

CULLMAN COUNTY COMMISSION MEETING
July 16, 2009

CALL TO ORDER AND WELCOME

Chairman James Graves called the Commission Meeting to order at 10:05 a.m. and welcomed the visitors.

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

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 JUNE 23, 2009 MINUTES, APPROVE APPROPRIATIONS, EXPENDITURES, REQUISITIONS, TRAVEL EXPENSES; AND APPROVE ALL JOURNAL ENTRIES TO BE POSTED.

Commissioner Wayne Willingham made the motion to approve the June 23, 2009 minutes, approve appropriations, expenditures, requisitions, travel expenses 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.

APPROVE MINUTES OF THE JULY 6, 2009, SPECIAL CALLED MEETING

Commissioner Doug Williams made the motion to approve the July 6, 2009 minutes of the Special Called Meeting concerning the tax abatement for Good Ole Boy Properties, LLC (Advanced Rotors). Commissioner Wayne Willingham seconded the motion. Upon a voice vote, the motion passed unanimously.

APPROVE MINUTES OF THE JULY 9, 2009, EMERGENCY MEETING

Commissioner Wayne Willingham made a motion to approve the July 9, 2009 minutes of the Emergency Meeting for the approval of the Kent Family Cemetery. Commissioner Williams seconded. The motion carried on a unanimous voice vote.

PUBLIC COMMENTS

Phyllis Little, EMA Director, stated her office has received notification from Public Health of the first confirmed case of H1N1 flu (swine flu) in Cullman County. She expects to see scattered cases continue throughout the summer with more cases this fall and winter. The vaccine that will be available in the fall may not be as effective against the H1N1 virus; the virus may mutate by then.

NEW BUSINESS

Consider approval of the SenioRx Contract for FY 2009

Chairman Graves stated the contract is with North-central Alabama Regional Council of Governments (NARCOG) for the expenditure of funds for seniors in Cullman County through SenioRx. Commissioner Willingham made a motion to approve the SenioRx contract with NARCOG for FY-2009. Commissioner Williams seconded, and upon a voice vote, the motion passed unanimously.

Authorize the Chairman and Emergency Management Agency (EMA) Director to sign for the legislative appropriation for EMA

Phyllis Little, EMA Director, stated the \$20,000.00 grant is for enhancements to the Emergency Operations Center (EOC) including EOC improvements, furnishings, equipment and supplies; salaries are excluded. All claims must be turned in by November 10, 2009. Commissioner Williams made a motion to authorize the Chairman and EMA Director to sign for the legislative appropriation. Commissioner Willingham seconded, and upon a voice vote, the motion passed unanimously.

Set a twenty-five (25) employee minimum for payroll deduction

County Attorney Dan Willingham stated the policy is needed to prevent the Human Resources Department from becoming a "bill paying agent". The policy sets a minimum of twenty-five (25) employees participating in a company program in order for the county to initiate and maintain payroll deduction for that company. Commissioner Willingham made a motion to set a minimum of 25 employees for a group payroll deduction. Commissioner Williams seconded. The motion passed on a unanimous voice vote.

Consider approval of proposed plat for Smith Lake RV Resort Subdivision

Keith Creel, Assistant Engineer, stated the subdivision will have 25 lots with a private one-way road going into the RV resort. The plat meets the County's requirements and he recommended accepting the plat. Commissioner Willingham made a motion to approve the proposed plat for Smith Lake RV Resort Subdivision located in District 2 off County Road 202. Commissioner Williams seconded, and upon a voice vote, the motion passed unanimously.

Consider acceptance of County Road 1417 located in District 3

Mr. Creel stated the 2,000 feet of road, located in Bradford Place Subdivision, has been paved and a cul-de-sac built. This also includes a spur located between lots 10 and 22. He recommended acceptance into the county road system. Commissioner Williams made a motion to accept County Road 1417 located in District 3. Commissioner Willingham seconded. Upon a voice vote the motion carried unanimously.

Acceptance of County Road 218 extension located in District 2

Mr. Creel informed the Commission that County Road 218 has previously been accepted into the county road system on June 23, 2008, contingent on the County's receipt of right-of-way and deeds and the road continuing to be in good repair for one year. All necessary papers have been received and minor road repairs have been made. Attorney Willingham stated that no action is necessary on the part of the Commission for acceptance.

Consider approval of proposed plat for Richter Estate Subdivision located in District 1 on County Road 473

Mr. Creel stated the *extraterritorial planning jurisdiction* plat from the City of Cullman has been received, but he is unsure if the utility companies have been notified and the paper work is in order. He requested the approval be tabled. Commissioner Willingham made a motion to table the approval of the proposed plat for Richter Estate Subdivision. Commissioner Williams seconded. The motion to table passed on a unanimous voice vote.

