

**CULLMAN COUNTY COMMISSION MEETING  
November 16, 2016**

**INVOCATION AND PLEDGE OF ALLEGIANCE**

The invocation was done by J.L. Parker. Chairman Walker's eight year old niece, Dylan Love Harajima led the Pledge of Allegiance.

**SWEARING-IN OF CHAIRMAN KENNETH WALKER**

Commissioner Chairman Kenneth Walker was sworn into a second term by Presiding Circuit Judge Greg Nicholas. Following the swearing-in, Chairman Walker expressed his thanks for the citizens of Cullman County who re-elected him to a second term and promised to do the best job he can.

**CALL TO ORDER AND WELCOME**

Chairman Walker called the Commission Meeting to order at 10:02 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, County Administrator Gary Teichmiller and County Attorney Chad Floyd.

**APPROVE MINUTES OF THE OCTOBER 25, 2016 MEETING; APPROVE APPROPRIATIONS, EXPENDITURES, REQUISITIONS AND ALL JOURNAL ENTRIES TO BE POSTED**

Commissioner Watson made the motion to approve the minutes from the October 25, 2016 Commission Meeting; approve appropriations, expenditures, payroll, requisitions and all journal entries to be posted. Commissioner Marchman seconded the motion which passed on a unanimous voice vote.

**PUBLIC COMMENTS**

Verna Jackson asked about the passage of the proposed State Amendments which were last week's general election ballot. She was told all amendments passed.

**NEW BUSINESS**

**Resolution 2017-06 - Set day and time for Cullman County Commission Meetings**

The resolution sets the second and fourth Tuesdays of the month at 10:00 a.m. for the commission meeting, unless the Tuesday falls the day after a Monday holiday in which case the meeting will be held on Wednesday of that week. Commissioner Marchman made a motion to approve the resolution setting the day and time for the regularly scheduled meeting. Commissioner Watson seconded and the motion passed on a unanimous voice vote.

**Consider Tax Abatement for American Proteins, Inc. Inc. in the amount of \$2,600,000 for land, equipment, machinery**  
Commissioner Watson made a motion to approve the tax abatement for American Proteins, Inc. Inc. in the amount of \$2,600,000 for land, equipment and machinery. Commissioner Marchman seconded. The motion passed on a unanimous voice vote.

**Consider authorizing the Chairman to sign a Hardware Maintenance and Software License, Maintenance and Support Services Agreement with Election Systems & Software, LLC – Cost \$19,894**

Chad Floyd, County Attorney, explained the County is now responsible for the maintenance of the fifty-six Automark voting machines. These machines are at each voting location to assist those with a disability in the voting process. The two years contract totals \$19,894. Commissioner Marchman made a motion authorizing the Chairman to sign the hardware maintenance and software license and a maintenance and support services agreement with Election Systems & Software, LLC. Commissioner Watson seconded the motion which passed on a unanimous voice vote.

**Consider authorizing the signing of a professional service agreements with G Squared LLC for aerial planimetric mapping and scope of work for the Reappraisal Department – Cost \$207,800**

Barry Willingham, Revenue Commissioner, stated the mapping is a budgeted item for topo-photography which will have survey accuracy. The company is approved by the State of Alabama. Commissioner Watson made a motion to authorize the signing of a professional service agreements with G Squared LLC for aerial planimetric mapping and scope of work for the Reappraisal Department at a cost of \$207,800. Commissioner Marchman seconded and the motion passed on a unanimous voice vote.

**Resolution 2017-07 – Transfer excess funds from tax sales for years 2013 and prior from the Excess Funds account to the General Fund**

Attorney Floyd explained each year, properties with delinquent property tax, are sold at public auction. Any monies above the delinquent tax amount are placed into an Excess Funds account where they are held. For a three year period, the original property owners may request the excess auction payment amount. After three years, funds are transferred to the General Fund and the property owner then has ten years to claim the funds, after which the excess funds belong to the County. Commissioner Marchman made a motion to approve for the transfer excess funds from tax sales for years 2013 and prior from the Excess Funds account to the General Fund. Commissioner Watson seconded. The motion passed on a unanimous voice vote.

