

**CULLMAN COUNTY COMMISSION MEETING  
June 28, 2016**

**CALL TO ORDER AND WELCOME**

Chairman Walker called the Commission Meeting to order at 10:00 a.m.

**CALL OF ROLL TO ESTABLISH QUORUM**

The County Clerk called the roll; present were Chairman Kenneth Walker, Commissioner Kerry Watson, Commissioner Garry Marchman and County Attorney Chad Floyd. The invocation was given by J.L. Parker. Phyllis Little led the Pledge of Allegiance.

**APPROVE MINUTES OF THE JUNE 14, 2016 MEETING; APPROVE APPROPRIATIONS, EXPENDITURES, REQUISITIONS AND ALL JOURNAL ENTRIES TO BE POSTED**

Commissioner Marchman made the motion to approve the minutes from the June 14, 2016 Commission Meeting; approve appropriations, expenditures, payroll, requisitions and all journal entries to be posted. Commissioner Watson seconded the motion which passed on a unanimous voice vote.

**PUBLIC COMMENTS**

There were no public comments.

**NEW BUSINESS**

**Consider approval of a temporary construction easement for the Streetscape Project along Highway 31 from 5<sup>th</sup> St SE to 7<sup>th</sup> St SE**

Commissioner Watson made a motion to approve a temporary construction easement for the Streetscape Project along Highway 31 from 5<sup>th</sup> St SE to 7<sup>th</sup> St SE which is a Transportation Alternative Project for sidewalk and lighting replacement for the two blocks on Hwy 31. Commissioner Marchman seconded and the motion passed on a unanimous voice vote.

**Consider a contract with Active Network for software and maintenance for the Parks Department**

Doug Davenport, Park Director, explained several companies have been evaluated for their park support capabilities. Active Network will provide online reservations, park waivers online and all credit card processing. They will also provide notification of future park events to previous park guest. Commissioner Marchman made a motion to approve the contract with Active Network for software and maintenance for the Parks Department. Commissioner Watson seconded. The motion passed on a unanimous voice vote.

**Consider the approval of an event agreement with Stellar Entertainment, Inc. d/b/a Garden Brothers Circus to host a circus / family show at the Cullman County Agricultural Trade Center on September 21, 2016**

Doug Davenport, Park Director, stated this is a one day event in September and the County Attorney has prepared the agreement which is a flat fee charge and the circus will get the gate and the concession. Commissioner Watson made a motion to approve the signing of the event agreement with Stellar Entertainment, Inc. d/b/a Garden Brothers Circus for the use of the Ag Center on September 21, 2016. Commissioner Marchman seconded the motion which passed on a unanimous voice vote.

**Consider replacement of carpet in the large 3<sup>rd</sup> floor courtroom by Monk's Flooring - \$12,369.64**

Chairman Walker stated the carpet has become worn and it has become a safety issue. Three quotes were obtained and Monk's Flooring has the lowest price. Commissioner Marchman made a motion to approve the replacement of the carpet in the large 3<sup>rd</sup> floor courtroom by Monk's Flooring at a cost of \$12,369.64. Commissioner Watson seconded and upon a unanimous voice, the motion carried.

**Authorize the Chairman to sign change order with TekLinks for support hours in the amount of \$6,250 in connection with the new telephone system**

Commissioner Watson made a motion to authorize the Chairman to sign a change order with TekLinks for support hours in the amount of \$6,250 in connection with the new telephone system. Commissioner Marchman seconded. The motion passed on a unanimous voice vote.

**Consider a settlement agreement with Ryan Creek**

Chad Floyd, County Attorney, stated a proposed settlement agreement has been received from the Ryan Creek attorneys on the pending litigation on the Big Bridge issue. He requested the Commission give him authority to reject the settlement offer and counter offer requesting a 75 foot right-of-way instead of the 50 foot right-of-way in the proposal. Commissioner Marchman made a motion to authorize the rejection of the settlement agreement offer by Ryan Creek and to offer a counter of a 75 foot right-of-way. Commissioner Watson seconded and the motion passed on a unanimous voice vote.