Resolution 2009-40 – Set the speed limit on County Road 734 at 15 MPH

Commissioner Williams made a motion to set the speed limit on County Road 734 at 15 MPH. Commissioner Willingham seconded, and upon a voice vote, the motion passed unanimously.

Resolution 2009-41 – Set the speed limit on County Road 81 at 15 MPH

Fred Penn, County Engineer, stated County Road 81 is a narrow gravel road and recommended a 15 MPH speed limit. Commissioner Willingham made a motion to set the speed limit on County Road 81 at 15 MPH. Commissioner Williams seconded, and upon a voice vote, the motion passed unanimously.

Resolution 2009-42 – Set the speed limit on County Road 731 at 15 MPH

Mr. Penn stated County Road 731 joins County Road 734 in the same subdivision and recommended a 15 MPH speed limit. Commissioner Williams made a motion to set the speed limit on County Road 731 at 15 MPH. Commissioner Willingham seconded, and upon a voice vote, the motion passed unanimously.

Resolution 2009-43 – Set the speed limit on County Road 1312 at 15 MPH

Mr. Penn stated County Road 1312 is a narrow gavel road with curves and recommended a 15 MPH speed limit. Commissioner Williams made a motion to set the speed limit on County Road 1312 at 15 MPH. Commissioner Willingham seconded, and upon a voice vote, the motion passed unanimously.

Resolution 2009-44 – Vacating a portion of County Road 1647

Dan Willingham, County Attorney, stated a public hearing was held June 30, 2009 for the vacating of County Road 1647 and there were no public comments. Commissioner Williams made a motion to vacate a portion of County Road 1647. Commissioner Willingham seconded the motion, and upon a voice vote, it passed unanimously.

Resolution 2009-45 – Authorize the Chairman to sign the Department of Justice grant for Sheriff's Department

Buchanan Jackson from the Economic Development Office stated an additional \$16,000.00 is available to the Sheriff's Department through a 100% formula grant, with no matching funds required, funded by the Edward Byrne Memorial Justice Grant. Sheriff Tyler Roden stated the money will be used for the purchase of surveillance equipment. Commissioner Williams made a motion to authorize the Chairman to sign all documents relating to the grant. Commissioner Willingham seconded, and upon a voice vote, the motion passed unanimously.

Resolution 2009-46 – Authorize the Chairman to sign a contract for Professional Marketing Services for Cullman Airport

Chairman Graves stated the City of Cullman has approved and signed the contract with Excel Aviation Consulting Services. Bob Burns thanked the Commission for their approval of the contract and stated he believes the marketing services will greatly benefit the Cullman Airport. Commissioner Willingham made a motion to authorize the Chairman to sign the contract with Excel Aviation Consulting Services for marketing services for the Cullman Airport. Commissioner Williams seconded, and upon a voice vote, the motion passed unanimously.

Approve request by East Side Road Department to declare surplus several pieces of equipment

Commissioner Williams stated the East Side Road Department has several pieces of equipment (bush hogs, tractors, etc.) to be declared surplus and listed on govdeals.com for disposal and made a motion to surplus the equipment. Commissioner Willingham seconded. The motion carried on a unanimous voice vote.

Acknowledge the installation of E-911 road signs

Chairman Graves acknowledged that approximately ten years ago a local family began donating money for the installation of E-911 road signs after a family member had been insured in a traffic accident. It is now mandated that E-911 appropriate funds for the installing of signs. Attorney Willingham commended the road departments for their efforts in installing signs on the county's roads. Sheriff Roden stated that the E-911 road signs have been a huge help for his department.

Update on Memory Garden Cemetery

Commissioner Williams stated the bankruptcy judge desires to find a buyer for the cemetery rather than the Commission appointing a Cemetery Board. It was stressed that the County can not perform any work on private property. There have been several church groups and individuals who have volunteered time at the cemetery. Dr. Jan Harris, Cullman City Superintendent of Education, has organized a group of athletes that will be doing volunteer work at the cemetery.

Attorney Willingham commended Commissioner Williams for his efforts in dealing with the situations that have been presented concerning the cemetery. He wanted to stress that Commissioner Williams is not paid for his work and he has volunteered his time to try to assist the cemetery plot owner with their needs.

Wayne Walker from the Economic Development Office informed the Commission that the Surplus Department in Montgomery has three like-new fire trucks list for \$18,000 each for any volunteer fire departments in the County that might be interested.

NEXT REGULAR COMMISSION MEETING THURSDAY, JULY 30, 2009

Chairman Graves announced the next regular Commission Meeting will be moved to Thursday, July 30, 2009 at 10:00 a.m. in the Commission Office Conference Room as some of the Commissioners will be attending a conference.

ADJOURN THE MEETING

Chairman Graves asked if there was further business to consider and there was none. Chairman Graves adjourned the meeting at 10:36 a.m.

James D. Graves, Chairman

J. Douglas Williams
Associate Commissioner

Wayne Willingham
Associate Commissioner