

**CULLMAN COUNTY COMMISSION MEETING**  
**January 25, 2022**

**CALL TO ORDER AND WELCOME GUESTS**

Chairman Clemons called the Meeting at 6:00 pm.

**CALL OF ROLL TO ESTABLISH QUORUM**

Tiffany Merriman, County Clerk, called the roll; present were Chairman Jeff Clemons, Commissioner Kerry Watson, Commissioner Garry Marchman, County Attorney Emily Johnston, County Administrator John Bullard, and County Engineer Bryan Cheatwood. Ory Hampton gave the invocation. Economic Director Bradley Williams led the Pledge of Allegiance.

**APPROVE THE MINUTES OF THE DECEMBER 28, 2021, MEETING, THE JANUARY 6, 2022, EMERGENCY CALLED MEETING, AND THE JANUARY 20, 2022, EMERGENCY CALLED MEETING, APPROPRIATIONS, EXPENDITURES, PERSONNEL ACTIONS, PAYROLL, AND REQUISITIONS AND APPROVE ALL JOURNAL ENTRIES TO BE POSTED**

Commissioner Marchman made a motion to approve the minutes of the December 28, 2021 Meeting, the January 6, 2022 Emergency Called Meeting, and the January 20, 2022 Emergency Called Meeting, appropriations, expenditures, personnel actions, payroll, and requisitions and approve all journal entries to be posted. Commissioner Watson seconded. The motion passed on a unanimous voice vote.

**PUBLIC COMMENTS/UPDATES**

Angela Wilcutt Hankey voiced her concerns over the eviction process for tenants at Smith Lake Park. Ms. Wilcutt explained they care about the park and they just do not know what to do. County Attorney, Emily Johnston, thanked Ms. Wilcutt for being here. She stated the Park is a public park, not a place to reside.

Tim Fowler stated he disagreed with Ms. Johnston. Mr. Fowler explained her received a letter on his door from Ms. Johnston.

Chairman Clemons emphasized what Ms. Johnston stated. Smith Lake Park is a public park. Commissioner Marchman explained what the Commission runs into is some of the funding that we receive. Some funding states it cannot have permanent dwellings. Mr. Marchman stated, "I do not think there is any of us that is unsympathetic."

Ms. Wilcutt explained we just do not know what we are going to do.

Chairman Clemons stated with Smith Lake Park being a public park, we have a lot of regulations and guidelines that we must go by to apply for certain grants. Grants is how we do upgrades to our parks.

Chairman Clemons recognized Kernel Ken Brown. Mr. Brown does so much for our Veterans in Cullman County. Chairman Clemons asked Kernel Brown to stand and thanked Him for being here.

Kernel Brown stated we the Veterans appreciate the Commissions work, financial, and moral support.

## **NEW BUSINESS**

### **Ratify abatement for Schulte Building Systems/Inland Southern presented by Cullman Alabama Economic Development Agency in the amount of \$218,396**

This abatement is known as Inland Building. It is owned by Schulte Building Systems out of Texas. This abatement is for expansion and new production line equipment. 50 new jobs will be created paying about \$50,000 a job. This abatement over a 10-year period will save \$218,000 and create \$3.35 million investment. Commissioner Watson made a motion to approve to Ratify abatement for Schulte Building Systems/Inland Southern presented by Cullman Alabama Economic Development Agency in the amount of \$218,396. Commissioner Marchman seconded. The vote passed on a unanimous voice vote.

### **Ratify North Alabama Highway Safety Office Agreement and authorize Chairman Clemons to sign**

County Administrator John Bullard stated that this is the current agreement for Federal funding for traffic and seat belt enforcement to help offset some of the overtime over in law enforcement. Commissioner Marchman made a motion to approve to Ratify North Alabama Highway Safety Office Agreement and authorize Chairman Clemons to sign. Commissioner Watson seconded. The vote passed on a unanimous voice vote.

### **Resolution 2022-16: Adoption of the Alabama House of Representatives Map and legal description by and through Act #2021-556**

County Attorney Emily Johnston stated this is the Commission adopting what has been approved. The only one I am going to ask to not be approved is the Congressional Districts, it has been put on hold by higher up federal courts. Commissioner Watson made a motion to approve Resolution 2022-16: Adoption of the Alabama House of Representatives Map and legal description by and through Act #2021-556. Commissioner Marchman seconded. The vote passed on a unanimous voice vote.

### **Resolution 2022-17: Adoption of the Alabama State Senate District Official map and legal description by and through Act # 2021-558**

County Attorney Emily Johnston stated this is the Commission adopting what has been approved. The only one I am going to ask to not be approved is the Congressional Districts, it has been put on hold by higher up federal courts. Commissioner Marchman made a motion to approve Resolution 2022-17: Adoption of the Alabama State Senate District Official map and legal description by and through Act # 2021-558. Commissioner Watson seconded. The vote passed on a unanimous voice vote.

