

**CULLMAN COUNTY COMMISSION MEETING  
JANUARY 27, 2009**

**CALL TO ORDER AND WELCOME**

Chairman James Graves called the Commission Meeting to order at 10:00 a.m. and welcomed the visitors.

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

Charlotte Slatton, County Clerk, called the roll; present were Chairman James Graves, Commissioner Wayne Willingham and County Attorney Dan Willingham. Commissioner Doug Williams was absent. The invocation was given by Dan Willingham and Commissioner Wayne Willingham led the Pledge of Allegiance.

**APPROVE MINUTES OF THE JANUARY 13, 2009 MINUTES, APPROVE APPROPRIATIONS, EXPENDITURES, REQUISITIONS, TRAVEL EXPENSED; AND APPROVE ALL JOURNAL ENTRIES TO BE POSTED.**

Commissioner Wayne Willingham made the motion to approve the January 13, 2009 minutes, approve appropriations, expenditures, requisitions, travel expenses and approve all journal entries to be posted. Chairman James Graves made a second to the motion and upon a voice vote, the motion carried unanimously.

**PUBLIC COMMENTS**

There were no public comments.

**NEW BUSINESS**

**MR. HANK ALLEN, SUPERINTENDENT OF EDUCATION, ADDRESSES THE COMMISSION REGARDING SALES TAX**

Mr. Hank Allen, Superintendent of Education of Cullman County School, addressed the Commission regarding the possibility of a half-cent sales tax earmarked for education. Due to the economic downturn, the Cullman County Schools will lose \$5.25 million (\$5,250,000) for Fiscal 2009. Superintendent Allen presented the differences in funding between the Cullman County School System and the City School System. Expenditures are \$7,222.35 per student in the county system compared to \$7,963.89 per student in the city system. Even with the possible passage of a sales tax, cut backs will be necessary and these have begun at the Central Office. There are numerous underfunded and unfunded mandated programs that must be paid for out of the General Fund; these have added to the deficit in funds available for other programs. Mr. Allen reviewed areas where cut backs are likely to occur and identified other areas of possible savings. Mr. Allen stated the State Board of Education requires the County Board of Education to maintain a one (1) month operating balance and at this time the Board has 1.29 months in reserve.

Randy Dunlap, Chief Financial Officer Cullman County Schools, clarified some questions concerning the 10 mill tax for education and funding for special education.

Chairman Graves stated that if the half cent sales tax was passed by the Commission, the School Board would not receive 100% of the tax, as this would have to be split with the Cullman City School System according to state law. Superintendent Allen said they realize this however, with 9% proration a new tax appears to be the only option.

Chairman Graves recognized Mr. Ron Stone for public comment. Mr. Stone, although not opposed to funding for education, felt that any decision to raise taxes should be brought before the people for a vote.

Representative James Fields addressed the meeting stating that education funding deserves immediate attention. He feels that the Commission should pass the half per sales tax at this time and then put in on the ballot in 2010 for the people to make the decision, without the added expense of a special election.

Commissioner Willingham stated that the Commission is looking at this from all angles and wants to work with Mr. Allen and the County School Board to see where there may be possible cuts. He stated a strong education system is important not only to the students but it also affects the county in their efforts with industrial recruitment. Commissioner Willingham said he had already spoken with Mr. Allen that his desire is to see cuts start with the administration and not at the classroom level.

County Attorney Dan Willingham made several points concerning the possible tax. The statute does not limit the Commission to a half percent increase. It could be more or less. The statute also states that it can be at the discretion of the Commission to place the tax on the ballot and does not need to come through the state; a referendum could be asked for before 2010. Mr. Willingham read the statute which governs how the taxes would be pro rated between the County and City of Cullman according the Foundation program. However the apportionment of county wide taxes collected for education can be changed if the local Boards of Education and the County sign a mutual agreement and secure the approval of the State Superintendent of Education to use some other plan.

Attorney Willingham stated that if a half cent sales tax was passed, this would raise the tax rate to 9% in the City and 8.5% for the County. There was discussion that the current one half percent sales tax in the City goes to the General Fund and it is the Cullman City Council that has determined that it will go for education.

**EXTENSION OF BID NO. 927 TO GOOD HOPE CONTRACTING**

Commissioner Wayne Willingham explained that they are in the middle of several project and in order for them to complete them in a timely manner an extension is requested. Commissioner Willingham mad a motion to extend Bid No. 927, to Good Hope Contracting, for bituminous plant mix for the County Road Department at the current bid price and specifications for a period of six months. This bid extension will expire on August 12, 2009. All terms and specifications of the original bid remain in effect. Chairman Graves seconded, and upon a voice vote, the motion carried unanimously.

**AUTHORIZE THE CHAIRMAN TO SIGN A COUNSELING SERVICES AGREEMENT BETWEEN CULLMAN COUNTY AND SUSAN HAUK**

This is a counseling services agreement between Cullman County and Susan Hauk to provide the services of counseling of juveniles and adults assigned by the County. All work shall be done under the direction of the Juvenile Office of the County. The agreement shall cover the period from 1-1-09 to 12-31-09. Commissioner Willingham made the motion to authorize the Chairman to sign the agreement between the County and Susan Hauk for counseling services. Commissioner Grave seconded, and upon a voice vote, the motion carried unanimously.

**DISCUSS BID NO. 984, VARIOUS LOG STRUCTURES FOR THE OHV PARK**

Chairman Graves stated there is a request that the bid be pulled at this time for further consideration. Commissioner Willingham made a motion to reject all bids. Chairman Graves seconded, a voice voted was taken, and the motion carried unanimously.

**OLD BUSINESS**

**CONSIDER THE APPROVAL OF PROPOSED NEW BY-LAWS FOR THE COMMUNITY ACTION PARTNERSHIP**

Chairman Graves stated there needs to be further discussion before the approval of the by-laws. A meeting is scheduled next week for these discussions. He requested a motion that this be tabled until the next Commission Meeting. Commissioner Wayne Willingham made a motion to table consideration of the proposed by-laws for the Community Action Partnership until the next meeting. Chairman Grave seconded the motion, and upon a voice vote, the motion carried unanimously.

**APPROVE A RESOULTION NO. 2009-14 TRANSFERRING TWO (2) FULL TIME LIBRARY BOARD EMPLOYEES TO THE COUNTY PAYROLL**

Chairman Graves stated these are two employees that are already working at the Library; this is a change in paper work only. Commissioner Willingham made a motion to approve Resolution 2009-14 transferring two (2) full time Library Board Employees to the County payroll. Chairman Graves seconded, and upon a voice vote, the motion carried unanimously.

Chairman Graves address the current situation regarding the transport of bodies to the State Forensics Lab in Montgomery. The State of Alabama is no longer providing funding for this service due to budget cuts. The Commission has been advised by the County Commissions Association's attorney to wait until further consideration is given at the state level before action is taken on the county level. The Commission is in contact with Wilson Blalock, District Attorney, and Gary Murphree, County Coroner; however no action will be taken at this time.

**THE NEXT COMMISSION MEETING WILL BE HELD AT 10:00 A.M., TUESDAY, FEBRUARY 9, 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 10:38 a.m.

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James D. Graves, Chairman

(ABSENT)  
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J. Douglas Williams  
Associate Commissioner

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Wayne Willingham  
Associate Commissioner