

**COMMISSION MEETING**  
**May 27, 2008**

**CALL TO ORDER AND WELCOME**

A regular meeting of the Cullman County Commission was held Tuesday, May 27, 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 Chairman Kitchens 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.

**PROCLAMATION**

Commissioner Williams tabled the reading of the proclamation until the next meeting when Tim McCoy, Animal Shelter Director, could attend.

**PUBLIC COMMENTS**

Mr. George Mann presented Chairman Kitchens with a token of appreciation for opening Sportsman Lake Park to the veterans.

Mr. James Schaffer came before the Commission concerning the condition of County Road 715 at Phelan. He stated County Road 715 is crooked, banks have not been sloped so as to allow residents to mow their property and access to the road from private driveways is too steep. Commissioner Williams stated the construction of this road should be completed in the fall.

Ms. J. Williams requested that the Commission and County Attorney review the Policy and Procedure Handbook for the Animal Shelter.

Ms. Carolyn Calvert wanted to know the status of her request for a donation to the Senior Center at Beat 8.

**NEW BUSINESS**

**Consider awarding Bid No. 957 for Specified Building Supplies**

Fred Penn, County Engineer, stated these supplies are for inside work at the new office building for the Road Department. Walker Brothers at Baileyton was the low bidder and Mr. Penn recommended awarding the bid to Walker Brothers. Commissioner Williams made the motion to award the bid to Walker Bros. Commissioner Willingham seconded, and upon a voice vote the motion carried unanimously.

**Consider donation of old sanitation metal building at Water Department to the Agri Plex Board**

Commissioner Williams explained the Water Department has an old metal building originally constructed by the Sanitation Department as a garage. The Water Department no longer uses this building and has asked that it be removed. The Agri Plex Board has agreed to remove the building and reconstruct it on their property for a new Agri Plex Museum. Commissioner Williams made the motion to donate building to the Agri Plex Board. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

**Consider proposed plat for Lakeshore Estates, Phase VIII A located in District 2 on County Road 287**

Keith Creel, Engineering Assistant, stated the proposed plat contains eight lots which all border County Road 287. He recommended approval of the proposed plat. Commissioner Willingham made the motion to accept the proposed plat for Lakeshore Estates, Phase VIII A. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

**Consider proposed plat for Lakeshore Estates, Phase VIII B located in District 2 on County Road 296**

Mr. Creel stated this proposed plat meets the county's minor subdivision regulations. It contains eight lots which all border County Road 296. Mr. Creel recommended approval of the proposed plat for Lakeshore Estates, Phase VII B. Commissioner Willingham made the motion to accept the proposed plat. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

**Resolution No. 2008- 22 To set the speed limit on County Road 417 at 15 mph**

Mr. Fred Penn, County Engineer, stated County Road 417, located in a subdivision near Grandview, is 700 to 800 feet in length. He recommended reducing the speed to 15 mph. Commissioner Willingham made the motion to reduce the speed on County Road 417 to 15 mph. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

**Resolution No. 2008-23 To set the speed limit on County Road 1154 at 30 mph**

Mr. Penn stated County Road 1154, located in the Baldwin Community, has horizontal and vertical curves and he recommended reducing the speed to 30 mph. Commissioner Willingham made the motion to post at 30 mph on County Road 1154. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

**Resolution No. 2008-24 Project No. CCP-22-64-08 Traffic Striping on County Road 747, 599, and 180**

Mr. Penn stated the striping will be done under a Federal Grant safety program. The striping will be the second safety project of these three roads. Commissioner Willingham made the motion to accept this grant. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

**Resolution No. 2008-25 set speed limit on County Road 522 at 35 mph**

Mr. Penn stated there have been several complaints from residents concerning County Road 522, also known Stouts Mountain Road. Campers are using this road to go to Wilborn's Outdoor Park. He recommended reducing the speed to 35 mph. Commissioner Williams made the motion to reduce the speed to 35 mph. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

**Coleman Law Firm**

County Attorney Dan Willingham stated the Commission has met with the Coleman Law Firm. They have asked the Commission about being a county that would ask to be excluded from the 1964 Civil Rights Act that requires the county to seek Justice Department approval prior to any changes in the voting locations and precinct districts. That Act only applies to certain states; it does not apply to the United States as a whole. There is a mechanism for taking oneself out if there have never been any complaints; Cullman County has never had any complaints. Cullman County can seek approval of the Justice Departments to relieve the county of the obligation. This law firm is willing to assist Cullman County at no expense to the county. Attorney Willingham proposed that the County engage the Coleman Law Firm to pursue this on the county's behalf. Commissioner Willingham made the motion to use the law firm for this purpose. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

**Resolution No. 2008-26 Personnel Handbook Amendment**

Mr. Willingham stated there is a proposed resolution to change the Employee Handbook. There are some employees who are required to work during emergency situations. A modification to the handbook is needed to allow these employees to be paid overtime during emergency situations. Commissioner Willingham made the motion to adopt this amendment. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

**Resolution No. 2008-27 Authorize the Chairman to apply for COPS Secure Our Schools Grant**

Mr. Buchanan Jackson with the Economic Development Office stated this grant is for exterior security cameras for all seven high schools in Cullman County. This grant, applied for through the Sheriff's Department, is a 50/50 match; the County Board of Education will assume the match with no cost to the County. Commissioner Williams made the motion to authorize the Chairman to sign the COPS grant. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

**Authorize the Chairman to file for Fiscal Year 2007 LETS Hurricane Emergency Equipment Grant**

Mr. Jackson stated this \$25,000.00 grant, with a 10% match, is through ADECA. This is for Hurricane Katrina and can be used as the Commission see fit. Commissioner Williams made the motion to authorize the Chairman to sign the grant. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

**OLD BUSINESS**

**Beat 8 Community Center**

Commissioner Willingham made the motion to donate Beat 8 Community Center \$1,000.00 for repairs. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

**NEXT REGULAR COMMISSION MEETING TUESDAY, JUNE 10, 2008**

Chairman Kitchens announced the next regular Commission Meeting will be Tuesday, June 10, 2008 in the County 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