### **Resolution 2022-18: Adoption of the Alabama State School Board/State Board of Education District Official map and legal description by and through Act#2021-559**

County Attorney Emily Johnston stated this is the Commission adopting what has been approved. The only one I am going to ask to not be approved is the Congressional Districts, it has been put on hold by higher up federal courts. Commissioner Watson made a motion to approve Resolution 2022-18: Adoption of the Alabama State School Board/State Board of Education District Official map and legal description by and through Act#2021-559. Commissioner Marchman seconded. The vote passed on a unanimous voice vote.

### **Resolution 2022-19: Tax Abatement for Tyson Farms, Inc in the amount of \$9,532,875**

This is the incident that we had at River Valley Ingredients (American Protein). This abatement is to rebuild the second plant which burned. This is going to be on a new piece of property further away from the river to help prevent situations they have had in the past. The plant runs their plan A at 100% capacity, but plan B might run around 25% capacity due recent. This abatement is a \$187,500,000 cash investment into our community. \$5 million for our schools over a 10-year period. Retain hundreds of

jobs and help a company that has been here a long time stay here. Most of North Alabama is chicken farmers. This incident shut down 25% of chicken plants. Poultry is a big part of our economy. Commissioner Marchman made a motion to approve Resolution 2022-19: Tax Abatement for Tyson Farms, Inc in the amount of \$9,532,875. Commissioner Watson seconded. The vote passed on unanimous voice vote.

**Resolution 2022-20: Existing One-Half Cent Sales Tax for Cullman City Schools allocated to warrant repayment**

County Attorney Emily Johnston stated this Resolution is confirming and ratifying the levy of Cullman County School sales tax. It was voted on in March 2012. It is an existing tax not anything new. The City School Board is just intending to have it extended. They are asking for it to secure a loan for \$42,790,000 asking for the tax to be collected and sent to schools. Commissioner Watson made a motion to approve Resolution 2022-20: Existing One-Half Cent Sales Tax for Cullman City Schools allocated to warrant repayment. Commissioner Marchman seconded. The vote passed on unanimous voice vote.

**Resolution 2022-22: Authorize Chairman Clemons to sign resolution for treatment of the standard allowance for revenue replacement from the County's American Rescue Plan Act Fiscal Recovery Funds**

County Administrator John Bullard stated when this final rule came out it allows us to treat \$10 million as lost revenue so we are making this a resolution that we can use that money as general government services, still subject to the uniform guidance and federal regulations. Commissioner Marchman made a motion to approve Resolution 2022-22: Authorize Chairman Clemons to sign resolution for treatment of the standard allowance for revenue replacement from the County's American Rescue Plan Act Fiscal Recovery Funds. Commissioner Watson seconded. The vote passed on a unanimous voice vote.

**Resolution 2022-24: Award the Architectural and Engineering Services to JMR+H for American Rescue Plan for the Courthouse Ventilation project and authorize Chairman Clemons to sign related paperwork**

County Administrator John Bullard stated this is also associated with the American Rescue Plan money. We have started the process for the HVAC project here at the courthouse that will comply with their regulations. Part of that was federal procurement process. We did a request for qualifications to be issued and those came back. Shane Bailey led that team to review those and following federal guidelines JMR&H was the first picked based on those guidelines. We recommend that it be awarded to JMR&H. Shane Bailey will be listed as the project manager to negotiate with them and bring back a contract for the Commission's approval. Commissioner Watson made a motion to approve Resolution 2022-24: Award the Architectural and Engineering Services to JMR+H for American Rescue Plan for the Courthouse Ventilation project and authorize Chairman Clemons to sign related paperwork.

Commissioner Marchman asked if this is funded then we cannot take this out of the money that was moved to general fund?

County Administrator John Bullard stated that is correct.

Commissioner Marchman seconded. The vote passed on a unanimous voice vote.

**Consider setting Public Hearing for vacating a portion of County Road 630**

County Attorney Emily Johnston stated we had a citizen file a Petition to vacate a portion of County Road 630, it is currently a road that is not being used. He would like to build a house and build a turn around to service that area. I am asking for the Public Hearing to be set at the next Commission Meeting. Commissioner Marchman made a motion to approve to Consider setting Public Hearing for vacating a portion of County Road 630. Commissioner Watson seconded. The vote passed unanimous voice vote.

