

**COMMISSION MEETING**  
**April 22, 2008**

**CALL TO ORDER AND WELCOME**

A regular meeting of the Cullman County Commission was held Tuesday, April 22, 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 Mr. George Mann 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**

Mr. George Mann addressed the commission concerning placing a Purple Heart Monument at Sportsman Lake Park. The City of Cullman has agreed to pay for half the cost if the County will pay the balance approximately \$2,350.00. Chairman Kitchens said he did not think paying the balance would be a problem.

Mrs. J. Williams addressed the commission concerning the Animal Shelter.

**NEW BUSINESS**

**Consider awarding Bid No. 951 – Aggregate**

County Engineer Fred Penn said five bids were submitted; as in the past the bid will be awarded to all vendors. The county will use the vendor closest to the job site. Commissioner Williams stated he believes the aggregate bid is the only bid that should be awarded. The bid for hauling should be bid separately from the rock bid. Commissioner Williams made the motion to keep the aggregate bid and bid hauling out separately. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

**Consider awarding Bid No. 952 – 4' Wide Trail Construction Dozer**

Commissioner Williams said this is equipment for the OHV Park and no bids were received. He believes we need to redo the specifications and send the bids out again.

**Consider awarding Bid No. 953 – Mini Excavator**

Commissioner Williams said one bid was received and made the motion to award the bid to Heavy Machinery Tractor Co. for \$19,377.00. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

**Consider awarding Bid No. 954 – Mini Skid-Steer**

Commissioner Williams stated because of the information received for bid specification no bids were received. He recommended redoing the specifications and sending bids out again.

**Consider awarding Bid No. 955 – Used Single Axle Dump Truck**

Commissioner Willingham made the motion to award the bid to J.M. Wood Auction Co. Inc. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

**Consider proposed plat for Daystar Shores Subdivision located in District 2 off County Road 222**

County Engineer Fred Penn said the preliminary plat has been submitted for Daystar Shores Subdivision, and recommended approval of the preliminary plat for Daystar Shores Subdivision. Commissioner Willingham made the motion to accept the preliminary plat. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

**Consider plat for Resurvey of Lot 7, Town and Country Estates in District 3 on County Road 1571**

Mr. Penn stated this is where one lot has been broken into two lots. Approval is needed for the resurvey plat of Lot 7. Commissioner Williams made the motion to accept the resurvey of Lot 7 of the Town and Country Estates. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

**Consider approval of name change from Water Sound Subdivision to Water Bound Subdivision and one (1) year extension on proposed plat approval, located in District 2 off County Road 351**

Mr. Penn stated this subdivision was first submitted about one year ago as Water Sound Subdivision. The developers have requested changing the name to Water Bound Subdivision and also requested a one year extension on the proposed plat approval due to some surveying that has not been completed.

Commissioner Willingham addressed concerns pertaining to the road and the private sewer system being installed. County Attorney Dan Willingham stated the county will not be responsible for a private sewer system. This will need to be part of the subdivision's restrictive covenants and include some type of maintenance system. The covenant needs to state the responsibility of the property owners to up grade and maintain the private sewer system. Mr. Willingham stated he would like to see the restricted covenant contain the information regarding the property owner's responsibility for the private sewer system as part of the final plan. Commissioner Willingham made the motion to grant a one year extension. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

**Discuss agreement with Bellsouth Telecommunications, and Cullman County**

Mr. Gary Pledger, Director of Corporate Affairs in Alabama for AT&T, introduced himself and Mickey Harbin who is also

with AT&T. The company has been operating in Cullman County for several generations under different names; last year they became known as AT&T. A proposed agreement has been submitted to the Chairman that would allow AT&T to add new additional services in Cullman County. The new system, called UVerse, is a video entertainment service that AT&T would like to put on the internet protocol network in the Cullman County. AT&T has two products in the line-up that are critical to the future of their business; wireless internet and the UVerse. AT&T will be offering to the citizens of Cullman County up to 320 channels of digital services; they will be able to bundle all the traditional cable channels with video offering and internet access. There will be a wide variety of product choices; the customer can decide which product meets their needs, for example how many channels they want offered. A specific date these services will be available in the county is not known, but it is in AT&T's interest to bring these services to the county as quickly as possible. The agreement before the Commission states AT&T will match the revenues that are received by the County from competitors. Based on the meeting yesterday, Cullman County is receiving 3% revenue from gross cable service. In this agreement AT&T has proposed to match the 3% revenue. Mr. Pledger brought this before the Commission for consideration at the next Commission Meeting.

**Authorize Chairman to sign FY-08 Title III-D Health Promotion/Prevention Aging Contract**

Mr. Gary Teichmiller, County Administrator, stated this is a \$5,000.00 grant from NARCOG with a match of \$1,400.00. This is an annual health service agreement. Commissioner Williams made the motion to allow the Chairman to sign the contract. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

**OLD BUSINESS**

Revenue Commissioner Kay D. Smith announced Relay for Life on Friday Night, May 9th at Heritage Park.

Commissioner Willingham announced the Annual Clean Up for the month of May; everyone should be getting a coupon in their light bill for one load free garbage/trash dumping at the landfill which is sponsored by the Cullman County Commission.

Commissioner Williams said he wanted to discuss the issue of paying county employees for emergency overtime. The way the Handbook reads if an employee is called out for emergency overtime for weather etc, and the week has a holiday in it, they do not get paid overtime. Commissioner Williams says this is unfair. The County Attorney has a draft of the resolution drawn up and it will need to be posted for ten days before any action can be taken.

**NEXT REGULAR COMMISSION MEETING TUESDAY, MAY 13, 2008**

Chairman Kitchens announced the next regular Commission Meeting will be Tuesday, May 13, 2008 at 10:00 am in the Commission Office Conference Room.

**ADJOURN**

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

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Wiley Kitchens, Chairman

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J. Douglas Williams  
Associate Commissioner

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Wayne Willingham  
Associate Commissioner