

COMMISSION MEETING
December 11, 2007

CALL TO ORDER AND WELCOME

A regular meeting of the Cullman County Commission was held Tuesday, December 11, 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 Wayne Willingham, Commissioner Doug Williams and County Attorney Dan Willingham. 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 Willingham made the motion to approve. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

PUBLIC COMMENTS

Bob Burns, Manager of the Cullman Airport, expressed his appreciation to the Commission for the striping job on the roads around the Airport.

NEW BUSINESS

Water Update

David Bussman, Manager of the Cullman County Water Department, addressed the Commission concerning water issues, stating he has been in contact with North East Morgan Water; they have water they can sell to the county. The cost of a pumping station and line installation is roughly \$120,000.00 to come over Brewer Mountain. This will take care of about one-third of the eight-mile system. The county also has offers from Blount County to buy water; however this would involve crossing the bridge on Al Hwy. 278 in order to tie into Blount County. We will be able to get 200 gallons per minute, which will feed part of the eastern side of the county. Also, there is a possibility with the 10” line we ran several years ago to pull from VAW via East Morgan Lawrence. Mr. Bussman stated he wanted to talk about the rate structure set forth in Emergency Water Conservation Plan. This plan states the consumer must cut water consumption by 10% or there will be a 25% surcharge plus one dollar per thousand of water usage. There are many elderly/retired citizens that this will affect. These people conserve water 365 days a year. The way this plan is currently set up, the customer going to see an increase in their water rates. Mr. Bussman asked the Commission to give him the ability to come up a rate structure that will be based on current water bill rates so as not affect these people. The Water Department does not have the man power to police the plan’s new rate structure, nor will the county’s or the coop’s systems track the conservation rate structure. Mr. Bussman stated he would like to build a rate structure to encourage conservation of water by implementing a rate structure that will be progressively higher, not based on a surcharge, but on water usage. Chicken farmer also need consideration as it is impossible for these farmers to cut back 10%. Mr. Bussman requested some leeway to adjust the rate structure by the 1st of January.

Mr. Bussman reported that TVA has requested supplemental data on the possibility of water from the Tennessee River. All requested information has been sent to TVA.

Dan Willingham, County Attorney, stated the county is not sitting back wondering what is going to happen, the county has been actively seeking alternate sources to make sure water is available.

Commissioner Williams requested Mr. Bussman to look into a rate structure for the elderly and chicken farmers so they will not be penalized.

Consider approval to establish a Family Cemetery (Howard Turney)

Commissioner Williams made the motion to approve the request upon the approval of the Health Department. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

Spec Building #5 – Roy Williams

Attorney Roy Williams stated he represents the Industrial Development Board. Several industries are interested in Spec Building #5. Mr. Williams asked for permission to sell if one of these industries comes forward to purchase, not less than what is owed, since the commission is obligated for half of the debt. Commissioner Willingham made the motion to sell Spec. Building #5. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

Authorize the Chairman and the EMA Director to sign Cooperative Agreement for Emergency Management Performance Grant (EMPG)

Phyllis Little, EMA Director, stated this is the State portion of the operating funding for the EMA each year. Funding is up by almost \$1,100.00 this year; the total grant is \$4,399.00.

Commissioner Williams made the motion to authorize the Chairman and EMA Director to sign the Agreement. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

Consider Adopting Off Highway Vehicles (OHV) Master Plan

Sammie Danford, Director of the Economic Development Office stated a Public Hearing was held last weekend on the OHV Master Plans. If the Commission approves these plans, anything more than a 10% deviation and the Commission will have to go back and re-approve the plans.

Commissioner Williams made the motion to adopt the OHV Master Plans. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

Resolution No. 2007-73 set speed limit on County Road 1650 at 35 mph

Commissioner Williams made the motion to set the speed limit on County Road 1650 at 35 mph. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

Consider acceptance of County Roads 681 and 682 located in District 4 off County Road 728

Keith Creel, Engineering Assistant, stated these roads total approximately 3,100 feet in length in the Brindey Creek Subdivision recorded in 1996. The property owners have brought these roads up to meet specifications and we recommend accepting these roads into the county maintenance system.

Commissioner Williams made the motion to accept County Roads 681 and 682 into the county maintenance system. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

Resolution No. 2007-74 Department of Conservation and Natural Resources (DCNR) Agreement – Parking Lot and Security Lights

Sammie Danford, with the Economic Development Office, stated this is a 75/25 match. The total cost of the project is estimated at approximately \$47,000.00. We have some commitments from property owners in this area, so the county will be out little or no money for this project.

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

Authorize the Chairman to sign Administrative Services Agreement with Blue Cross and Blue Shield of Alabama

Gary Teichmiller, County Administrator, stated this is the annual service agreement with Blue Cross/Blue Shield who administer the entire county’s Health Plans. This year’s fee is 8.8 percent, the same as last years. Mr. Teichmiller recommends signing the agreement.

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 2007-76 Park and Recreation Board Debt

Chairman Kitchens stated approximately 1½ years ago the county decided to take the park system back over from the Park and Recreation Board. Due to a law suit filed by the Park Board, all funds have been depleted. The Chairman asked the Commission to authorize final payment to Peoples Bank for cabins at Smith Lake Park.

Commissioner Williams made the motion to authorize final payment to Peoples Bank. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

Attorney Dan Willingham stated he has met with the Park Board and at this time they have approximately \$12,000.00 in the Park Board account. Currently, the Park Board has no source of revenue and no debt. The Park Board has expressed they will forward this money over to the county to pay on the debt at Peoples Bank.

Chairman Kitchens stated he is very proud of what the parks have accomplished since the Commission took over.

Resolution 2007-75 Courthouse Security

County Attorney Dan Willingham stated the Commission had asked him to revise the Courthouse Security Policy for their consideration. The current policy at this time allows no knives in the Courthouse. He has drafted a resolution allowing knives in the courthouse, if the blade does not exceed three inches.

Commissioner Williams made the motion to change the resolution. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

OLD BUSINESS

NEXT REGULAR COMMISSION MEETING TUESDAY, JANUARY 8, 2008

Chairman Kitchens announced the next regular Commission Meeting will be Tuesday, January 8, 2008 at 10:00 am in the County Commission Office Conference Room.

ADJOURN

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

Wiley Kitchens, Chairman

J. Douglas Williams

Wayne Willingham

Commissioner

Associate Commissioner

Associate