

**CULLMAN COUNTY COMMISSION MEETING**  
**June 11, 2013**

**CALL TO ORDER AND WELCOME**

Chairman Kenneth Walker called the Commission Meeting to order at 10:02 a.m. and welcomed the visitors.

**CALL OF ROLL TO ESTABLISH QUORUM**

The County Clerk called the roll; present were Chairman Kenneth Walker, Commissioner Darrell Hicks, Commissioner Stanley Yarbrough and County Attorney Heath Meherg. The invocation was given by Buchanan Jackson. Mac Buttram led the Pledge of Allegiance.

**APPROVE MINUTES OF THE MAY 28, 2013 MEETING; APPROVE APPROPRIATIONS, EXPENDITURES, REQUISITIONS AND ALL JOURNAL ENTRIES TO BE POSTED.**

Commissioner Hicks made the motion to approve the minutes from the May 28, 2013 Commission Meeting; approve appropriations, expenditures, requisitions and all journal entries to be posted. Commissioner Yarbrough seconded the motion which passed on a unanimous voice vote.

**PUBLIC COMMENTS**

**Cherrie Haney** from the Economic Development Office announced the City/County Blood Drive will be Friday, June 14<sup>th</sup>. The County will have collection sites at the Courthouse and the Wal-Mart parking lot while the City's sites will be the shopping center and the Festhalle.

**Gary Smith** thanked the Commission for the paving of County Road 770. He stated the area around County Road 770 was settled in the late 1800's and the road was originally a wagon trail. It has only taken 130 years to get it paved.

**Representative Mac Buttram** presented Cherrie Haney with a resolution recognizing the achievement of Cullman Farm/City Committee as the "2013 Best Farm/City Committee" in Alabama.

**Representative Buttram** also presented a resolution to Buchanan Jackson in recognition of the job he did while working at the Economic Development Office.

**NEW BUSINESS**

**Approve the Insolvents, Errors and Taxes in Litigation for 2012**

Barry Willingham, Revenue Commissioner, stated the Commission must annually approve insolvents, errors and taxes in litigation. Commissioner Yarbrough made a motion to approve the 2012 uncollected taxes. Commissioner Hicks seconded. The motion passed on a unanimous voice vote.

**Consider assisting the Town of Fairview with the contribution of in-kind services, for the construction of approximately 600 feet of roadway for Commercial Street, up to but not exceeding \$50,000 of in-kind services**

Commissioner Hicks made a motion for the County to assist the Town of Fairview with the construction of about 600 feet of road. The contribution of in-kind services will not exceed \$50,000. Commissioner Yarbrough seconded. Commissioners Hicks and Yarbrough voted "aye".

**Consider a request from Hanceville Water Works and Sewer Board to install an 8" diameter water main on the bridge that crosses the Mulberry River along County Road 541**

Commissioner Hicks made a motion to approve the placement of an 8" water main on the bridge that crosses the Mulberry River along County Road 541. Commissioner Yarbrough seconded. Upon a unanimous voice vote, the motion carried.

**Authorize the Chairman to enter into a License Agreement with Lisa Hullett, as Trustee, for the use of their property as part of the construction of the new section of County Road 950**

Attorney Meherg stated the agreement has been received from Ms. Hullett giving the County permission to enter the property as part of the construction project to replace a section of County Road 950 that was washed out earlier this year. Commissioner Yarbrough made a motion to authorize the Chairman to sign the license agreement with Lisa Hullett, Trustee. Commissioner Hicks seconded. The motion passed on a unanimous voice vote.

**Authorize the Chairman to sign the Computer Software Support Agreement with Delta Computer Systems, Inc.**

Commissioner Hicks made a motion to authorize the Chairman to sign the agreement with Delta Computer Systems, Inc. for computer software support. Commissioner Yarbrough seconded and the motion passed on a unanimous voice vote.

**Resolution 2013-39 - Participation in the 2013 "Sales Tax Holiday" for School Supplies and Approval of Participation in Subsequent Years**

Chris King, Director of Sales Tax, stated the County has participated in the "Sales Tax Holiday" for a number of years. Although sales tax is not being collected on certain school items, he does not feel overall tax collections suffer because while the consumer is shopping for school items, additional taxable items are purchased. This year's date for the Sales Tax Holiday is the weekend of August 2<sup>nd</sup>. This resolution also contains the County's approval to participate in future sales tax holidays unless the County provides notice to the State of non-participation. Commissioner Yarbrough made a motion to approve the resolution. Commissioner Hicks seconded. Upon a unanimous voice vote, the motion passed.

**Resolution 2013-40 – Set Speed Limit on County Road 817 at 20 MPH**

Jon Brunner, County Engineer, stated County Road 817 is an 11 foot wide gravel road with blind vertical and horizontal curves. He recommended setting the speed limit at 20 MPH. Commissioner Yarbrough made a motion to set the speed limit on County Road 817 at 20 MPH. Commissioner Hick seconded. The motion carried on a unanimous voice vote.

**Chairman Walker to appoint Mark Bussman to the Health Care Authority Board replacing Hoyt Price for a six (6) year term expiring 6-30-2019**

Commissioner Hicks made a motion to appoint Mark Bussman to the Health Care Authority Board replacing Hoyt Price for a six (6) year term expiring 6-30-2019. Commissioner Yarbrough seconded the motion which passed on a unanimous voice vote.

**Commissioner Hicks to appoint Greg Barksdale to the Health Care Authority Board replacing Dr. Clyne Adams for a six (6) year term expiring 6-30-2019**

Commissioner Hicks made a motion to appoint Greg Barksdale to the Health Care Authority Board replacing Dr. Clyne Adams for a six (6) year term expiring 6-30-2019. Commissioner Yarbrough seconded. Upon a unanimous voice vote, the motion passed.

