. A voice vote was taken and the motion passed unanimously.

SPECIFY BANK DEPOSITORY.

County Attorney Dan Willingham stated that by statute, the County Commission has to name its bank depository each year. Our county uses several banks. Mr. Willingham suggested that the motion be to continue depositing with the banks that are on the current list. Commissioner Doug Williams made the motion for the county to continue doing business with all the banks the county is depositing with now on the list. Commissioner Wayne Willingham made a second to the motion. A voice vote was taken and the motion passed unanimously.

OLD BUSINESS

CONSIDER APPROVING THE NEW BY-LAWS PRESENTED BY THE COMMUNITY ACTION PARTNERSHIP AND AUTHORIZE THE CHAIRMAN TO SIGN THE AGREEMENT.

Chairman Graves stated that the County Attorney is still reviewing the old by-laws versus the new by-laws proposed and the Commission is not ready to act on this. Commissioner Wayne Willingham made the motion to table this until the next meeting. Commissioner Doug Williams made a second to the motion. A voice vote was taken and the motion passed unanimously.

Commissioner Doug Williams stated that he wanted to address rumors that have started about county layoffs. He wants to assure everyone that there are no plans for laying off employees either now or in the future. The other Commissioners agreed.

Commission Chairman James Graves announced that all the county offices will be closed on December 25, 2008, Christmas Day and Friday, December 26, 2008. Independent office department heads have announced that their employees have opted to take vacation time for Friday, December 26, 2008.

Chairman Graves asked Chris King, Director of the Sales Tax Office, when the Sales Tax Office move will be complete. Mr. King said that some work is being done on the new location, the old EMA offices, but the move should be done soon.

AUTHORIZE THE CHAIRMAN TO SIGN A CONTRACT WITH DAISY-HILL, INC.

Mr. King, Sales Tax Office Director, requested that the Commission authorize the Chairman to sign a personal services contract with Daisy-Hill, Inc. Daisy-Hill will do audit work for the Sales Tax office and collect taxes. Commissioner Doug Williams made the motion to authorize the Chairman to sign a personal services contract with Daisy-Hill for sales tax auditing and collecting. Commissioner Wayne Willingham made a second to the motion. A voice vote was taken and the motion passed unanimously.

THE NEXT COMMISSION MEETING WILL BE HELD AT 10:00 A.M., TUESDAY, JANUARY 13, 2009, IN THE COMMISSION CONFERENCE ROOM.

ADJOURN THE MEETING

Chairman Graves asked if there was further business to consider and there was none. Chairman Graves adjourned the meeting at 10:26 a.m.

James D. Graves, Chairman

J. Douglas Williams

Wayne Willingham

Associate Commissioner

Associate Commissioner