

**CULLMAN COUNTY COMMISSION MEETING  
December 11, 2012**

**CALL TO ORDER AND WELCOME**

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

**CALL OF ROLL TO ESTABLISH QUORUM**

The County Clerk called the roll; present were Chairman Kenneth Walker, Commissioner Darrell Hicks, Commissioner Stanley Yarbrough and County Attorney Heath Meherg. The invocation was given by Buchanan Jackson. Tammy Brown led the Pledge of Allegiance.

**APPROVE MINUTES OF THE NOVEMBER 27, 2012 MEETING, APPROVE APPROPRIATIONS, EXPENDITURES, and REQUISITIONS AND APPROVE ALL JOURNAL ENTRIES TO BE POSTED.**

Commissioner Hicks made the motion to approve the minutes from the November 27, 2012 Commission Meeting, approve appropriations, expenditures, requisitions and approve all journal entries to be posted. Commissioner Yarbrough seconded the motion which passed on a unanimous voice vote.

**PUBLIC COMMENTS**

**Kenneth Kilgo**, mayor of West Point, addressed the Commission concerning the building of storm shelters in West Point. They have obtained a FEMA grant for the shelters; however there is a match associated with the grant and he requested the County consider assisting West Point with the site prep work which could be claimed against the match as in-kind cost. He also stated the town is working on getting additional retail businesses to locate in West Point.

**NEW BUSINESS**

**Consider abatement for Magnet Paint & Shellac Co., Inc. of \$1,720,000 for building and equipment**

Kevin Jackson from the City of Cullman Economic Development Office informed the Commission that Magnet Paint & Shellac Co., Inc. is relocating the manufacturing operation from New York to the West Point area. There will be 25 jobs created. Attorney Meherg stated the County has been given the assurance by West Point that they will be considering the abatement in their council meeting next week. The abatement is for \$1,720,000 for equipment and building. Commissioner Yarbrough made a motion of approve the abatement for Magnet Paint and Shellac Co., Inc. Commissioner Hicks seconded the motion which passed on a unanimous voice vote.

**Authorize the Commission to sign a Request for Assent to vacate 6<sup>th</sup> St SW between 1<sup>st</sup> and 2<sup>nd</sup> Ave SW**

Attorney Meherg stated the County is requesting the City of Cullman consider vacating 6<sup>th</sup> St. SW between 1<sup>st</sup> and 2<sup>nd</sup> Ave. SW, which is the one block street south of the courthouse. Commissioner Hicks made a motion to approve the signing of the Request for Assent to be sent to the City of Cullman. Commissioner Yarbrough seconded. The motion passed on a unanimous voice vote.

**Authorize the Chairman to purchase and negotiate financing for the First Federal Savings & Loan Building located at 325 2<sup>nd</sup> Street SE**

Chairman Walker explained the Economic Development Office, whose building was destroyed in last year's tornado, had leased the upper floor of the old First Federal Savings & Loan Building as a temporary office space. The County has now decided to purchase the building and Economic Development will move to the first floor. Commissioner Hicks made a motion to authorize the Chairman to purchase and negotiate financing for the property located at 325 2<sup>nd</sup> Street SE. Commissioner Yarbrough seconded. Upon a unanimous voice vote, the motion carried.

**Authorize the signing of a Hazard Mitigation Grant Program (HMGP) grant for Siren Upgrades**

Phyllis Little, EMA Director, stated an upgrade is needed to meet FCC narrow-banding requirement mandates. The County's share of the project cost is \$22,832 with the project work to begin within 90 days of approval of the grant and all items completed within a three year time frame. Commissioner Yarbrough made a motion to authorize the signing of the Hazard Mitigation Grant Program (HMGP) grant for siren upgrades. Commissioner Hicks seconded the motion which passed on a unanimous voice vote.

**Authorize the payment of the liability insurance premium to the ACCA**

Gary Teichmiller, County Administrator, stated the County's liability insurance is with the ACCA and administered by Meadowbrook. The premium this year is \$439,915 which represents a \$4,000 increase; however the County will have a return of \$6,000 in safety incentives. Commissioner Yarbrough made a motion to authorize the payment of the liability insurance premium. Commissioner Hicks seconded. The motion carried on a unanimous voice vote.

