

**COMMISSION MEETING
February 12, 2008**

CALL TO ORDER AND WELCOME

A regular meeting of the Cullman County Commission was held Tuesday, February 12, 2008 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. Attorney Dan Willingham gave the invocation and Commissioner Williams 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

Mrs. J. Williams addressed the Commission concerning policies at the Animal Shelter.

David Bussman, Superintendent of the County Water Department informed the Commission that the presentation for the Tennessee River Project had been rescheduled for March 11th at 6:00 pm in the Colonel Cullman Room at Cullman Regional Medical Center (CRMC).

NEW BUSINESS

Consider Tax Abatement Extension for Topre

Commissioner Willingham made the motion to authorize the Chairman to sign the tax abatement extension for Topre. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

Authorize the Chairman to sign Memorandum of Understanding with the Department of Agriculture and Industries

Commissioner Williams stated this is a grant from the Department of Agriculture for the Horse Show. This is something that is done every year. Commissioner Williams made the motion to authorize the Chairman to sign the Memorandum of Understanding. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

Resolution 2008-18 Consider a request to vacate a portion of County Road 860

Mr. Jack Trawick addressed the Commission stating he lives on County Road 863 at Crane Hill. Mr. Trawick owns two small parcels of land that is split by County Road 860, a small loop that comes off of County Road 864. There is a small hill where County Road 860 connects to County Road 864 that has not been passable for several years. The county recently put a drainage ditch across County Road 860 to divert the water into a nearby culvert. In doing so, it has blocked Mr. Trawick from his driveway connecting the two pieces of property. He does not have a problem with that, but the road is impassable. He asked the Commission to vacate this so he can make a drive across County Road 860 connecting his two pieces of property. This does not interfere with access to anyone's property because their property is accessed from the other end of County Road 860. Commissioner Willingham made the motion to post for a portion of County Road 860 to be vacated. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

Authorize Mr. James Rollo to sign sanitation contracts with Garden City and the City of Hanceville

Commissioner Williams said he has reviewed the contracts and everything seems to be in order. Commissioner Williams made the motion to authorize Mr. Rollo to sign the contract for garbage pickup. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

Authorize the Chairman to sign agreement with Austin Contracting – Animal Shelter

Chairman Kitchens stated that the Animal Shelter has had a lot of problems with the floor at the shelter. This agreement with Austin Contracting has a 3-year warranty. The Chairman recommended going with Austin Contracting to re-do the floors at the Animal Shelter.

Commissioner Williams made the motion to authorize Chairman Kitchens to sign the agreement with Austin Contracting. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

Authorize Commissioner Willingham to sign an agreement with J.M. Woods Co. for the sale of various equipment

Commissioner Williams made the motion to surplus various equipment for the West Side Road Department to put in the auction. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

Authorize Commissioner Willingham to negotiate and enter into an agreement for the financing of equipment

Commissioner Willingham said that he has several pieces of equipment that are going to auction. New equipment for the West Side Road Department needs to be purchased. Commissioner Willingham made the motion for the Commission to authorize him to negotiate and enter into an agreement for financing of equipment for the West Side Road Department.

Chairman Kitchens stated that a cap would need to put on the purchase of new equipment at \$500,000.00.

Commissioner Willingham restated his motion by adding the \$500,000.00 cap for the purchase of new equipment.

Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

Authorize contracting with J.M. Wood Auction Company for the sale of seven (7) Mack trucks

Commissioner Williams made the motion to surplus the seven (7) Mack Trucks for the Road Department on the East and West side and to contract with J.M. Wood Auction Company to sell. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

Consider the Surplus of various vehicles – CARTS

Mr. Donald Smith said CARTS has four (4) vehicles to surplus and put on Gov. Deals for auction. The State has already approved the surplus of these four (4) vehicles.

Commissioner Willingham made the motion to surplus the CARTS vehicles. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

Consider creating a new position at the Soil and Water Conservation (District Administrative Coordinator)

Chairman Kitchens said this is a position that Soil and Water Conservation has not had but has an employee doing this job. In order to fill this position, the Commission would need to create that position.

Commissioner Willingham made the motion to create the position of District Administrative Coordinator. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

Resolution No. 2008-06 to reduce speed limit on County Road 1092 to 35 mph

Fred Penn, County Engineer, told the Commission this road is located in the Central Community. Due to the vertical curves of the road he recommended posting County Road 1092 at 35 mph. Commissioner Willingham made the motion to post County Road 1092 at 35 mph. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

Resolution No. 2008-07 to reduce speed limit on County Road 1036 to 35 mph

Mr. Penn, County Engineer, stated this road is located in the Jones Chapel area. Due to the vertical and horizontal curves of the road, he recommend posting at 35 mph.

