

**CULLMAN COUNTY COMMISSION MEETING  
MARCH 13, 2009**

**CALL TO ORDER AND WELCOME**

A regular meeting of the Cullman County Commission was held Friday, March 13, 2009 in the County Commission Office Conference Room. Chairman Graves called the meeting to order at 10:15 a.m. and welcomed all 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 Doug Williams, Commissioner Wayne Willingham and County Attorney Dan Willingham. The invocation was given by Attorney Willingham and Commissioner Doug Williams led the Pledge of Allegiance.

**APPROVE MINUTES OF THE FEBRUARY 27, 2009 MEETING, APPROVE APPROPRIATIONS, EXPENDITURES, REQUISITIONS, TRAVEL EXPENSED; AND APPROVE ALL JOURNAL ENTRIES TO BE POSTED.**

Commissioner Doug Williams made the motion to approve the February 27, 2009 minutes, approve appropriations, expenditures, requisitions, travel expenses and approve all journal entries to be posted. Commissioner Willingham made a second to the motion and upon a voice vote, the motion carried unanimously.

**APPROVE MINUTES OF THE MARCH 4, 2009 SPECIAL CALLED MEETING**

Commissioner Doug Williams made a motion to approve the minutes of the March 4, 2009 special called meeting. Commissioner Willingham made a second, and upon a voice vote, the motion carried unanimously.

**PUBLIC COMMENTS**

Dan Lynn requested Commissioner Willingham to evaluate the 3-way stop at West Point. He presented a drawing of the intersection to Commissioner Willingham for his consideration. Commissioner Willingham stated he would address the intersection with the Town of West Point as this falls under their jurisdiction.

Jimmy and Pat Coleman, residents of the Riverside Community, requested the Commission to consider resurfacing County Roads 647, 649, 651 and 652. Chairman Graves stated that Cullman County stands to lose up to \$200,000.00 with the passage of Senate Bill 92 which will take TVA money away from the County. Part of this money goes toward road maintenance. He stated that Cullman has the second largest road system in Alabama but ranks 15th in population; the population is what the return of fuel tax to the county is based on.

George Mann had questions concerning how private citizens can submit bids. It was stated that three bids are required and that individuals can submit a bid. An individual can request to be added to the bid list to receive notification and bid request are also published in the local newspaper.

**NEW BUSINESS**

**Proclamation and recognition of the Cold Springs Girls Varsity Basketball Team Class 2A Championship**

Chairman Graves stated that prior to the Commission Meeting, there has been a ceremony recognizing the Cold Springs Girls Varsity Basketball Team. They won the State Class 2A Championship for the second year in a row. At the ceremony a proclamation was read and each girl received a commemorative copy of the proclamation.

**Set current 2009 tax levy – Revenue Department**

County Attorney Dan Willingham stated this is the tax levy that requires annual approval. It does not add any new tax structure or tax law. Commissioner Williams made the motion to set the current 2009 tax levy for the revenue department at the same rate as 2008. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

**Approve and authorize the Chairman to sign the FY-09 Health Promotion/Prevention Aging contract with NARCOG**

Chairman Graves stated this is an annual contract with funding administered by the Commission on Aging for care of senior citizens. Commissioner Williams made the motion to authorize the Chairman to sign the FY-09 Health Promotion/Prevention Aging contract with NARCOG. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

**Approve surplus of the merry-go-round and Ferris wheel from Sportsman Lake Park**

John Sellers, Director of Park and Recreation, stated the merry-go-round (#5X4831) and Ferris wheel (#5K482L) at Sportsman Lake Park are in need of extensive repair and upgrades in order to meet current safety standards for a public facility. Mr. Sellers requested that the items be declared surplus to allow their removal from the park due to safety concerns. Commissioner Willingham made a motion to surplus the merry-go-round and Ferris wheel from Sportsman Lake Park. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

**Consider approving a request by petition of voters to be moved from Cullman County Health Department Beat 34 back to their original voting place, Grandview Beat 29.**

Chairman Graves stated the Commission has asked the County Attorney to look at the guideline concerning the Commission's authority to change voting places and determine if the Commission can legally make the changes requested. Wendell Smith, a petitioner, addressed the Commission stating the issue of moving the petitioners is over a year old. Dan Willingham, County Attorney, stated the move must meet statutory regulations that are mandated by the Justice Department. He stated paperwork sent to the Justice Department requires sixty (60) days and the County must have all changes in place ninety (90) days prior to the next election. Commissioner Williams made a motion to table the request until the next Commission meeting. Commissioner Willingham made a second, and upon a voice vote, the motion was tabled.

