

CULLMAN COUNTY COMMISSION MEETING
November 25, 2014

CALL TO ORDER AND WELCOME

Chairman Walker called the Commission Meeting to order at 10:00 a.m.

CALL OF ROLL TO ESTABLISH QUORUM

The County Clerk called the roll; present were Chairman Kenneth Walker, Commissioner Kerry Watson, Commissioner Garry Marchman and County Attorney Heath Meherg. The invocation was given by Revenue Commissioner Barry Willingham. Chairman Walker led the Pledge of Allegiance.

APPROVE MINUTES OF THE NOVEMBER 12, 2014 MEETING; APPROVE APPROPRIATIONS, EXPENDITURES, REQUISITIONS AND ALL JOURNAL ENTRIES TO BE POSTED.

Commissioner Marchman made the motion to approve the minutes from the November 12, 2014 Commission Meeting; approve appropriations, expenditures, payroll, requisitions and all journal entries to be posted. Commissioner Watson seconded the motion which passed on a unanimous voice vote.

PUBLIC COMMENTS

Lavell Thrasher thanked the Commission for their service and the leadership standard they set for the County. Often we fail to realize what a special place Cullman is with low unemployment and an enhanced value of life. He thanked the Commission for their contribution to the cultural aspects through the donation to the Community Concert Association. Through the County's contribution, the Association is offering a Christmas concert which is free to the public on December 15th at 7:00 at WSCC in the Betty Leeth Haynes Auditorium. Everyone is asked to bring canned food items for the food bank.

Johnny Dyar, Mayor of Baileyton, addressed the Commission concerning the polling location in Baileyton.

Mayor Dyar also addressed the problem with the loss of jail trustee labor and wanted to know when Baileyton could get their trustee back. Max Bartlett, Chief Deputy, explained the Sheriff has received two letters from the insurance carrier stating trustees are not covered under the Sheriff's liability policy. If an inmate is injured while working at one of the municipalities, the County's policy will not be responsible. A municipality can sign a waiver accepting responsibility for trustee; some have already done so. Mayor Dyar stated he would not sign the waiver.

NEW BUSINESS

Resolution authorize the Chairman to sign all documents pertaining to the Municipal Continuing Disclosure Initiative

Heath Meherg, County Attorney, explained the Security & Exchange Commission is requiring compliance documents, questioners and disclosure procedures going forward. It is recommended that all bonds be reviewed for compliance on disclosure. There is an "amnesty period" where disclosure of any mistakes can be made without penalty. The adoption of these measures will protect the County. We do not feel we have done anything wrong; however this self-reporting will help to ensure there are no severe consequences in the future for failure to take this initiative. The ACCA has recommended the submission of the disclosure documents.

Heyward Hosch from the law firm of Maynard, Cooper & Gale addressed the Commission reiterating the importance of going forward with the disclosure initiative. As bond counsel for the County's bond issue, their law firm will complete all compliance documents without charge to the County.

Commissioner Watson made a motion to authorize the Chairman to sign all documents pertaining to the Municipal Continuing Disclosure Initiative. Commissioner Marchman seconded. The motion passed on a unanimous voice vote.

Consider the engagement of Maynard, Cooper & Gale to perform services associated with Municipal Continuing Disclosure Initiative

Commissioner Marchman made a motion to authorize the Chairman to sign the letter of engagement with Maynard, Cooper & Gale to perform services associated with Municipal Continuing Disclosure Initiative. Commissioner Watson seconded and the motion carried on a unanimous voice vote.

Authorize the Chairman, as Acting Director of Commission on Aging, and the CARTS Director to sign the CARTS Contract for Services for FY 2015

Gary Teichmiller, County Administrator explained this is an annual contract required by ALDOT from any agency for whom CARTS provides service. Commissioner Watson made a motion to authorize the signing of the contract for CARTS services for FY 2015. Commissioner Marchman seconded. Upon a unanimous voice vote, the motion passed.

Authorize the Chairman to sign the Cooperative Agreement between Dr. Paul Bussman, the Juvenile Detention Center and Cullman County for dental service for juvenile inmates

Tanya Sears, Director of the Juvenile Detention Center, stated the Department of Youth Services requires an agreement be in place for emergency dental treatment for juveniles. This is the same agreement that has been in place for several years. Commissioner Marchman made a motion to authorize the Chairman to sign the cooperative agreement with Dr. Bussman. Commissioner Watson seconded. The motion passed on a unanimous voice vote.

