

**CULLMAN COUNTY COMMISSION MEETING**  
**May 26, 2009**

**CALL TO ORDER AND WELCOME**

Chairman James Graves called the Commission Meeting to order at 10:01 a.m. and welcomed the visitors.

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

Charlotte Slatton, County Clerk, called the roll; present were Chairman James Graves, Commissioner Wayne Willingham, Commissioner Doug Williams and County Attorney Dan Willingham. The invocation was given by the County Attorney and Commissioner Doug Williams led the Pledge of Allegiance.

**APPROVE MINUTES OF THE MAY 12, 2009 MINUTES, APPROVE APPROPRIATIONS, EXPENDITURES, REQUISITIONS, TRAVEL EXPENSES; AND APPROVE ALL JOURNAL ENTRIES TO BE POSTED.**

Commissioner Wayne Willingham made the motion to approve the May 12, 2009 minutes, approve appropriations, expenditures, requisitions, travel expenses and approve all journal entries to be posted. Commissioner Doug Williams made a second to the motion and upon a voice vote, the motion carried unanimously.

**PUBLIC COMMENTS**

Sherrie Binkowski, a teacher from Fairview Middle School, stated she has lost her job and wanted to know when the half cent sales tax for education would be addressed. Chairman Graves stated the earliest referendum, without a special election, would be the June 2010 primary.

**NEW BUSINESS**

**Resolution 2009-34 - Public Hearing for Cullman Area Regional Transportation Service (CARTS) funding**

Chairman Graves stated a public hearing on federal funding for CARTS is required annually. He stated that CARTS provides transportation for Cullman County residents for medical appointments and shopping. The County funds 45% of the CARTS budget; federal funds and revenue generated from the CARTS operation complete the CARTS budget.

**Consider surplus of Vehicles from Revenue Commissioner**

Barry Willingham, Revenue Commissioner, requested the following vehicles be declared surplus and transferred from Reappraisal to the County Commission.

2002 Chevrolet Tahoe VIN # 1GNEC13V12J256548

2000 Dodge Caravan VIN # 2B4GP44G9YR812761

Commissioner Williams made a motion to surplus the vehicles. Commissioner Willingham seconded, and upon a voice vote, the motion passed unanimously.

**Discussion of Data Sharing Agreement with FEMA**

Barry Willingham stated the data sharing agreement will allow FEMA to update the County's flood maps. The County will supply current mapping to FEMA and in return the County will receive the updated information at no cost. Attorney Willingham stated he had not seen the FEMA agreement. Commissioner Williams made a motion to authorize Barry Willingham, Revenue Commissioner, to sign the data sharing agreement with FEMA pending the County Attorney's review and evaluation of the agreement. Commissioner Willingham seconded, and upon a voice vote, the motion passed unanimously.

Barry Willingham stated the contract for aerial photography is being evaluated. Currently one third of the County is photographed each year. A cost analysis will determine if there would be a savings by photographing the entire County once every three years.

**Chairman Graves to appoint Dr. James V. Thomas to the Cullman County Economic Development Board**

Commissioner Willingham made a motion to appoint Dr. James V. Thomas to the Cullman County Economic Development Board to serve the unexpired term of Wayne Walker until January 19, 2015. Commissioner Williams seconded, and upon a voice vote, the motion passed unanimously.

**Resolution 2009-31 – Reduce weight limit on County Road 783**

Fred Penn, County Engineer, stated residents on County Road 783 have complained of road damage due to heavy truck traffic. Mr. Penn recommended setting the weight limit at 15 tons. Commissioner Williams made a motion to set the weight limit on County Road 783 at 15 tons. Commissioner Willingham seconded. The motion passed on a unanimous voice vote.

**Discussion establishing a Cemetery Rehabilitation Authority Board in Cullman County**

Chairman Graves stated the Commission is considering establishing a Cemetery Rehabilitation Authority Board. Problems have risen over the circumstances surrounding Cullman Memory Gardens Cemetery closing last year. The main purpose of the board will be to manage and maintain Cullman Memory Gardens, but other neglected cemeteries within the County could also come under the management of the board. County Attorney Dan Willingham stated he has drawn up the necessary documents to establish the board. The 2007 state statute does not designate the number of board member or the term limits. He recommended a five member board each serving a four or six year staggered term. The board would have access to the current \$115,000 escrow account made up of citizen's pre-burial payments and also funds generated from future sales of plots. The establishment of the board will be discussed at the next Commission meeting after review of all documents and a slate of possible board members is assembled.

Commissioner Williams thanked a group from St. John's Evangelical Protestant Church for their efforts in mowing and cleaning the cemetery the previous weekend.