**Authorize the Chairman and EMA Director to sign the Mutual Aid Agreement with the North Alabama Mutual Assistance Association concerning the provision of emergency assistance between the seventeen member counties**

Phyllis Little, EMA Director, stated the North Alabama Mutual Assistance Association began in the 1970's and is the longest existing mutual assistance association in the country. It began with thirteen members and with the recent addition of Etowah County it brings the number to seventeen members. With the addition of Etowah County, a new agreement needs to be signed. Commissioner Watson made a motion to authorize the signing of the mutual aid agreement concerning the provision of emergency assistance between the members of the North Alabama Mutual Assistance Association. Commissioner Marchman seconded the motion which passed on a unanimous voice vote.

**Authorize the Chairman to sign an Agreement on behalf of the Commission with the Department of Examiners of Public Accounts for the FY-2015 Audit – Cost \$10,080**

Gary Teichmiller, County Administrator, explained the State Examiners perform the County's annual audit. The total cost is \$10,080, with 90% due now and 10% upon completion of the audit. Commissioner Marchman made a motion to authorize the Chairman to sign the agreement with the Department of Examiners of Public Accounts for the FY-2015 audit. Commissioner Watson seconded and the motion passed on a unanimous voice.

**Authorize the Chairman to sign a Supplemental Agreement with the State of Alabama relative to a pass through of federal funds for a Non-urbanized Area Public Transportation project with CARTS**

Joyce Echols, CARTS Director, stated the agreement is the second supplemental agreement which will enable CARTS to use Map 21 Funds. This is the combining of the 5311 program and the 5316 program. CARTS has been able to provide 5311 services only. With the addition of 5316 services, CARTS will be able to provide transportation for welfare recipients to go to work and the ability to transport their children to daycare. The DHR Department will screen the recipients. Commissioner Watson made a motion to authorize the Chairman to sign a Supplemental Agreement with the State of Alabama relative to a pass through of federal funds for a Non-urbanized Area Public Transportation project with CARTS. Commissioner Marchman seconded the motion which passed on a unanimous voice vote.

**Consider a series of bond release requests from Drummond Company, Inc.**

Chad Floyd, County Attorney, stated the County has received three letters from Drummond Company concerning the release phase of their performance bond for mining reclamation. The Surface Mining Commission will be the determiner if reclamation has been successfully completed and give authorization for the bond release. Cullman County has no fundamental interest in release. Commissioner Marchman made a motion to approve the request. Commissioner Watson seconded. Upon a unanimous voice vote, the motion passed.

**Authorize the Chairman to sign an agreement between the Cullman County Commission and Dustin W. Robbins d/b/a Full Throttle Power Sports to conduct a Race Event at the OHV Park on December 31, 2016**

Tyler Lindsey, OHV Park Manager, stated Mr. Robbins has done several events at the OHV Park. This is the same basic agreement as previous events. Commissioner Watson made a motion to authorize the Chairman to sign an agreement between the Cullman County Commission and Dustin W. Robbins d/b/a Full Throttle Power Sports to conduct a race event at the OHV Park on December 31, 2016. Commissioner Marchman seconded the motion which passed on a unanimous voice vote.

**Consider the Coroner's request to appoint Doug Williams as Deputy Coroner**

Jeremy Kilpatrick, Cullman County Coroner, stated due to his recent surgery, he is requesting Doug Williams be appointed as Deputy Coroner. Commissioner Marchman made a motion to approve the appointment of Doug Williams as Deputy Coroner. Commissioner Watson seconded and the motion passed on a unanimous voice vote.

**Consider renewal of property insurance with Traveler's Insurance Company through local agent Smith-Gray Insurance**

Gary Teichmiller, County Administrator, stated the annual renewal for the County's property insurance is \$333,835 which is up about 2%. Commissioner Watson made a motion to approve the renewal of property insurance with Traveler's Insurance Company through local agent Smith-Gray Insurance. Commissioner Marchman seconded. The motion carried on a unanimous voice vote.

**Consider adopting updated Rules and Regulations for the Cullman County Water Department**

Commissioner Watson made a motion to adopt the updated Rules and Regulations for the Cullman County Water Department. Commissioner Marchman seconded the motion which passed on a unanimous voice vote.

**Resolution 2016-09 – Implementing Phase I of the Emergency Water Conservation Plan**

Randall Waldrep, Water Department Manager, addressed the Commission on the status of the drought. The County is approaching sixty days with no measurable rainfall. Lake Catoma is now 17.5 feet below full pool and there is no forecast of significant rain in the near future. He recommended the implementation of Phase I of the Emergency Water Conservation Plan. Commissioner Marchman made a motion to adopt Phase I of the Emergency Conservation Plan. Commissioner Watson seconded. The motion passed on a unanimous voice vote.

