

CULLMAN COUNTY COMMISSION MEETING
February 11, 2014

CALL TO ORDER AND WELCOME

Chairman Kenneth Walker called the Commission Meeting to order at 10:00 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 Hick, Commissioner Stanley Yarbrough and County Attorney Heath Meherg. The invocation was given by Commissioner Hicks. Phyllis Little led the Pledge of Allegiance.

APPROVE MINUTES OF THE JANUARY 28, 2014 MEETING; APPROVE APPROPRIATIONS, EXPENDITURES, REQUISITIONS AND ALL JOURNAL ENTRIES TO BE POSTED.

Commissioner Yarbrough made the motion to approve the minutes from the January 28, 2014 Commission Meeting; approve appropriations, expenditures, requisitions and all journal entries to be posted. Commissioner Hicks seconded the motion which passed on a unanimous voice vote.

PUBLIC COMMENTS

There were no public comments.

NEW BUSINESS

Declare a Local State of Emergency due to the forecast of winter weather which could potentially affect the safety and well-being of Cullman County Residents

Phyllis Little, EMA Director, stated she feels it is in the best interest, considering the weather forecast, for the Commission to declare a local state of emergency. The forecast is currently for up to 6" of snow over the next two day. The Governor issued a state of emergency on February 10th for the State of Alabama. Commissioner Hicks made a motion to declare a local state of emergency due to the possibility of winter weather. Commissioner Yarbrough seconded. The motion passed on a unanimous voice vote.

Set the tax levy for 2014

Heath Meherg, County Attorney, stated Revenue Commissioner Barry Willingham was unable to attend the meeting due to road conditions. He has furnished a listing of the current millage rates collected by the County. (See Attachment) No new taxes are to be collected; this is annual approval of general and specialty taxes certifying the rate and purpose. Commissioner Yarbrough made a motion to set the tax levy for 2014 at the 2013 rates. Commissioner Hicks seconded. The motion passed upon a unanimous voice vote.

Consider an appropriation of \$25,000 to the VFW for the construction of the pavilion at Veteran's Park and authorize the transfer of donation in the amount of approximately \$12,000 to the VFW for the pavilion cost

Gary Teichmiller stated there is approximately \$12,000 in donations from outside sources that is being held by the County. The pavilion has been completed and the funds will be transferred to the VFW for payment of the project. The County, along with the City of Cullman, will each appropriate \$25,000 to the VFW for the project. Commissioner Hicks made a motion to approve the appropriation and the transfer of the donated funds to the VFW for the construction cost of the pavilion at Veteran's Park. Commissioner Yarbrough seconded. Upon a unanimous voice vote, the motion carried.

Resolution 2014-14 - Authorize the Chairman to sign an agreement with ALDOT covering the financing of construction cost for the resurfacing of County Road 8 from County Road 35 to Hwy 69 – 4.882 miles

Jon Brunner, County Engineer, stated the resurfacing of County Road 8 from County Road 35 to Hwy 69 is this year's federal aid project and is in the budget. The County is receiving credit for \$81,000 of in-kind for labor done in 2012. The County's match for the project is \$101,088.11. Commissioner Yarbrough made a motion to authorize the Chairman to sign the agreement with ALDOT for project STPNU-221492500 CCP-22-67-15. Commissioner Hicks seconded the motion with passed on a unanimous voice vote.

Authorize the Chairman to sign an agreement with Ladd Environmental Consultants, Inc and David and Carolyn McKoy

Attorney Meherg explained during the replacement of waterlines along Hwy 69, lines were laid on the McKoy's personal property. An agreement has been reached where Ladd Environmental Consultants, Inc., who oversaw the original project, will relocate the line. This agreement releases the County from any liability and future lawsuits and allows the contractors to enter the McKoy's property to move the lines and place them on the right-of-way. Ladd Environmental has agreed to incur all financial responsibility. The agreement also provides for reimbursement of expenses incurred by the McKoys. Commissioner Hicks made a motion to authorize the Chairman to sign the agreement with Ladd Environmental Consultants, Inc and David and Carolyn McKoy. Commissioner Yarbrough seconded. The motion carried on a unanimous voice vote.

Authorize the signing of a Memorandum of Agreement (MOA) between Cullman County Commission and WKUL-92FM regarding a generator

Phyllis Little, EMA Director, explained the Memorandum of Agreement (MOA) would allow a generator to be positioned to keep WKUL on the air during a local emergency to keep EMA information available to the public. EMA will be responsible for moving the generator into place as needed and moving it back to the warehouse after the event. WKUL will be responsible for the maintenance and liability of the generator.

Attorney Meherg stated it is his recommendation, that if the Commission approves the generator placement, it be stated it is for a public purpose and cause; it is a benefit for the public health, safety and welfare and the citizens.

Commissioner Yarbrough made a motion to approve the MOA between Cullman County Commission and WKUL-92FM regarding the placement of a generator for power supply during a local emergency. Commissioner Hicks seconded. Commissioners Hicks and Yarbrough voted "aye". Chairman Walker abstained. The motion carried.

Chairman Walker to reappoint Max Doty to the Walter Water Authority Board for a six year term to expire 3-1-2020

Commissioner Hicks made a motion to reappoint Max Doty to the Walter Water Authority Board for a six year term to expire 3-1-2020. Commissioner Yarbrough seconded. Upon a unanimous voice vote, the motion carried.

Consider surplus of a 2003 Ford Expedition, VIN # 1FMRU15WX3LA58422, from the Sheriff's Department to be donated to the Town of Baileyton

Commissioner Hicks made a motion to surplus a 2003 Ford Expedition, VIN # 1FMRU15WX3LA58422, from the Sheriff's Department and donate it to the Town of Baileyton. Commissioner Yarbrough seconded the motion which passed on a unanimous voice vote.

Ratify the following personnel actions:

Barry Freeman	Merit Increase	Road Department
John Calloway	Status Change	CARTS
Heather Conn	Promotion	Commission
Angie Gerstman	Probationary Period Complete	Sheriff's Department
Ashley Graves	Probationary Period Complete	Economic Development
Matthew Kinsland	Probationary Period Complete	Economic Development
Dana Bonds	Resignation	Sheriff's Department
Melba Stewart	Discharge	CARTS
Rex Sorrow	New Hire	Sheriff's Department
Cherrie Haney	Promotion	Economic Development

Commissioner Yarbrough made a motion to ratify all personnel action. Commissioner Hicks seconded. The motion carried on a unanimous voice vote.

WORK SESSION

The Commission will hold a Work Session on Tuesday, February 25, 2014, at 8:30 a.m. in the commission conference room.

NEXT REGULAR COMMISSION MEETING FEBRUARY 25, 2014

Chairman Walker announced the next commission meeting will be Tuesday, February 25, 2014, 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 10:15 a.m.

/s/ _____
Kenneth Walker,
Chairman

/s/ _____
Darrell Hicks,
Associate Commissioner

/s/ _____
Stanley Yarbrough,
Associate Commissioner