**Authorize Phyllis Little as designated representative to sign the state-local disaster assistance agreement with FEMA**  
Kelly Allen from the EMA Office stated the agreement is a 75% federal, 10% state and 15% local in kind match for storm damage incurred from the April 10-13, 2009 storms. Commissioner Williams made a motion to designate Phyllis Little, EMA Director, to sign the state-local disaster assistance agreement with FEMA. Commissioner Willingham seconded, and upon a voice vote, the motion passed unanimously.

**Consider awarding Bid No. 1001 – Metal Pipe**

Fred Penn, County Engineer, stated Harvey Culvert Company, Inc. was the low bidder and recommended awarding the bid. Commissioner Willingham made a motion to award the bid for metal pipe to Harvey Culvert Company, Inc. Commissioner Williams seconded, and upon a voice vote, the motion passed unanimously.

**Consider awarding Bid No. 1008- One or more current model pick-up truck(s)**

Commissioner Willingham stated Mitch Smith Chevrolet met all the bid specifications and made a motion to award the bid for one or more current model pick-up truck(s). Commissioner Williams seconded, and upon a voice, the motion passed unanimously.

**Resolution 2009-32 – Authorize the Chairman to sign the Energy Efficiency and Conservation Block Grant (EECBG) application**

Sammie Danford from the Economic Development Office stated this is an EECBG formula grant for \$335,000.00. The application deadline is June 25, 2009. This grant is part of the President's American Recovery and Reinvestment Act of 2009. Chairman Graves stated the Commission is looking at the possibility of replacing the windows in the Courthouse or installing efficient interior lighting in the Courthouse. Commissioner Williams made a motion to authorize the Chairman to sign the EECBG application. Commissioner Willingham seconded. The motion passed on a unanimous voice vote.

**Resolution 2009-33 – Authorize the Chairman to sign the grant application for the RTP Project # 09-RT-55-01, Stoney Lonesome Park**

Chairman Graves stated the grant for \$442,060.00 is additional funding to be used at the OHV Park. Commissioner Williams made a motion to authorize the Chairman to sign the grant application with the Alabama Department of Economic and Community Affairs (ADECA) for Stoney Lonesome Park. Commissioner Willingham seconded, and upon a voice vote, the motion passed unanimously.

**Discussion of Fire Association Training Facility**

Chairman Graves stated the Fire Association has approached the County Commission concerning the possibility of building a training facility. Commissioner Williams stated that continuing education is required for all fire fighters, with current training options which require extended travel resulting in expenses for lodging, food and travel. The Fire College has agreed that training for fire fighters and EMA personnel could take place in the county with the proper facility, resulting in substantial savings. This facility would have the potential of generating revenue if other North Alabama counties send their personnel to Cullman for training instead of to Tuscaloosa. Both road departments have agreed to supply labor for site preparation. Commissioner Willingham made a motion to increase the appropriation to the Fire Association by \$49,900.00 to be used for construction of a training facility. Commissioner Williams seconded, and upon a voice vote, the motion passed unanimously.

**Consider granting an easement for the Cullman Masonic Lodge**

Dan Willingham, County Attorney, stated the Cullman Masonic Lodge desires to construct a new building located between Hwy 31 and Rosemont Avenue. The County owns a small section of land adjacent to Rosemont Avenue and the property where the lodge is to be built. Since the County property is part of Sportsman Lake, Mr. Willingham recommended granting an easement to allow access from Rosemont Avenue. Commissioner Willingham made a motion to grant an easement to the Cullman Masonic Lodge for access off Rosemont Avenue to the new building site. Commissioner Williams seconded, and upon a voice vote, the motion passed unanimously.

**Discussion Duck River Dam Project**

Chairman Graves stated that talks continue between the County Commission and the City of Cullman regarding the best avenues for moving forward on the Duck River Dam Project. There is a June 1, 2009 deadline for the filing of appeals to block the project. He also addressed the problem of contaminants in the water; the further water travels in the pipelines the higher the contaminant level. New federal standards will require lower contaminant counts by 2012 which will require changes in the filtering of the County's water supply.

**NEXT REGULAR COMMISSION MEETING TUESDAY, JUNE 9, 2009**

Chairman Graves announced the next regular Commission Meeting will be Tuesday, June 9, 2009 at 10:00 a.m. in the Commission Office Conference Room.

**ADJOURN THE MEETING**

Chairman Graves asked if there was further business to consider and there was none. Chairman Graves adjourned the meeting at 10:40 a.m.

---

James D. Graves, Chairman

---

J. Douglas Williams  
Associate Commissioner

---

Wayne Willingham  
Associate Commissioner