**Consider a request for \$300 from Beat 36 (Bolte-White Grove) for polling maintenance and operational support for FY-2017**

Commissioner Watson made a motion to approve the request for \$300 from Beat 36 (Bolte-White Grove) for polling maintenance and operational support for FY-2017. Commissioner Marchman seconded and the motion passed on a unanimous voice vote.

**Resolution 2017-08 –Authorize the Signing and Payment of Matching Funds for the Widening and Resurfacing of County Road 1339 and County Road 1354 from Hwy 157 to County Road 1343; STPNU-1216(250)CCP 08-108-15**

John Lang, County Engineer, stated the paving of the Childhaven Road is a federal aid project that has been in the planning for several years. The bid will be let December 1, and paving will be some time next year. The County's match is \$191,486.06. Commissioner Marchman made a motion to authorize the signing of the agreement and payment of funds to ALDOT for the widening and resurfacing of County Road 1339 and County Road 1354 from Hwy 157 to County Road 1343; STPNU-1216(250)CCP 08-108-15. Commissioner Watson seconded. Upon a unanimous voice vote, the motion carried.

**Consider acceptance of County Road 5000, located in District 4 off County Road 504**

John Lang, County Engineer, stated there have been several attempts to move the process of acceptance of County Road 5000 forward. The developer, Faith Hammock, has not given the County a right-of-way deed. He recommended tabling the item until the County has a ROW for the road. Commissioner Watson made a motion to table consideration of the acceptance of County Road 5000 until the County has a right-of-way deed. Commissioner Marchman seconded. On a unanimous voice vote, the item was tabled.

**Bid No. 1249 One (1) or more 2016 Heavy/Super Duty Pick-Up Truck(s) - Reject and Rebid**

Phyllis Little, EMA Director, stated two bids were received; however both bids were over what the department had budgeted for a vehicle. She recommended rejecting the bid, re-writing the specs and rebidding. Commissioner Marchman made a motion to reject and rebid the vehicle for EMA. Commissioner Watson seconded and the motion to reject the bid which passed on a unanimous voice vote.

**Bid No. 1250 - Structural Steel**

John Lang, County Engineer, stated two bids were received. Harris Steel was the low bidder. Commissioner Watson made a motion to award the bid for structural steel to Harris Steel. Commissioner Marchman seconded. The motion carried on a unanimous voice vote.

**Bid No. 1251 - Reinforcing Steel**

Mr. Lang, County Engineer, reported two bids were received with Harris Steel having the low bid. Commissioner Marchman made a motion to award the bid for reinforcing steel to Harris Steel. Commissioner Watson seconded and on a unanimous voice vote, the motion carried.

**Bid No. 1252 - Micro Surfacing**

John Lang, County Engineer, stated one bid was received for micro surface treatment. He recommended awarding the bid to have in place where it would also be available for use by the municipalities in the county. Commissioner Watson made a motion to award the bid the Vance Bros., the sole bidder, for micro surfacing. Commissioner Marchman seconded the motion which passed on a unanimous voice vote.

**Bid No. 1253 – Guardrail**

County Engineer, John Lang, stated one bid was received from Alabama Guardrail and he recommended awarding the bid. Commissioner Marchman made a motion to award the guardrail bid to Alabama Guardrail. Commissioner Watson seconded. Upon a unanimous voice vote, the motion carried.

**WORK SESSION**

The Commission will hold a Work Session on Tuesday, December 13, 2016, at 8:30 a.m. in the commission conference room.

**NEXT REGULAR COMMISSION MEETING DECEMBER 13, 2016**

Chairman Walker announced the next commission meeting will be Tuesday, December 13, 2016, at 10:00 a.m. in the commission meeting room.

**ADJOURN THE MEETING**

Commissioner Marchman made a motion to adjourn the meeting. Commissioner Watson seconded and the meeting was adjourned at 10:28 a.m.

/s/ \_\_\_\_\_  
Kenneth Walker,  
Chairman

/s/ \_\_\_\_\_  
Kerry Watson,  
Associate Commissioner

/s/ \_\_\_\_\_  
Garry Marchman,  
Associate Commission