

**COMMISSION MEETING**  
**July 31, 2006**

**CALL TO ORDER AND WELCOME**

A regular meeting of the Cullman County Commission was held Monday, July 31, 2006 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 Doug Williams, and Commissioner Stanley Yarbrough. Chairman Kitchens 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 Yarbrough made the motion to approve minutes, appropriations, expenditures, requisitions, travel expense and all journal entries to be posted. Commission Williams seconded, and upon a voice vote, the motion carried unanimously.

**PUBLIC HEARING**

Mr. James Graves, Director of CARTS stated once a year law requires a public hearing to be held for CARTS for improvement changes and etc. It's been advertised in the paper three (3) weeks in June to be in conjunction with the County Commission Meeting.

Chairman Kitchens ask if anyone had any comments concerning CARTS. No comments were made concerning the CARTS programs.

**PUBLIC COMMENTS**

**George Mann** – Thanked the commission for their support for the Purple Heart Monument and the Iraq Monument.

**Carolyn Calvert** – Update on Beat 8 Community Center, asking the commission for money for Beat 8 Community Center.

**NEW BUSINESS**

**Resolution No. 2006-19 Authorize Chairman to sign resolution with ADECA for Phase II ORV Park**

Commissioner Williams made the motion to authorize the Chairman to sign the resolution with ADECA.

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

**Consider extending Bid No 815 – Emulsified Asphalt for one year until July 25, 2007**

Fred Penn, Assistant Engineer stated Ergon currently has the bid with the option to extend the bid for three (3) years. I recommend the county extending the bid for one (1) year.

Commissioner Williams made the motion to extend the bid for one year. Commissioner Yarbrough seconded, and upon a voice vote, the motion carried unanimously.

**Consider awarding Bid No. 856 – New Sewage System for eighty-three camp sites at Smith Lake Park**

Fred Penn, Assistant Engineer stated 5 bids were received. Tony Sellers was the low bidder, with a bid of \$41,135.00. I recommend awarding the bid to Mr. Sellers.

Commissioner Yarbrough made the motion to award the bid to Tony Sellers. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

**Consider awarding Bid No. 857 – Herbicide**

Mr. Penn stated Helena Chemical is the currently has the bid. Only one (1) bid was received and that was from Helena Chemical. I recommend awarding the bid to Helena Chemical.

Commissioner Yarbrough made the motion to except the bid. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

**Consider awarding Bid No. 858 – Used Railroad Cars**

Mr. Penn stated Diversified Railroad currently has the bid and was the only bid received. I recommend awarding the bid to Diversified.

Commissioner Williams made the motion to award the bid to Diversified. Commissioner Yarbrough seconded, and upon a voice vote, the motion carried unanimously.

**Consider awarding Bid No. 859 – Motor Oil**

Mr. Penn stated no bids were received. I recommend negating with local vendor for the cheapest price.

Commissioner Williams made the motion to negate the price for oil. Commissioner Yarbrough seconded, and upon a voice vote, the motion carried unanimously.

**EMA – Phyllis Little**

Phyllis Little, Director of Emergency Management Agency announced that Kelly Allen and she had attended the State EMA Conference in Mobile. Mrs. Little announced that during this conference Mr. Allen received from the State of Alabama Emergency Management Agency a special achievement award in recognition of his notable achievements that has contributed to advancement of Emergency Management in this state. This award was given to only two (2) people in the state of Alabama.

**EMA – SNS**

Mrs. Little state this grant is doing with the Strategic National Stockpile Program. The grant is for \$3,000.00 to further planning. I need authorization for the Chairman to sign grant agreement.

Commissioner Williams made the motion to authorize the Chairman to sign the grant. Commissioner Yarbrough seconded, and upon a voice vote, the motion carried unanimously.

**Consider Preliminary Plat for the Overlook at Simpson Creek Subdivision located in District 2 on County Road 144**

Keith Creel, Subdivision Inspector with the Engineering Department stated this is the subdivision on July 10, 2006 the commission approved the design speed variance. I recommend the commission approving the preliminary plat contingent upon me receiving the plat that redraws lot line 12 that allows ingress and egress actual right of way of land that was not incorporated in the subdivision.

Commissioner Yarbrough made the motion to accept the preliminary plat contingent upon the engineer receiving the plat with the lines of lot 12 redrawn. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

**Consider Final Plat for Lake Sunset Estates and acceptance of County Road 900 located in District 2 off County Road 864**

Mr. Creel stated this is a small subdivision the county has been involved in. Recently the developers has asphalted the road and completed all the requirements. I recommend the commission accept the Final Plat for Lake Sunset Estates and accept county road 900 into the county maintenance system with the contingency as our regulations provide that he maintains the road for a period of one (1) year.

Commissioner Yarbrough made the motion to accept the plat. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

**Resolution No. 2006-20 authorize Chairman to sign agreement between the Alabama Department of Transportation and Cullman County Commission covering financing of construction costs for Project No. ST-022-888-008 CCP-22-60-06 (County Road 508)**

Mr. Penn state this project runs from county road 509 to American Proteins. Commissioner Williams was instrumental in obtaining this \$400,000.00 grant. This grant is for resurfacing county road 508.

Commissioner Williams stated there are some stipulations that require expansions to the plant, twenty-five new jobs created due to the expansion. American Proteins has already begun the expansion to the plant and have promised at least twenty-five or more new jobs.

Commissioner Williams made the motion to authorize the chairman to sign the agreement. Commissioner Yarbrough seconded, and upon a voice vote, the motion carried unanimously.

**Consider approving CARTS budget for fiscal year 2006-07**

Mr. James Graves, Director of CARTS stated this resolution authorizes CARTS to function in Cullman County for another year. This is signed every year by the commission. ALDOT requires CARTS to submit our budget to them by the end of June or as soon as we can.

Commissioner Williams made the motion for CARTS to continue to function. Commissioner Yarbrough seconded, and upon a voice vote, the motion carried unanimously.

**Consider approving Section 5311 from ALDOT – CARTS**

Mr. Graves stated this is approving Section 5311 from ALDOT which is Federal Funding. All rural transportation programs in Alabama function under Section 5311. This is administered by the State to Cullman County.

Commissioner Williams made the motion to approve Section 5311 from ALDOT. Commissioner Yarbrough seconded, and upon a voice vote, the motion carried unanimously.

**Board Appointment – Chairman Kitchens – Alabama Mountain Lakes**

Chairman Kitchens stated this is his appointment and he made the motion to appoint Sammie Danford to the Alabama Mountain Lakes. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

**Consider signing agreement between NARCOG and Cullman County for fiscal year 2005-06**

Commissioner Williams made the motion to authorize the chairman to sign the agreements with NARCOG. Commissioner Yarbrough seconded, and upon a voice vote, the motion carried unanimously.

**OLD BUSINESS**

**COMMUNITY MEETING THURSDAY, AUGUST 10, AT BRUSHY POND**

Chairman Kitchens announced a community meeting will be held Thursday, August 10, 2006 at 7:00 p.m. at the Brushy Pond Community Center.

**NEXT REGULAR COMMISSION MEETING MONDAY AUGUST 14, 2006.**

Chairman Kitchens announced the next regular Commission Meeting will be Monday, August 14, 2006 in the County Commission Office Conference Room

**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