**Approve Chairman Graves' appointment of Brenda Howell to the Tennessee Valley Rehab Board**

Commissioner Doug Williams made a motion to appointment Brenda Howell to the Tennessee Valley Rehab Board. Commissioner Willingham made a second, and upon a voice vote, the motion carried unanimously.

**Approve Resolution No. 2009-15 to set the speed limit on County Road 1542 at 30 MPH**

Mr. Fred Penn, County Engineer, stated County Road 1542, located in the Gold Ridge area, has curves that warrant the reduction of the speed limit to 30 MPH. Commissioner Williams made a motion to set the speed limit at 30 MPH on County Road 1542. Commissioner Willingham made a second, and upon a voice vote, the motion carried unanimously.

**Approve Resolution No. 2009-16 to set the speed limit on County Road 112 at 20MPH**

Mr. Penn stated County Road 112, located in the Bremen area, is a partial gravel road and recommended setting the speed limit at 20 MPH. Commissioner Willingham made a motion to set the speed limit at 20 MPH on County Road 112. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

**Consider plat for Rocky Springs Subdivision Phase I located in District 2 on County Road 67**

Mr. Keith Creel, Assistant Engineer, stated a preliminary plat was approved in April 2008. A portion of the subdivision, consisting of 14 lots with 4,900 feet of roadway, is now ready. The base for the road has been laid but no paving has taken place. He recommended obtaining an \$86,000 surety bond on future construction. He recommended approval of the plat for Rocky Springs Subdivision Phase I contingent on the builder making necessary changes and delivering the plat with the proper signatures and the assignment of surety. Commissioner Willingham made a motion to accept the plat contingent on delivery of all necessary documents and surety. Commissioner Williams made a second, and upon a voice vote, the motion carried unanimously.

**Extend Bid No. 947 – Batteries**

Mr. Gary Teichmiller, County Administrator, stated Stewart's Auto Supply has agreed to extend the bid on batteries for one year at the current price and recommended extending the bid. Commissioner Willingham made a motion to extend Bid No. 947 for batteries from Stewart's Auto Supply. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

**Bid No. 994 – One or more used 4-wheel drive pick up trucks – No bidders**

Chairman Graves asked the County Attorney since there were no bids submitted what actions the Commission can take. Mr. Willingham stated the Commission is free to negotiate with whomever they wish.

**Bid No. 995 – One or more used long wheel base pick up trucks – No bidders**

Chairman Graves stated the Commission will negotiate for the best price on the trucks since no bids were received.

**Good Samaritan Health Clinic**

Commissioner Williams stated that due to the current economic situation, the emergency room at Cullman Regional Medical Center (CRMC) is overrun. He made a motion to increase the funding to the Good Samaritan Health Clinic by \$10,000.00. Chairman Graves stated that due to lay-offs and people losing their health insurance, CRMC's emergency room has become a primary care facility for many of the citizens of Cullman County. It is hoped that the additional funding to the clinic will enable more people to use that clinic instead of the hospital's emergency room which is more costly. Commissioner Willingham made a second, and upon a voice vote, the motion passed unanimously.

Chairman Graves announced the Stoney Lonesome OHV Park will be opening Saturday, March 14, and that a Recreational Trails Program (RTP) grant in the amount of \$442,060 has been received for the completion of land acquisition and development of trails and necessary amenities at the park.

**OLD BUSINESS**

No old business

**NEXT REGULAR COMMISSION MEETING TUESDAY, MARCH 24, 2009**

Chairman Graves announced the next regular Commission Meeting will be Tuesday, March 24, 2009 at 10:00 a.m. in the Commission Office Conference Room.

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**ADJOURN**

Commissioner Willingham made the motion to adjourn. Commissioner Williams seconded. The meeting was adjourned at 10:41.

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James D. Graves, Chairman

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J. Douglas Williams  
Associate Commissioner

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Wayne Willingham  
Associate Commissioner