

**COMMISSION MEETING  
OCTOBER 11, 2005**

**CALL TO ORDER AND WELCOME**

A regular meeting of the Cullman County Commission was held Tuesday October 11, 2005 at 10:00 a.m., in the County Commission Office Conference Room. Chairman Kitchens called the meeting to order and welcomed all visitors. Chairman Kitchens ask the Attorney, Dan Willingham to explain the new structure of the Commission Meeting Agenda. Mr. Willingham stated the Opening Meetings Law came into effect October 1, 2005. The ACCA has recommended and the statues require the Commission to pass procedures for Commission Meetings. The main changes in the agenda are the Public Comments which will be at the beginning of the meeting instead of the end.

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

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

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

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

**NEW BUSINESS**

**A. Permission to Sign New Contract with Coop – Revenue**

Revenue Kay D. Smith stated the City Electric Coop has enter into a contract with the Revenue Department to use our mapping facilities and aerial photographs, this contract is written like the contract with the Cullman Electric Coop. All we need is permission to sign the contract with the City Electric Coop. Also, several others have shown interest in the aerial photos. I would like permission to enter into a contract with out having to come before the Commission each time. Attorney Dan Willingham said basicly what the Commission could do is pass a general resolution that would allow the Revenue Commissioner to enter into contract with any governmental associated entity. There's no cost to the Revenue Commissioner its revenue to that office.

Commissioner Williams made the motion to allow the Revenue Commissioner to enter into a contract with the notification of the contract agreement and two signatures from the Commission, with any governmental associated entity for the use of mapping and aerial photos. Commissioner Yarbrough seconded, and upon a voice vote, the motion carried unanimously.

**B. Abatements and Taxes in Litigation – Revenue**

Marguerite Davis explained these are taxes in litigation dating back to 1991, which the auditors say they need to be cleared off the books. The total of these taxes are \$19,326.70.

Commissioner Williams made the motion to abate these prior years' taxes in litigation. Commissioner Yarbrough seconded, and upon a voice vote, the motion carried unanimously.

**C. Recording Procedures**

Mr. Willingham explained the ACCA recommended the County Commission have a Recording Procedure Policy. This is a policy for recording proceedings of the Cullman County Commission explaining the use of audio or video recording. Commissioner Williams made the motion to adopt the recording policy. Commissioner Yarbrough seconded, and upon a voice vote, the motion carried unanimously.

**D. Resolution No. 2005-62 CARTS Facility**

Randall Shedd, Commission on Aging Director explained this Resolution is between the Cullman County Commission and Alabama Department of Transportation for grant funds totaling \$147,552.00 for a new CARTS facility.

Commissioner Williams made the motion to adopt Resolution No. 2005-62. Commissioner Yarbrough seconded, and upon a voice vote, the motion passed unanimously.

**E. Consider acceptance of County Road 660**

County Engineer Philip Widner stated County Road 660 (a.k.a. McDonald Road) is located in the Garden City Area. This is a subdivision developed several years ago. This is a road we're trying to accept based on the new guidelines the county adopted. Right of Way has been signed by all individuals on the road. They are several spots where utilities infringe upon the shoulder of the road. If this road is never widened or paved the utilities will not be a problem. I recommend the Commission to accept this road under the new guidelines contingent upon the property owners purchasing driveway pipe as necessary.

Commissioner Williams made the motion to accept County Road 660 into the county maintenance system with the contingency. Commissioner Yarbrough seconded, and upon a voice vote, the motion carried unanimously.

**REPORTS FROM STAFF**

**A. Sanitation Department – James Rollo**

Mr. James Rollo, Manager of the County Sanitation Department announced he had received a letter from Cullman Environmental stating effective October 10, 2005 rates would be increasing 3.6% from \$28.81 per ton to \$29.85 per ton. At this time I don't foresee a rate increase in garbage pickup, unless Cullman Environmental has another rate increase.

**B. County Administrator – Gary Teichmiller**

Mr. Teichmiller stated in the last Commission meeting the fiscal year 2005-2006 budget was approved which included a 3% cost of living increase. For audit and legal purpose we need to state this in the minutes that the fiscal year 2006 budget included a 3% cost of living increase for all non exempt employees.

Commissioner Williams made the motion that the resolution stands at a 3% cost of living increase for the fiscal year 2006. Commissioner Yarbrough seconded, and upon a voice vote, the motion carried unanimously.

#### **OLD BUSINESS**

##### **A. Resolution No. 2005-57 Flood Prevention Ordinance**

Phyllis Little, EMA Director explained that Cullman County at this time does not participate in the Flood Insurance Program until the County Commission passes the Flood Prevention Ordinance and an application is submitted.

Commissioner Williams made the motion to adopt Resolution No. 2005-57. Commissioner Yarbrough seconded, and upon a voice vote, the motion passed unanimously.

##### **B. Consider Per Diem Rate for Travel**

Commissioner Williams stated he didn't have enough time to go over everything concerning the per diem for travel.

Commissioner Yarbrough made the motion to remove this item for now from the agenda. Commissioner Williams seconded. Chairman Kitchens stated this item will be removed from the agenda until a later date.

##### **C. Discuss Mack Trucks**

Philip Widner, County Engineer stated he had given the Commission information where he had contacted Govdeals concerning the auction of the Mack Trucks. What the Commission needs to decide is, do we go ahead and surplus these trucks and place them on Govdeals in November. If this is what the Commission wants to do you need to decide on a net price. Govdeals normally gets a 7% fee, but they have agreed to cut their commission down to 0 if needed, so the county will get their net. The Mack Trucks cost just over \$86,000.00 each when purchased. Based on the mileage these trucks will have, Govdeals suggested a net price between \$95,000.00 and \$97,000.00.

Commissioner Yarbrough made the motion to set the net price for the trucks at \$96,000.00 and surplus the six Mack Trucks October 31, 2005. Commissioner Williams seconded, and upon a voice vote, the motion passes unanimously.

#### **DISCUSSION ITEMS BY COMMISSIONERS**

Mr. Willingham stated the Commission had instructed him to look into what property the county owned that was not being utilized. I found five primary parcels, one approximately 5 acres in the City of Cullman located on St. Joseph St., a lot that lies east across the street from the old hospital, one parcel of land where the old Health Department was located, one parcel where the Board of Education was located, and a parcel just south of the new County Jail. These parcels are the ones I see primarily that the Commission would consider selling.

Commissioner Williams made the motion to move roll call, invocation and pledge of allegiance to the second item on the agenda and move public comments to the third item on the agenda. Commissioner Yarbrough seconded.

#### **NEXT COMMISSION MEETING THURSDAY, OCTOBER 20, 2005 AT 10:00 A.M.**

Chairman Kitchens announced the next regular Commission Meeting will be Thursday, October 20, 2005 at 10:00 am in the Commission Office Conference Room.

Commissioner Yarbrough announced the next Town Hall meeting will be Thursday, November 3, 2005 at 7:00 pm in the Crane Hill area, meeting place to be announced later.

#### **ADJOURN**

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

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Wiley Kitchens, Chairman

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Doug Williams, Commissioner

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Stanley Yarbrough, Commissioner