**Consider renewal of Catastrophic Inmate Medical Insurance with Hunt Insurance in the amount of \$72,647.28 and authorize Chairman to sign all related documents**

County Administrator John Bullard stated this is the annual Catastrophic Inmate Medical Insurance renewal. Last year it was \$67,500. The amount has gone up this year, but we did learn that they have amended some of the policies so that we can add any claims accumulative. They do not have to meet the threshold by themselves. If an Inmate has cumulative, we can combine them by one year to file them. We have had several claims this year. Commissioner Watson made a motion to approve to Consider renewal of Catastrophic Inmate Medical Insurance with Hunt Insurance in the amount of \$72,647.28 and authorize Chairman to sign all related documents. Commissioner Marchman seconded. The vote passed on a unanimous voice vote.

**Consider request from Cullman VFW to support local Veterans with financial support of \$12,000 to obtain the SGB shot for PTSD therapy**

County Administrator John Bullard stated this request came from Kernel Ken Brown. It is something we have done in the past. This year we need to do this after the budget, but I told Kernel Brown in the next years budget I have added it as an allocation as I stated in the work session. It would be automatic unless the funding is not there.

Chairman Clemons stated Ken can give us an update on how many Veteran lives this saves.

Kernel Ken Brown stated we know for a fact that the past two years the program prevented 12 suicides in Cullman County. We changed over 200 men and women that are Combat Veterans with the shot. We started out taking them to Maryland but now we have a couple of doctors in Birmingham, so we don't have to take them to Maryland which that works out well. We have asked Congress to help with the cost, but nothing has happened. Senator Gudger has gone and gotten money statewide, so until Congress does something we will have to continue to pay for our own.

Commissioner Marchman made a motion to approve to Consider request from Cullman VFW to support local Veterans with financial support of \$12,000 to obtain the SGB shot for PTSD therapy. Commissioner Watson seconded. The vote passed on a unanimous voice vote.

**Consider purchase of two 95 PTO tractors Massey Ferguson from State Bid at \$63,495.50 each for a total of \$126,991 for the Road Department and authorize Chairman Clemons to sign all related paperwork**

County Engineer Bryan Cheatwood stated these tractors are stripped down to where they are specified for right-of-away mowing. I recommend the purchase these tractors. Commissioner Watson made a motion to Consider purchase of two 95 PTO tractors Massey Ferguson from State Bid at \$63,495.50 each for a total of \$126,991 for the Road Department and authorize Chairman Clemons to sign all related paperwork. Commissioner Marchman seconded. The vote passed on a unanimous voice vote.

**Consider purchase of two Land Pride PTO rotary mowers from Sourcewell Cooperative at \$38,321.32 each for a total of \$76,642.64 for the Road Department and authorize Chairman Clemons to sign all related paperwork**

County Engineer Bryan Cheatwood stated that we are currently using three of these exact models. I recommend the purchase of these mowers. Commissioner Marchman made a motion to approve to Consider purchase of two Land Pride PTO rotary mowers from Sourcewell Cooperative at \$38,321.32 each for a total of \$76,642.64 for the Road Department and authorize Chairman Clemons to sign all related paperwork. Commissioner Watson seconded. The vote passed on a unanimous voice vote.

**Consider authorization for Swamp John's to use the south parking lot of the Courthouse on February 28, 2022, and March 24, 2022, from 3: 30p.m-7:00p.m.**

Commissioner Watson made a motion to approve to Consider authorization for Swamp John's to use the south parking lot of the Courthouse on February 28, 2022, and March 24, 2022, from 3: 30p.m-7:00p.m. Commissioner Marchman seconded. The vote passed on a unanimous voice vote.

**Consider raising the dollar limit of the annual fireworks show from not to exceed \$25,000 to not exceed \$32,000 due to increased shipping cost. This is subject to bid and approval by the Commission**

Parks Director Doug Davenport stated we have talked to a couple of different vendors, and they indicated a 30% price increase. Therefore, we are asking for the increase. Years past, we have paid through admissions and gate fees. The Firework date is set for July 5, 2022. Commissioner Marchman made a motion to approve to Consider raising the dollar limit of the annual fireworks show from not to exceed \$25,000 to not exceed \$32,000 due to increased shipping cost. This is subject to bid and approval by the Commission. Commissioner Watson seconded. The vote passed on a unanimous voice vote.

**Authorize payment of annual CRS liability insurance premium in the amount of \$429,806.06**

County Administrator John Bullard stated that this is the annual liability insurance payment and renewal. We went through this last year, and we removed some items that needed to be removed. This is a 4% increase from last year, but compared to some of the others, it was a 5% increase. Commissioner Watson made a motion to Authorize payment of annual CRS liability insurance premium in the amount of \$429,806.06. Commissioner Watson made a motion to approve to Authorize payment of annual CRS liability insurance premium in the amount of \$429,806.06. Commissioner Marchman seconded. The vote passed on a unanimous voice vote.

