

COMMISSION MEETING
February 26, 2007

CALL TO ORDER AND WELCOME

A regular meeting of the Cullman County Commission was held Tuesday, February 26, 2007 at 10:00 a.m., in the County Commission Office Conference Room, Chairman Kitchens called the meeting to order and welcomed all visitors.

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

Present were Chairman Wiley Kitchens, Commissioner Doug Williams, Commissioner Wayne Willingham and Attorney Dan Willingham. Attorney Dan Willingham gave the invocation and Chairman Kitchens lead the pledge of allegiance.

APPROVE MINUTES, APPROPRIATIONS, EXPENDITURES, REQUISITIONS, TRAVEL EXPENSE AND ALL JOURNAL ENTRIES TO BE POSTED

Commissioner Williams made the motion to approve minutes, appropriations, expenditures, requisitions, travel expense and all journal entries to be posted. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

PUBLIC COMMENTS

Brian Messersmith – Spoke to the Commission concerning the Right of Way the county is trying to purchase on County Road 715 (Phelan Road).

NEW BUSINESS

Authorize Chairman to sign Memo of Understanding and Invoice with the Department of Agriculture and Industries for the Youth Beef and Cattle Show.

Commissioner Williams made the motion to authorize the Chairman to sign the Memo of Understanding and Invoice. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

Authorize Phyllis Little to sign agreement between the Alabama Emergency Management Agency regarding pre-position generators.

EMA Director Phyllis Little stated you have before you a copy of a draft MOU, which the state EMA has put out. It was suggested that we place these generators down at the county garage since this is a fenced in and secure area. I ask that a mechanic start these generators periodically to keep them in running condition. If Cullman is in a disaster with these generators pre-positioned in Cullman County we will have first option for use of these generators. Cullman will just need to make a request to the state EMA point of Contact. I recommend that Cullman County host these generators.

Commissioner Willingham made the motion to allow EMA to place these generators in Cullman County. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

Authorize Chairman to sign Generator Service Contract

Gary Teichmiller stated the county has five (5) generators. This is an agreement with Johnson Mechanical Services to inspect and check twice annually. Total cost is \$1800.00 for the two (2) year agreement. I recommend signing the agreement.

Commissioner Williams made the motion for the Chairman to sign the agreement. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

Consider awarding Bid No. 879 – Bituminous Surface Treatment

Fred Penn, County Engineer stated only one (1) bid was received. I recommend awarding the bid Charles Watts.

Commissioner Willingham made the motion to award the bid to Charles Watts. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

Consider awarding Bid No. 880 – Traffic Signs

Mr. Penn recommended awarding the traffic sign be to Vulcan Signs the low bidder.

Commissioner Willingham made the motion to award the bid to Vulcan Signs. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

Consider awarding Bid No. 882 – Elevator Service

Mr. Gary Teichmiller, County Administrator stated two (2) bids were received. I recommend awarding the bid to Bagby Elevator Company the low bidder.

Commissioner Williams made the motion to award the bid to Bagby Elevator Co. Commissioner Willingham seconded, and upon a voice vote, the motion passed unanimously.

Consider extending Bid No. 860 – Gas and Diesel – Eidson Petroleum for 6 months from 3-11-07 to 9-11-07

Commissioner Williams made the motion to extend the bid for six (6) months. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

Consider extending Bid No. 861 – off road diesel – B&B Petroleum for 6 months from 3-11-07 thru 9-11-07

Commissioner Williams made the motion to extend the bid for six (6) months. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

Resolution 2007-09 Authorize Chairman to sign agreement between ALDOT and Cullman County Commission covering construction cost for widening and resurfacing on CR 1082 and CR 1043 (length 3.441 miles), Project No. STPNU-221(201)

Mr. Penn stated this is a Federal Aid project that goes thru Sardis to the Winston County line. This bid will need to be signed before ALDOT can award the contract. The county has 20% in matching funds. Commissioner Willingham made the motion to authorize the Chairman to sign the agreement. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

Resolution 2007-14 – ABC Board

Attorney Willingham stated this law suit has been going on since 2005, there are several Lawyers and Counties involved in this law suit. The Resolution reads, Cullman County has situated within its boundaries a Community Development District (CDD). As provided in Alabama Code (1975), § 35-8-13. A lawsuit has been filed in Montgomery County Circuit Court to determine if Cullman County, a dry county, should receive all alcoholic beverage taxes that a wet county should receive because of the CDD located in Cullman County. The Commissioners of Cullman County are authorized and directed to file in their official capacities in the lawsuit as Plaintiffs and that Cullman County join as a party plaintiff in said suit. Commissioner Williams made the motion to sign the Resolution to include the county as a body in the lawsuit. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

OLD BUSINESS

Payscale Re-draft

Attorney Willingham stated he has drafted and re-drafted a pay scale policy and procedures. I have spoken to Commissioner Williams and I understand he has tried to fine tune the job descriptions and pay ranges. I just wanted to let you know we are continuing to work on this and will present this to the supervisors as soon as possible.

Courthouse Security

Commissioner Williams said on Courthouse Security, we have all the equipment purchased thru grants. We are still waiting on proposals from the Sheriff on the cost of manpower for security.

ACCA Agenda

Commissioner Williams stated the ACCA has made several recommendations on changes to the agenda. We need to look at the suggested changes and vote on them at the next meeting.

NEXT REGULAR COMMISSION MEETING TUESDAY, MARCH 13, 2007

Chairman Kitchens announced the next regular commission meeting will be Tuesday, March 13, 2007 at 10:00 am in the Cullman County Commission Office.

ADJOURN

Commissioner Willingham made the motion to adjourn. Commissioner Williams seconded.

Wiley Kitchens, Chairman

J. Douglas Williams
Associate Commissioner

Wayne Willingham
Associate Commissioner