

CULLMAN COUNTY COMMISSION MEETING
October 30, 2014

CALL TO ORDER AND WELCOME

Chairman Walker called the Commission Meeting to order at 10:02.

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 Commissioner Hicks. Baileyton Mayor Johnny Dyar led the Pledge of Allegiance.

APPROVE MINUTES OF THE OCTOBER 14, 2014 MEETING; APPROVE APPROPRIATIONS, EXPENDITURES, REQUISITIONS AND ALL JOURNAL ENTRIES TO BE POSTED.

Commissioner Yarbrough made the motion to approve the minutes from the October 14, 2014 Commission Meeting; approve appropriations, expenditures, payroll, requisitions and all journal entries to be posted. Commissioner Hicks seconded the motion which passed on a unanimous voice vote.

PUBLIC COMMENTS

Edna Leeth, a resident of Cullman County, stated she has addressed the Commission previously. She does not feel she is being respected and has wanted items placed on the agenda. Chairman Walker stated if there was a specific issue she wanted addressed, she should bring it to the commission office by the Friday preceding the commission meeting. She was told there is a work session prior to the commission meeting which is open to the public.

Commissioner Yarbrough asked Chairman Walker and Commissioner Hicks if they were aware of what was done with the trees that were blown down several weeks ago in the storm that caused damage at Sportsman Lake Park. They were scheduled to go to the landfill and neither had any knowledge otherwise. Garry Marchman, Commissioner Elect Place 2, stood and stated he had taken the trees to a sawmill and was going to return the wood to the park to be used on projects. Commissioner Yarbrough asked who was paying for the milling of the trees since the County has not issued a requisition or purchase order for the work. Mr. Marchman stated he planned to pay for the work personally.

Chairman Walker stated he had a problem with Mr. Marchman removing the trees from Sportsman Lake Park without the Commission's authorization. "I don't think I would have had a problem with it if you had just notified us before you did it."

After some back and forth discussion, the Commission determined that Mr. Marchman would have the trees milled at his expense and returned to the park.

Mayor Johnny Dyar, Mayor of Baileyton, inquired about a \$500 appropriation request he had made for the Senior Center in Baileyton. He has had seniors inquiring when the money would be received. He stated "I shouldn't have to come up here and beg y'all for money. We're just a little town that draws \$225,000 a year. I go to all these meetings and all y'all talk about is how important seniors are to this community. I guess I'll go explain how much you care about them." Chairman Walker stated the appropriations are given for polling maintenance and operational support, not for the operation of senior centers. The Baileyton Senior Center is owned by the Town of Baileyton.

Commissioner Hicks explained with limited funds the Commission has focused on providing funding for the polling centers in the unincorporated areas of the County which do not have a tax base. Polling places in the municipalities can ask for funding from their town or city.

Mayor Dyar stated he has received funding previously and wanted to know why this time was different. Chairman Walker again stated the County provides an appropriation for polling places not for the running of a senior center in a municipality stating, "Johnny, everything you've ever asked for from the County, you've got except this one thing." Mayor Dyar left the meeting without comment.

Commissioner Hicks and **Commissioner Yarbrough** addressed the meeting thanking the citizens of Cullman County for the trust and cooperation they have had over the past four years as they have served as Associate Commissioners. The Commission has worked well together and they feel a lot has been accomplished.

Chairman Walker thanked the outgoing commissioner for their service to the County stating it has been a pleasure to work with them. He mentioned Commissioner Yarbrough's work on the 222 Interchange stating without his work and persistence the new interchange would not be a reality.

NEW BUSINESS

Authorize the Chairman to sign the Disclosure by Underwriter for the Proposed Refunding of the 2005 & 2007 Warrants

Heath Meherg, County Attorney, explained the G-17 letter is a standard letter presented to all parties involved in the refinancing of a bond issue. The cost will be eight dollars per one thousand. Gary Teichmiller, County Administrator, stated the refinancing will be an 8.3% savings or about \$867,000 over the life of the issue if interest rates hold at current levels until January when the refunding will be complete. Commissioner Hicks made a motion to authorize the Chairman to sign the disclosure from Benchmark Securities for the proposed refunding of the 2005 and 2007 water warrants. Commissioner Yarbrough seconded the motion which passed on a unanimous voice vote.

Authorize the Chairman to sign an agreement between the Cullman County E-911 Board, Cullman County Sheriff's Department and the Cullman County Commission

Commissioner Yarbrough made a motion to authorize the Chairman to sign an agreement between E-911, the Sheriff and the Commission for a 50/50 split of money received for 911 charges applied to phone bills. *(Currently the Sheriff's Department receives all revenues)* Commissioner Hicks seconded. The motion passed on a unanimous voice vote.

Authorize the Chairman to sign an Amendment to the Water Purchase Agreement with the City of Cullman

Commissioner Yarbrough made a motion to authorize the Chairman to sign an amendment to the Water Purchase Agreement with the City of Cullman extending the agreement from 2040 to 2048. *(The extension is due to the Utility Board obtaining two bond issues to finance the Duck River Dam project. In order to delay a rate increase to consumers, financing the pipeline project will be delayed until 2017.)* Commissioner Hicks seconded. Upon a unanimous voice vote, the motion passed.

Consider obtaining an appraisal of property located at 140 County Road 536, Hanceville, AL

Attorney Meherg stated the property was discussed in the last commission meeting. The property was left to the Cullman County Animal Shelter in the estate of Randy Hale. The property is to be deeded to the County. Since the property is not beneficial to the Animal Shelter, an appraisal needs to be obtained, the property sold and the proceeds conveyed for use at the Animal Shelter. Commissioner Hicks made a motion for the County to obtain an appraisal for the property located at 140 County Road 536, Hanceville, AL. Commissioner Yarbrough seconded the motion which passed on a unanimous voice vote.