Authorize the renewal of the property, inland marine and automobile insurance policy with Travelers Insurance through Smith-Gray Insurance Agency, Inc. – total premium \$322,545

Gary Teichmiller, County Administrator, stated the premium for renewal has increased approximately 3%. Travelers Insurance has given the County good service and he recommended renewal of the policy. Commissioner Watson made a motion to renew the property, inland marine and automobile insurance policy with Travelers Insurance through Smith-

Gray Insurance Agency, Inc. at a cost of \$322,545. Commissioner Marchman seconded and the motion passed on a unanimous voice vote.

Consider acceptance of deed for property from the estate of Randy Hale left to the Animal Shelter

Heath Meherg, County Attorney, stated the property was given to the Animal Shelter from the estate of Randy Hale. His attorney has delivered a deed to the County. Commissioner Marchman made a motion for the County to accept the deed for the property. Commissioner Watson seconded. The motion passed on a unanimous voice vote.

Consider the approval of a default judgment being filed in Cullman County v. East Point Tire, Inc.

Mr. Meherg stated the case involves non-payment of back sales tax. A complaint was filed against the business owner earlier this year. The County was hopeful the issue could be resolved. The County will seek a default judgment since there has been no response from the business. Commissioner Watson made a motion to approve the filing for a default judgment in Cullman County v. East Point Tire, Inc. Commissioner Marchman seconded. Upon a unanimous voice vote, the motion passed.

Consider the approval of a motion to dismiss in the Rhonda Hogland v. Cullman County.

Mr. Meherg explained a notice of claim was originally filed with the Circuit Clerk and not with the County Commission. The case was placed on the Administrative Docket. There has been no attorney response. Ms. Hogland was previously employed as a nurse at the jail under a contract with Dr. George Lyrene. She feels she was wrongfully terminated and she is accusing the county commission of not protecting her. She has never been a county employee. Commissioner Watson made a motion to approve the request of a motion to dismiss in the Rhonda Hogland v. Cullman County. Commissioner Marchman seconded the motion which passed on a unanimous voice vote.

Consider authorizing the Park Director to obtain an appraisal and survey of additional property adjacent to Stoney Lonesome OVH Park for possible purchase

Doug Davenport stated the property is 7-10 acres adjacent to land purchased by the park earlier this year. The property owner desires to sell this additional acreage to "square off" the property line. Commissioner Watson made a motion to authorize the Park Director to obtain an appraisal and survey. Commissioner Marchman seconded. The motion passed on a unanimous voice vote.

Consider waiver of Ag Center rental fee for the Sheriff Department's Special Needs Rodeo

Chairman Walker stated the County is happy to assist with the Sheriff's Rodeo which benefits those with special needs. Commissioner Marchman made a motion to approve the waiver of rental fees for the Ag Center for the Special Needs Rodeo. Commissioner Watson seconded and the motion passed on a unanimous voice vote.

Consider a request from Beat 8 Community Center for \$500 for polling maintenance and operational support

Commissioner Marchman made a motion to approve the request from Beat 8 Community Center for \$500 for polling maintenance and operational support. Commissioner Watson seconded and the motion passed on a unanimous voice vote.

Consider a request from Baileyton Senior Center for \$500 for polling maintenance and operational support

Commissioner Watson made a motion to approve \$500 for polling maintenance and operational support for the Baileyton Senior Center. Commissioner Marchman seconded. Upon a unanimous voice vote, the motion passed.

Consider a request from the Reappraisal Department for the purchase of hardware/software from Teklinks – total cost 17,956.00

Barry Willingham, Revenue Commissioner, explained earlier this year Microsoft is no longer supporting Windows XP. The equipment is an upgrade for the network server and software for the virtualization of desktop PCs. The purchase will be from the North Alabama Purchasing Cooperative bid. The equipment and software will be used by all departments in the County and paid for from the Reappraisal Budget. Commissioner Watson made a motion to approve the purchase of the hardware/software from Teklinks at a cost of \$17,956.00. Commissioner Marchman seconded. The motion passed on a unanimous voice vote.

