

COMMISSION MEETING
August 29, 2008

CALL TO ORDER AND WELCOME

A regular meeting of the Cullman County Commission was held Friday, August 22, 2008 at 10:00 a.m., in the Cullman 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.

PUBLIC COMMENTS

No Public Comments

NEW BUSINESS

Resolution No. 2008- 39 Set speed limits on County Road 230 and County Road 244 at 25 mph

Fred Penn, County Engineer, said these roads are located in the Smith Lake area off County Road 109. Currently the speed limit on these roads is set at 15 mph. The residents feel this is too low and requests that it be raised to 25 mph.

Commissioner Willingham made the motion to raise the speed to 25 mph. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

Consider revised proposed plat for Lakeshore Estates Phase VIIIA located in District 2 on County Road 287

Engineering Assistant Keith Creel said this plat was approved a few weeks ago as a minor subdivision. Since that time the developer discovered a few problems with the plat lay out, and is extending the road approximately 400 ft. and joining the lots. This will now be a major subdivision instead of a minor subdivision. Mr. Creel stated the revised plat meets all the requirements and recommended approval of the plat. Commissioner Willingham made the motion to approve the revised plat. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

Consider granting extension until November 1, 2008 for surety held by Cullman County Commission for Lake Alaqua Subdivision located in District 4 on County Road 479

Mr. Creel stated this is a subdivision for which the county had a bond for the base and paving of the road. This bond will expire the September 1, 2008. The developer has the base on the road, but still needs to complete the paving. The developer is requesting an extension until November 1, 2008. Commissioner Williams stated he has met with the developer and made the motion to approve the extension until November 1, 2008. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

Consider awarding Berlin Water Tank Improvements to TankRehab.com, LLC for \$129,000

Mr. David Bussman, Manager of the Cullman County Water Department, stated bids were received on August 20th for repainting the Berlin Water Tank. TankRehab was the low bidder with a bid of \$129,000.00; second lowest bidder was TankPro with a bid of \$157,945. Bids received were as high as \$348,958. He recommended awarding the bid to TankRehab.com. Commissioner Williams made the motion to award the bid to TankRehab.com. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

Consider awarding Bid No. 968 Heating & Cooling System for new building at the Eastside Road Department

Commissioner Williams stated no bids were received. Several vendors have been contacted; Commissioner Williams recommended making the award to the lowest vendor estimate. Commissioner Williams made the motion to accept the lowest vendor. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

E911 Board Appointment – Commissioner Williams

Commissioner Williams made the motion to re-appoint Euell Hodge to the E911 Board. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously. Mr. Hodge will serve a 4 year term which will expire September 1, 2012.

E911 Board Appointment – Recommendation from the City of Cullman

Chairman Kitchens made the motion to re-appoint Clarice Schafer to the E911 Board at the recommendation of the City of Cullman, Mayor, Don Green. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously. Ms. Schafer's term will expire September 1, 2012.

Resolution No. 2008-40 Cost of Living Raise, when approved, effective first payroll in October of each fiscal year

Chairman Kitchens explained rather than waiting until the anniversary date of each employee, beginning October 1st, every employee will receive a cost of living increase.

County Attorney Dan Willingham added this is primarily to stay within the accounting procedures of the auditors. Commissioner Williams, in order to clarify the resolution, stated that a specific rate of increase is not included in the resolution. Mr. Willingham stated it is true a rate of increase is not set; it is also true that the resolution does not state that the employees will receive an increase. When an increase is budgeted for and approved, the increase will be scheduled for the first pay period of the fiscal year.

Commissioner Williams made the motion to move the cost of living anniversary date to October 1st of each fiscal year. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

Resolution No. 2008-41 Park and Rec. and Library retirees

Chairman Kitchens asked for the County Attorney to inform the Commission on this resolution.

County Attorney Dan Willingham explained that the Legislature has passed a one time pay increase for retirees. The Commission will first have to vote and pass it before the pay increase goes into effect. The dilemma as been that Park and Recreation employees and Library employees were sometimes in the past considered as employees of their respective boards, not as county employees, although they paid into the retirement system. This resolution would treat them all the same and give them the same increase as other county retirees receive. If the commission passes this as a statutory one time pay increase, but desires the resolution to say that in the future those people (Park and Recreation and Library retirees) will also be treated as other county employee retirees the Commission will not have to do this every time.

Commissioner Willingham made a motion to pass Resolution No. 2008-41. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

County Attorney Dan Willingham stated on that same subject matter, he recommends passing a separate resolution converting the Retired Park and Recreation employees to county employees; the Retirement System wants to see a Resolution because Park and Recreation employees were technically not county employees; by Resolution they become county employees.

Chairman Kitchens entertained the motion for the County Attorney to draft a resolution for the purpose of bringing the retired Park and Recreation employees and the retired Library employees into the county system with passage of the resolution after the approval of the Commission.

Commissioner Williams made the motion to adopt the resolution for the purpose of bringing the Retired Park and Recreation and Library employees in to the county system. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

OLD BUSINESS

Commissioner Williams stated he made two appointments to the DHR Board at the last Commission Meeting. Mr. Rollo had some issues and will not be able to serve in the manner the board deserved. Commissioner Williams made the motion to appoint Mrs. Patty Housch to that position for the DHR Board. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

NEXT REGULAR COMMISSION MEETING WEDNESDAY, SEPTEMBER 10, 2008

Chairman Kitchens announced the next regular Commission Meeting will be Wednesday, September 10, 2008 at 10:00 am in the Commission Office Conference Room. The meeting has been changed from Tuesday to Wednesday due to the two Associate Commissioners being out of town.

ADJOURN

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

Wiley Kitchens, Chairman

J. Douglas Williams
Associate Commissioner

Wayne Willingham
Associate Commissioner