**Ratify the Chairman signing the Cooperative Agreements between the Juvenile Detention Center and various medical agencies**

Mr. Teichmiller explained the agreements are done annually for medical services that are required at the Juvenile Detention Center. Commissioner Hicks made a motion to ratify the Chairman signing the cooperative agreements between the Juvenile Detention Center and various medical agencies. Commissioner Yarbrough seconded. Upon a unanimous voice vote, the motion passed.

**Ratify the Chairman signing the agreement regarding the purchase of the Bate's property for the sole use of the Sheriff's Department**

Attorney Meherg explained the Commission, in a previous commission meeting, had authorized the purchase of the property with discretionary funds from the Sheriff's Department. The Chairman has signed an agreement stating property will be for the sole use of the Sheriff's Department. Commissioner Hicks made a motion to ratify the signing of the agreement. Commissioner Yarbrough seconded the motion which passed on a unanimous voice vote.

**Resolution 2013-12 – Appointment of Secretary of State as agent for paying postage costs related to voter file maintenance and authorize the Chairman to sign the agreement**

Attorney Meherg stated periodically mandatory maintenance is required to update voter files regarding residency and eligibility. The agreement is for postage reimbursement from the State Elections Fund. Commissioner Yarbrough made a motion to approve the resolution. Commissioner Hicks seconded. The motion passed on a unanimous voice vote.

**Consider approval of plat for Smith Lake RV Resort - Phase 1A, located in District 2 on County Road 2030**

Keith Creel, Engineering Assistant, stated the road is in a private and gated community. The road is being extended for three additional lots. Although this will be private road, the County requires it be built to the guidelines which the County has established. He stated it meets the regulations for a minor subdivision and recommended approval. Commissioner Yarbrough made a motion to approve the plat for Smith Lake RV Resort - Phase 1A, located in District 2 on County Road 2030 off County Road 202. Commissioner Hicks seconded. Upon a unanimous voice vote, the motion passed.

**Approve the purchase of various steel materials for bridge construction work on Co Rd 1755 from JSM Russell Metals, Corp – cost \$14,866**

Mr. Brunner explained several quotes were obtained for the purchase of rebar and angle irons for the bridge construction on County Road 1755. JSM Russell Metals, Corp. had the lowest price quote at \$14,866. Commissioner Hicks made a motion to approve the purchase of the steel materials. Commissioner Yarbrough seconded. The motion passed on a unanimous voice vote.

**Bid No. 1120 – Herbicides**

Jon Brunner, County Engineer, stated there was one bid, Helena Chemical. He recommended awarding the bid. Commissioner Hicks made a motion to award the bid for herbicides to Helena Chemical. Commissioner Yarbrough seconded the motion which passed on a unanimous voice vote.

**Bid No. 1121 – Bituminous Plant Mix**

Mr. Brunner stated there was one bid for bituminous plant mix which was high. He recommended rejecting the bid and rebidding. Commissioner Yarbrough made a motion to reject the bid for bituminous plant mix due to the high price and rebid. Commissioner Hicks seconded. The motion passed on a unanimous voice vote.

**Extend Bid No. 1161 – Metal Pipe – Bear Concrete**

Commissioner Hicks made a motion to extend Bid No. 1161 for metal pipe to Bear Concrete for one year. Commissioner Yarbrough seconded the motion which passed on a unanimous voice vote.

**Ratify the following personnel actions:**

Promotion:	John Harris	Water Dept – full time
	Noble Shadowens	Sheriff's Dept
Dismissal:	Chris Villa	Sheriff's Dept – full time
Resignation:	Kristy Speegle	Juvenile Detention – full time

Commissioner Yarbrough made a motion to ratify all personnel actions. Commissioner Hicks seconded. Upon a unanimous voice vote, the motion carried.

**NEXT REGULAR COMMISSION MEETING THURSDAY, DECEMBER 20, 2012**

Chairman Walker announced the next commission meeting will be Thursday, December 20, 2012 at 10:00 a.m. in the commission meeting room.

**ADJOURN THE MEETING**

Commissioner Hicks made a motion to adjourn the meeting. Commissioner Yarbrough seconded the motion. Chairman Walker adjourned the meeting at 10:19 a.m.

/s/  
Kenneth Walker, Chairman

/s/  
Darrell Hicks,  
Associate Commissioner

/s/  
Stanley Yarbrough,  
Associate Commissioner