Commissioner Willingham made the motion to post County Road 1036 at 35 mph. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

Resolution No. 2008-08 to reduce the speed limit on County Road 722 to 15 mph

Mr. Penn stated this is a gravel road off of County Road 715. Commissioner Williams made the motion to post County Road 722 at 15 mph. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

Consider request from Bolte-White Grove Election Official

County Attorney Dan Willingham told the Commission a letter has been received requesting a \$200.00 donation to help with the electric bills since this is used as a voting location. Commissioner Willingham made the motion to authorize the \$200.00 donation. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

Consider request from Vinemont-Providence Fire Department

Commissioner Williams said he had a letter from the Vinemont-Providence Fire Department requesting assistance for some improvements as this station is used as a voting location. He would like to table this request until someone from the county can look into what needs to be done.

Consider awarding Bid No. 927 – Bituminous Plant Mix

Mr. Penn stated Good Hope Contracting is the low bidder and recommended awarding the bid to Good Hope Contracting. Commissioner Willingham made the motion to award the bid to Good Hope Contracting. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

Consider awarding Bid No. 929 – Debris removal

Mr. Penn stated this bid has to be in place in the event of hurricane or tornado damage in order for the county to be reimbursed by and outside agent such as FEMA. Commissioner Willingham made the motion to award the bid to Tag Grinding. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

Consider awarding Bid No. 930 – Gas & Oil

Mr. Penn stated Eidson Petroleum was the low bidder and recommended awarding the bid to Eidson Petroleum. The County has been using Eidson and has had no problems. Commissioner Willingham made the motion to award the bid to Eidson Petroleum. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

Consider awarding Bid No. 931 – Off Road Fuel

Mr. Penn stated Eidson Petroleum was the low bidder for off road fuel and recommended awarding the bid to Eidson Petroleum. Commissioner Williams made the motion to award off road diesel to Eidson Petroleum. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

Consider awarding Bid No. 932 – Heating Fuel

Mr. Penn stated All-Gas was the low bidder for heating fuel and recommended awarding the bid to All-Gas. Commissioner Willingham made the motion to award the bid to All-Gas. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

Consider awarding Bid No. 933 – Traffic Striping

Mr. Penn told the Commission there was a mix up on the Traffic Striping bid and recommended re-bidding the Traffic Striping Bid.

Commissioner Williams made the motion to reject the traffic striping bid and re-bid. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

Consider awarding Bid No. 934 – Concrete

Mr. Penn stated DCA was the low bidder and recommended awarding the bid to DCA.

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

Consider awarding Bid No. 935 – Concrete Pipe

Mr. Penn said Sherman Dixie was the low bidder and recommended awarding bid to Sherman Dixie. Commissioner Willingham made the motion to award the bid to Sherman Dixie. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

Consider awarding Bid No. 936 – Guardrail

Mr. Penn stated Alabama Guardrail was the only bidder. The county has used this company for several years and Mr. Penn recommends awarding the bid to Alabama Guardrail. Commissioner Williams made the motion to award the bid to Alabama Guardrail. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

Consider awarding Bid No. 937 – Batteries

Mr. Penn stated only one bidder replied, and that was Stovall Batteries. There have been some questions as to whether they will be able to supply the batteries. He recommended awarding the bid to Stovall. Commissioner Willingham made the motion to award the bid to Stovall Batteries. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

Consider awarding Bid No. 938 – One or more Loader Backhoe

Commissioner Willingham said this equipment is for the West Side. Warrior Tractor is the low bidder; he made the motion to award the bid to Warrior Tractor. Commissioner Williams seconded the motion and upon a voice vote, the motion carried unanimously.

Consider awarding Bid No. 939 – One or more all Wheel Drive Motor Grader

Commissioner Willingham said this is for the West Side Road Department and Warrior Tractor was the only one that met the bid specifications. Commissioner Willingham made the motion to award the bid to Warrior Tractor. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

Consider awarding Bid No. 940 – One or more Four-Wheel Drive Wheel Loader

Commissioner Willingham stated Warrior Tractor met all the bid specifications and made the motion to award the bid to Warrior Tractor. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

Consider awarding Bid No. 941 – Grader Blades

Mr. Penn stated that Tractor and Equipment Co. and Batey and Sanders, Inc. had the two lowest bids. Batey and Sanders is the low bidder and those are the blades used most. Mr. Penn recommended awarding the bid to Batey and Sanders, Inc. Commissioner Willingham made the motion to award the bid to Batey and Sanders, Inc. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

OLD BUSINESS

NEXT REGULAR COMMISSION MEETING TUESDAY, FEBRUARY 26, 2008

Chairman Kitchens announced the next regular Commission Meeting will be Tuesday, March 11, 2008 at 10:00 am in the Commission Office Conference Room.

AJOURN

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

Wiley Kitchens, Chairman

J. Douglas Williams

Associate Commissioner

Wayne Willingham

Associate Commissioner