**Commissioner Yarbrough to appoint Lionel Powell to the Health Care Authority Board replacing David McKoy for a six (6) year term expiring 6-30-2019**

Commissioner Yarbrough made a motion to appoint Lionel Powell to the Health Care Authority Board replacing David McKoy for a six (6) year term expiring 6-30-2019. Commissioner Hicks seconded and the motion passed on a unanimous voice vote.

Commissioner Hicks stated Messrs. Price, Adams and McKoy have served the maximum terms on the Health Care Authority Board and the new appointments were selected from a slate of candidates put forth by the current Health Care Authority Board.

**Commissioner Yarbrough to appoint Phillip Garrison to the Cullman County Agricultural Development Board replacing Steve Griffith for a four (4) year term expiring 9-30-2016**

Commissioner Yarbrough made a motion to appoint Phillip Garrison to the Cullman County Agricultural Development Board replacing Steve Griffith for a four (4) year term expiring 9-30-2016. Commissioner Hicks seconded. The motion passed on a unanimous voice vote.

**Consider a request from Johnny Berry, on behalf of Ken Deaver, to vacate County Road 14.**

Attorney Meherg stated the County has received a request to vacate County Road 14, a dead end road. Mr. Deaver owns the property on both sides of the road. Mr. Meherg explained legal advertising will need to be done for four weeks before the public hearing on the vacating of the road can take place. Commissioner Yarbrough made a motion to proceed with the vacating process of County Road 14. Commissioner Hicks seconded the motion which passed on a unanimous voice vote.

**Consider granting an extension for surety bond on Lakeshore West, Phase VIII and VIII-A, located in District 2 off County Road 175.**

Keith Creel, Engineering Assistant, stated the developer has requested a one (1) year extension of the surety for the Lakeshore West, Phase VIII and VIII-A development. Mr. Creel recommended granting the extension contingent on the developer increasing the surety bond to \$32,000 which would cover the current cost of construction. Commissioner Yarbrough made a motion to grant the extension for surety bond on Lakeshore West, Phase VIII and VIII-A, located in District 2 off County Road 175 contingent on the increase of the surety. Commissioner Hicks seconded. The motion carried on a unanimous voice vote.

**Consider granting an extension for surety bond on Shadowrock Estates, Phase 1, located in District 2 off County Road 871.**

Mr. Creel stated the developer has requested a one (1) year extension for the surety on Shadowrock Estates, Phase 1. He recommended granting the extension contingent on the developer increasing the bond to \$105,000, the current cost of construction. Commissioner Yarbrough made a motion to grant the extension of the surety on Shadowrock Estates, Phase 1, located in District 2 off County Road 871 contingent on the increase bond. Commissioner Hicks seconded. Upon a unanimous voice vote, the motion passed.

**Consider surplus 2002 Kubota Tractor M9000 – 4WD VIN # 54771 from the Road Department to be sold on Govdeals**

Commissioner Hicks made a motion to surplus the 2002 Kubota Tractor M9000 – 4WD VIN # 54771 from the Road Department to be sold on Govdeals. Commissioner Yarbrough seconded and the motion passed on a unanimous voice vote.

**Consider surplus of Zetron Communications Consol (2) damaged by lightening from EMA to the donated to the State of Alabama EMA**

Kelly Allen stated the two communication consoles were struck by lightning in January 2011. The consoles are so old, replacement parts cannot be found. The State has some of the same consoles and the donated equipment can be used by them for parts. Commissioner Yarbrough made a motion to surplus the two Zetron Communications Consoles and to donate them to the State EMA Office. Commissioner Hicks seconded. The motion passed on a unanimous voice vote.

**Approve the County Garage to purchase a re-manufactured engine – approximate cost \$6,100**

Chairman Walker explained the Garage will be replacing an engine in an ambulance for EMS. EMS will reimburse the County for the cost. Commissioner Hicks made a motion to authorize the purchase of a re-manufactured engine costing approximately \$6,100. Commissioner Yarbrough seconded the motion which passed on a unanimous voice vote.

**Bid No. 1141 – Motor Oil, Hydraulic and Transmission Fluid – reject and rebid**

Jon Brunner, County Engineer, stated due to the unexpected increase in pricing which was received on the bid; the County wants to look into purchasing the oil in larger quantities than were specified in the bid. Commissioner Yarbrough made a motion to reject the bid and rebid with the new specifications. Commissioner Hicks seconded. The motion passed on a unanimous voice vote.

**Ratify the following personnel actions:**

Christopher Todd Sansing	Sanitation
Jennifer Rice	Commission on Aging
Alex Thompson	Sanitation
Conner Pruett	Sanitation
Lee Screws	Sanitation
Ashley Knott	Juvenile Detention
Jesse Cummings	Juvenile Detention

Commissioner Hicks made a motion to ratify all personnel action. Commissioner Yarbrough seconded and the motion passed on a unanimous voice vote.

**NEXT REGUALR COMMISION MEETING JUNE 25, 2013**

Chairman Walker announced the next commission meeting will be Tuesday, June 25, 2013, at 10:00 a.m. in the commission meeting room.

**ADJOURN THE MEETING**

Commissioner Hicks made a motion to adjourn the meeting. Commissioner Yarbrough seconded the motion. Chairman Walker adjourned the meeting at 10:25 a.m.

/s/ \_\_\_\_\_  
Kenneth Walker,  
Chairman

/s/ \_\_\_\_\_  
Darrell Hicks,  
Associate Commissioner

/s/ \_\_\_\_\_  
Stanley Yarbrough,  
Associate Commission