Authorize reimbursement to the Sheriff's Department for repairs to the detention center boiler - \$6,222.00

Max Bartlett, Chief Deputy, stated the boiler at the jail required repairs done by Blocher Company at a cost of \$6,222.00. Commissioner Marchman made a motion to approve the repairs. Commissioner Watson seconded and the motion passed on a unanimous voice vote.

Authorize payment to ALDOT in the amount of \$238,280 for project ACNU59757-ATRP (004) ATRIP 22-03-11, County Road 1101

Jon Brunner, County Engineer, stated the paving of County Road 1101 is part of the Phase 2 of ATRIP. The bid has been awarded to Good Hope Contracting. Commissioner Marchman made a motion to authorize the payment to ALDOT for the paving of County Road 1101 in the amount of \$238,280. Commissioner Watson seconded the motion. Upon a unanimous voice vote, the motion passed.

Resolution 2015-07 – Resurfacing County Road 1742 from US 278 to State Road 67 – 4.77 miles; ALDOT project ST-022-888-011, CCP 22-17-42, CPMS ref# 100063233

Mr. Brunner stated ALDOT is paying 50% of the project. The County's 50% will be in-kind labor and materials amounting to approximately \$200,000. Commissioner Watson made a motion to approve the resolution for the resurfacing of County Road 1742 from US 278 to State Road 67. Commissioner Marchman seconded. The motion passed on a unanimous voice vote.

Resolution 2015-08 – Resurfacing County Road 1114 from US 278 to Hwy 157 – 6.09 miles; ALDOT project ACNU61272-ATRP (008); CCP# 22-01-24; ATRIP# 22-05-24

Jon Brunner, County Engineer, stated the ATRIP project is part of Phase 3. The bid has been let and should be awarded the first of December. Commissioner Marchman made a motion to approve the resolution for the resurfacing of County Road 1114 from US 278 to Hwy 157. Commissioner Watson seconded and the motion passed on a unanimous voice vote.

Consider approval of plat for Lakeshore West, Phase 9 - B, located in District 2 on County Road 201

Keith Creel, Engineering Assistant, stated two (2) lots are involved and they meet the County's requirements for a minor subdivision. He recommended approval of the plat. Commissioner Marchman made a motion to approve the plat for Lakeshore West, Phase 9-B, located in District 2 on County Road 201. Commissioner Watson seconded the motion which passed on a unanimous voice vote.

Consider the purchase of two (2) 10' Bush-Whacker bush hogs from the State Bid List through Hall Manufacturing - cost \$15,425.10

Jon Brunner, County Engineer, stated the equipment will be used for routine regular maintenance. They will be replacing three old pieces of equipment. Commissioner Watson made a motion to approve the purchase of two (2) 10' Bush-Whacker bush hogs from the State Bid List through Hall Manufacturing at a cost of \$15,425.10. Commissioner Marchman seconded and the motion carried on a unanimous voice vote.

Bid No. 1177 – Guardrail

Jon Brunner, County Engineer, stated one bid was received for guardrail and he recommended awarding the bid. Commissioner Marchman made a motion to award the bid for guardrail to Alabama Guardrail. Commissioner Watson seconded and the motion carried on a unanimous voice vote.

Bid No. 1179 – Heating Fuel - Reject

Commissioner Watson made a motion to reject the bid. Commissioner Marchman seconded. The motion passed on a unanimous voice vote.

WORK SESSION

The Commission will hold a Work Session on Tuesday, December 9, 2014, at 8:30 a.m. in the commission conference room.

NEXT REGULAR COMMISSION MEETING DECEMBER 9, 2014

Chairman Walker announced the next commission meeting will be Tuesday, December 9, 2014, at 10:00 a.m. in the commission meeting room.

ADJOURN THE MEETING

Commissioner Marchman made a motion to adjourn the meeting. Commissioner Watson seconded the motion and the meeting was adjourned at 10:32 a.m.

/s/ _____
Kenneth Walker,
Chairman

/s/ _____
Kerry Watson,
Associate Commissioner

/s/ _____
Garry Marchman,
Associate Commissioner