**Authorize Chairman Clemons to sign the Land and Water Conservation Fund and Recreational Trails Program Contract Agreement for Stony Lonesome OHV Park**

County Administrator John Bullard stated R, S and T, all have to do with Stony Lonesome OHV Park for the upcoming grants we are getting. This one is from the Land and Water Conservation Fund and Recreational Trails Program. The next two are from NARCOG.

Commissioner Marchman made a motion to Authorize Chairman Clemons to sign the Land and Water Conservation Fund and Recreational Trails Program Contract Agreement for Stony Lonesome OHV Park. Commissioner Watson seconded. The vote passed on a unanimous voice vote.

**Authorize Chairman Clemons to sign the Recreational Trails Program Contract of Professional Services Project 21-RT-55-01 for Stony Lonesome OHV Park**

Commissioner Watson made a motion to Authorize Chairman Clemons to sign the Recreational Trails Program Contract of Professional Services Project 21-RT-55-01 for Stony Lonesome OHV Park. Commissioner Marchman seconded. The vote passed on a unanimous voice vote.

**Authorize Chairman Clemons to sign the Recreational Trails Program Contract of Professional Services Project 21-RT-55-02 for Stony Lonesome OHV Park.**

Commissioner Marchman made a motion to approve to Authorize Chairman Clemons to sign the Recreational Trails Program Contract of Professional Services Project 21-RT-55-02 for Stony Lonesome OHV Park. Commissioner Watson seconded. The vote passed on a unanimous voice vote.

**Authorize Chairman Clemons to sign contract with Loomis Bros Circus to perform at the Ag Center February 4, 2022- February 6, 2022**

Parks Director, Doug Davenport stated that this is the only event that we have that we get a contract for due to it being the Circus. The Circus is February 4, 2022 – February 6, 2022. Commissioner Watson made a motion to Authorize Chairman Clemons to sign contract with Loomis Bros Circus to perform at the Ag Center February 4, 2022- February 6, 2022. Commissioner Marchman seconded. The vote passed on a unanimous voice vote.

**Authorize appropriation for \$4,000 to Cullman Elks Veterans Day Committee from tourism fund to support tourism efforts**

County Administrator John Bullard stated this is an additional appropriation request. We have an appropriation for \$8,000 for that project. Ongoing to raise that to \$12,000 in the work session to go ahead and add the \$12,000 as an appropriation annually subject to the approval from Commission.

Kernel Ken Brown explained the idea behind this raise is to attract as many people as possible to the Veterans Day Program. It is good for Economic Development that is the upside. When we were forced to have the Veterans Day Program at Veterans Park instead of the Airport it wasn't a large crowd. Fuel cost is going up, and we need this increase. Commissioner Marchman made a motion to approve to Authorize appropriation for \$4,000 to Cullman Elks Veterans Day Committee from tourism fund to support tourism efforts. Commissioner Watson seconded. The vote passed on a unanimous voice vote.

**Proposed plat Bronco Estates Subdivision. A minor subdivision containing 7 Lots located on County Road 1718**

County Engineer Bryan Cheatwood stated that he recommends the approval of this plat. Commissioner Watson made a motion to approve Proposed plat Bronco Estates Subdivision. A minor subdivision containing 7 Lots located on County Road 1718. Commissioner Marchman seconded. The vote passed on a unanimous voice vote.

**Award Bid #1372 for Shoulder Work Material (Installed) to Wiregrass Construction Company, Inc.**

County Engineer Bryan Cheatwood stated this will provide us the option to use contractor forces when are short on county forces, clip the shoulders on paved roads. I recommend the approval of this. Commissioner Marchman made a motion to approve Award Bid #1372 for Shoulder Work Material (Installed) to Wiregrass Construction Company, Inc. Commissioner Watson seconded. The vote passed on a unanimous voice vote.

**WORK SESSION**

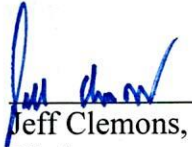
Chairman Clemons announced the next Commission Work Session will be Tuesday, February 15, 2022, at 4:00 pm in the Commission Meeting Room

**NEXT REGULAR COMMISSION MEETING TUESDAY, FEBRUARY 15, 2022**

Chairman Clemons announced the next Commission Meeting will be Tuesday, February 15, 2022, at 6:00 pm in the Commission Meeting Room

**ADJOURN THE MEETING**

Commissioner Marchman made a motion to Adjourn. Commissioner Watson seconded.  
Meeting was adjourned at 6:37pm.



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Jeff Clemons,  
Chairman



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Kerry Watson,  
Associate Commissioner



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Garry Marchman,  
Associate Commissioner