

CULLMAN COUNTY COMMISSION MEETING
August 28, 2009

CALL TO ORDER AND WELCOME

Chairman James Graves called the Commission Meeting to order at 10:00 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 Doug Williams, Commissioner Wayne Willingham, and County Attorney Dan Willingham. The invocation was given by Attorney Willingham and Commissioner Williams led the Pledge of Allegiance.

APPROVE MINUTES OF THE AUGUST 11, 2009 MINUTES, APPROVE APPROPRIATIONS, EXPENDITURES, REQUISITIONS, TRAVEL EXPENSES; AND APPROVE ALL JOURNAL ENTRIES TO BE POSTED.

Commissioner Doug Williams made the motion to approve the August 11, 2009 minutes, approve appropriations, expenditures, requisitions, travel expenses and approve all journal entries to be posted. Commissioner Wayne Willingham made a second to the motion and upon a voice vote, the motion carried unanimously.

PUBLIC COMMENTS

Earl Roberts, a resident of County Road 202, inquired about the scheduled completion of work on County Road 202.

John Culver requested that County Road 207 and 208 be made a one-way loop since it is too narrow to accommodate boats and trailers meeting on-coming traffic.

Shirley Rhodes, who resides across the road from the West Side Road Department, addressed the Commission concerning flooding in the area and requested the ditches be cleaned.

Michael Grizzard addressed the Commission concerning five lots he owns in Green Tree Estates. An individual has built a structure that sits on part of Mr. Grizzard's property and a section of County right-of-way of an unconstructed portion of County Road 630. Attorney Willingham recommended the County vacate the unconstructed portion of County Road 630; this will enable Mr. Grizzard to proceed with other legal recourse without the County being involved in the litigation. Commissioner Williams made a motion to vacate a portion of unconstructed County Road 630 located in the Green Tree Estates Subdivision and set a public hearing. Commissioner Willingham seconded, and upon a voice vote, the motion passed unanimously.

A resident of County Road 203 inquired about the time table for the completion of road work.

NEW BUSINESS

Consider donation of \$1,000.00 to the Center Hill Community Center

Commissioner Williams made a motion to donate \$1,000.00 to the Center Hill Community Center. Commissioner Willingham seconded, and upon a voice vote, the motion passed unanimously.

Chairman Graves commented that due to budgetary constraints, the \$1,000 donations that have been given to the Community Centers for the past several years, may be cut from the 2010 budget.

Consider donation of \$6,000.00 for Oktoberfest

Chairman Graves stated the Commission has received a request for \$6,000.00 for Oktoberfest, an increase of \$1,000.00 from last year. Commissioner Willingham made a motion to donate \$5,000.00. Commissioner Williams seconded. The motion passed on a unanimous voice vote.

Surplus various broken equipment from the Revenue Department

Commissioner Williams made a motion to surplus various broken equipment from the Revenue Department. Commissioner Willingham seconded. The motion carried on a unanimous voice vote.

Resolution 2009-50 - Authorize the Chairman to sign all grant application documents for City/County AL Hwy 157 widening project

Chairman Graves stated the widening of Highway 157 from Highway 31 to Highway 278E is the project of first priority for the County and City. Both governments have gone together to request this project which is currently slated for 2011 if funding is available. Commissioner Williams made a motion to authorize the Chairman to sign all grant application documents related to the widening of AL Hwy 157. Commissioner Willingham seconded, and upon a voice vote, the motion passed unanimously.

Consider donation of \$1,000.00 to the Town of Joppa Community Center

Commissioner Williams stated the Community Center in Joppa is a polling place and made a motion to donate \$1,000.00 for repairs. Commissioner Willingham seconded, and upon a unanimous voice vote, the motion carried.

Consider approval of proposed plat for Shadowrock Estates, Phase I, located in District 2 off County Road 871

Keith Creel, Assistant Engineer, stated a \$93,000.00 surety bond was posted in April 2009. The developer desires to add five (5) additional lots on the off-water side of the subdivision. Roads have not been completed. Mr. Creel recommended acceptance of Phase I under the existing \$93,000.00 surety. Commissioner Willingham made a motion to approve the

proposed plat for Shadowrock Estates, Phase I. Commissioner Williams seconded. The motion passed on a unanimous voice vote.

Consider approval of proposed plat for Lakeshore West, Phase VIII and VIIIA, located in District 2, off County Road 175

Mr. Creel stated a variance for the roads in the subdivision was granted at the previous Commission Meeting. All necessary documents have been received. He recommended acceptance of the plat. Commissioner Willingham made a motion to approve the proposed plat for Lakeshore West, Phase VIII and VIIIA. Commissioner Williams seconded, and upon a voice vote, the motion passed unanimously.

Consider acceptance of County Road 365 extension, located in District 2 in the Clearwater Shores Subdivision, into the County maintenance system

Mr. Creel stated the half mile road has been built by the County's guidelines and has been maintained in good repair for one year. He recommended accepting it into the County's maintenance system. Commissioner Willingham made a motion to accept County Road 365 extension, located in District 2 in the Clearwater Shores Subdivision, into the County maintenance system. Commissioner Williams seconded. Upon a voice vote, the motion passed unanimously.

Resolution 2009-51 – Allow the Chairman to sign agreements associated with the search for additional water sources

Attorney Willingham read the resolution authorizing the County to explore alternate water sources. Commissioner Williams made a motion to accept Resolution 2009-51 to authorize the Chairman to sign agreements associated with the search for additional water sources. Commissioner Willingham seconded, and upon a voice vote, the motion passed unanimously.

Resolution 2009-52 – Allow the Chairman to sign ADECA agreements associated with grants for the Grandview Community Center

ADECA has notified the County of a \$25,000.00 appropriation from Senator Zeb Little for the Grandview Community Center. Attorney Willingham read the Resolution which authorizes the Chairman to request the grant funding. Chairman Graves encouraged other community centers to contact their representatives and make funding request. Commissioner Williams also encouraged the community centers to contact their legislative delegation and request "their \$25,000.00". Commissioner Willingham made a motion to authorize the Chairman to request the grant for the Grandview Community Center. Commissioner Williams seconded. Upon a unanimous voice vote, the motion passed.

OLD BUSINESS

Resolution 2009-53 – Declaration of Restrictive Covenants -Mitigation credits (Permit 14) for the OHV Park

Attorney Willingham stated the Army Corp of Engineers has requested mitigation planning for the OHV Park. The surveyor has designated one acre along a stream, measuring 400'± by 100' that will not be disturbed. There will be a perpetual restriction on the property. Mr. Willingham stated additional documents will be required. Chairman Graves stated that all of the \$2.4 million that has been spent in the development of the OHV Park has been federal grant money not money spent from the general fund. Commissioner Williams made a motion to allow the Chairman to sign the necessary documents related to the mitigation credits for the OHV Park. Commissioner Willingham seconded. The motion carried on a unanimous voice vote.

Chairman Graves announced the next meeting of NARCOG will be September 23, 2009 at the Decatur office of NARCOG.

NEXT REGULAR COMMISSION MEETING TUESDAY, SEPTEMBER 8, 2009

Chairman Graves announced the next regular Commission Meeting will be Tuesday, September 8, 2009 at 10:00 a.m. in the Commission Office Conference Room.

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ADJOURN THE MEETING

Chairman Graves asked if there was further business to consider and there was none. Chairman Graves adjourned the meeting at 10:48 a.m.

James D. Graves, Chairman

J. Douglas Williams

Associate Commissioner

Wayne Willingham

Associate Commissioner