Consider authorizing the Chairman to sign the State Plan of Operations between the State of Alabama Law Enforcement Support Office (LESO) and Cullman County Animal Control

Mr. Meherg explained the LESO agreement will allow Animal Control to obtain federal surplus equipment at no charge. Previously they have obtained several thousand dollars in equipment. There is a fee for the program so a cost-benefit analysis needs to be taken into consideration. Commissioner Yarbrough made a motion to authorize the Chairman to sign the agreement with LESO. Commissioner Hicks seconded and the motion passed on a unanimous voice vote.

Consider a request from the Cullman Community Concert Association for \$4,800 appropriation to the 2014-2015 concert season

Commissioner Hicks made a motion to approve a request from the Cullman Community Concert Association for \$4,800 appropriation to the 2014-2015 concert season. Commissioner Yarbrough seconded the motion which passed on a unanimous voice vote.

Consider a request from the Berlin Community Center for \$500 for polling maintenance and operational support

Commissioner Hicks made a motion to approve a request for \$500 for polling maintenance and operational support from the Berlin Community Center. Commissioner Yarbrough seconded. Commissioners Hicks and Yarbrough voted "aye". Chairman Walker abstained. The motion passed on a majority vote.

Consider a request from the New Ground Fellowship to hold and outreach event at the south parking lot at the Courthouse on October 30, 2014 from 6:00 p.m. - 8:00 p.m.

Commissioner Yarbrough made a motion to approve a request from the New Ground Fellowship to hold and outreach event at the south parking lot at the Courthouse on October 30, 2014 from 6:00 p.m. - 8:00 p.m. Commissioner Hicks seconded and the motion passed on a unanimous voice vote.

Resolution 2015-03 – Set speed limit on County Road 691 at 20 MPH

Jon Brunner, County Engineer, stated the road is approximately 3,800 foot single lane gravel road and he recommended a 20 MPH speed limit. Commissioner Yarbrough made a motion to set the speed limit on County Road 691 at 20 MPH. Commissioner Hicks seconded. Upon a unanimous voice vote, the motion passed.

Resolution 2015-04 – Set speed limit on a portion of County Road 501 at 20 MPH

Mr. Brunner stated the section of County Road 501 being considered is south of Hwy 91. It is approximately 1.2 miles of very curvy roadway. He recommended a 20 MPH speed limit for the section. Commissioner Yarbrough made a motion to set speed limit on a portion of County Road 501 at 20 MPH. Commissioner Hicks seconded and the motion passed on a unanimous voice vote.

Resolution 2014-05 - Agreement with ALDOT, ACNU59757-ATRP(004)CCP 22-01-18 ATRIP-22-03-11, for the resurfacing of County Road 1101 from the Lawrence County Line to Hwy 157

Mr. Brunner stated the agreement is for the resurfacing of a 7.7 miles of County Road 1101 as part of Phase 2 of the ATRIP projects. Commissioner Yarbrough made a motion to authorize the Chairman to sign the agreement with ALDOT for the resurfacing of County Road 1101 from the Lawrence County Line to Hwy 157, ACNU59757-ATRP(004)CCP 22-01-18 ATRIP-22-03-11. Commissioner Hicks seconded. The motion carried on a unanimous voice vote.

Consider the surplus of a 2005 Ford Taurus, VIN # 1FAPP53USA159444, from the Probate Office

Commissioner Hicks made a motion to surplus a 2005 Ford Taurus, VIN # 1FAPP53USA159444, which was totaled in an accident. Commissioner Hicks seconded. Upon a unanimous voice vote, the motion passed.

Consider authorizing the purchase of a 2011 Chevrolet Impala from ADECA Surplus for the Probate Office – Cost \$11,900

Gary Teichmiller, County Administrator, explained the County has received approximately \$6,400 from the other driver's insurance from the accident where the Probate Office vehicle was totaled. The balance of the cost will come from the Probate Office Budget. Commissioner Yarbrough made a motion to authorize the purchase of a 2011 Chevrolet Impala

from ADECA Surplus for the Probate Office at a cost \$11,900. Commissioner Hicks seconded and the motion passed on a unanimous voice vote.

Bid No. 1175 – Computer Equipment

Joey Martin, IT Director, stated bids have been received for a six (6) month contract for computer equipment. White River, who currently has the bid, was the low bidder. He recommended awarding the bid. Commissioner Hicks made a motion to award the bid for computer equipment for six months to White River. Commissioner Yarbrough seconded. The motion passed on a unanimous voice vote.

ASSOCIATE COMMISSIONER SWEARING-IN CEREMONY

The new associate commissioners will be sworn in on November 12, 2014 at 9:00 a.m. in a ceremony held in the front entrance on the first floor of the Courthouse.

NEXT REGULAR COMMISSION MEETING NOVEMBER 12, 2014

Chairman Walker announced the next commission meeting will be Wednesday, November 12, 2014, at 10:00 a.m. in the commission meeting room.

ADJOURN THE MEETING

Commissioner Yarbrough made a motion to adjourn the meeting. Commissioner Hicks seconded the motion and the meeting was adjourned at 10:31 a.m.

/s/ _____
Kenneth Walker,
Chairman

/s/ _____
Darrell Hicks,
Associate Commissioner

/s/ _____
Stanley Yarbrough,
Associate Commissioner