**Consider the filing of an ejectment action by the County Attorney against the Rescue Squad currently occupying the County property located at 1520 Sportsman Lake NW**

Attorney Floyd reviewed previous actions that has been taken by the Commission concerning the Rescue Squad. In September of last year, the Squad was given written notice to vacate the building at Sportsman Lake which they occupy. In May of this year, another letter was sent giving them a deadline of June 30<sup>th</sup> to vacate. They have found a property on the Goldridge Road, but they do not think that can make this week's deadline to have all equipment moved. Chairman Walker stated they meet with him following the last commission meeting and requested an extension. They were told they would not get an extension; however the Commission decided to give them until July 11, 2016 to be out of the building. At that time, if they have not vacated the property, Attorney Floyd is authorized to file and ejectment action against the Rescue Squad. Commissioner Watson made a motion to file an ejectment action on July 11, 2016 if the

Rescue Squad has not vacated the property at 1520 Sportsman Lake NW which they currently occupy. Commissioner Marchman seconded. Upon a unanimous voice vote, the motion passed.

**Consider authorizing the signing of a Cooperative Road Maintenance Agreement between Cullman County and Winston County**

John Lang, County Engineer, stated there are several roads on the west side of Cullman County that overlap with Winston County. The agreement will swap out maintenance of some of these roads which will facilitate repairs for both counties. Commissioner Marchman made a motion to approve the signing of the Cooperative Maintenance Agreement with Winston County. Commissioner Watson seconded the motion which passed on a unanimous voice vote.

**Consider a request from Edith Bullard Thompson for the vacating of a portion of County Road 97**

John Lang, County Engineer, stated Ms. Thompson has requested a portion of County Road 97 be vacated. She is the only property owner involved. Commissioner Marchman made a motion to approve the advertising and public posting for the consideration of the vacating of County Road 97. Commissioner Watson seconded and the motion passed on a unanimous voice vote.

**Resolution 2016-21 – Set Speed Limit on County Road 1838 at 35 MPH**

John Lang, County Engineer, stated their department had received complaints about speeding on County Road 1838. Following an evaluation, he recommended a speed limit of 35 MPH. Commissioner Watson made a motion to approve setting the speed limit on County Road 1838 at 35 MPH. Commissioner Marchman seconded the motion which passed on a unanimous voice vote.

**Bid No. 1238 – Pest Control**

Gary Teichmiller, County Administrator, stated three bids were received and American Pest Control, who currently has the bid, was the low bidder. We have received good service from them and he recommended awarding the bid. Commissioner Marchman made a motion to award the bid for pest control to American Pest Control. Commissioner Watson seconded. The motion passed on a unanimous voice vote.

**Bid No. 1198 – Extension – Jail Supplies – North Alabama Chemical & Central Paper**

June Kelly from the Sheriff's Department stated both North Alabama Chemical and Central Paper had agreed to a one year extension of the bid for jail supplies. Commissioner Watson made a motion to extend Bid No. 1198 for jail supplies. Commissioner Marchman seconded. Upon a unanimous voice vote, the motion carried.

**Bid No. 1202 – Extension – Lawn Care – Pro Lawn Unlimited**

Commissioner Marchman made a motion to extend the bid with Pro Lawn Unlimited for one (1) year for lawn care at various county facilities. Commissioner Watson seconded and the motion passed on a unanimous voice vote.

**WORK SESSION**

The Commission will hold a Work Session on Tuesday, July 12, 2016, at 8:30 a.m. in the commission conference room.

**NEXT REGULAR COMMISSION MEETING JULY 12, 2016**

Chairman Walker announced the next commission meeting will be Tuesday, July 12, 2016 at 10:00 a.m. in the commission meeting room.

**ADJOURN THE MEETING**

Commissioner Watson made a motion to adjourn the meeting. Commissioner Marchman seconded and the meeting was adjourned at 10:13 a.m.

/s/  
Kenneth Walker,  
Chairman

/s/  
Kerry Watson,  
Associate Commissioner

/s/  
Garry Marchman,  
Associate Commissioner