

CULLMAN COUNTY COMMISSION MEETING
October 27, 2015

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 roll was called; present were Chairman Kenneth Walker, Commissioner Kerry Watson and County Attorney Chad Floyd. Commissioner Garry Marchman was absent. The invocation was given by Tom Beason. Ben Harrison led the Pledge of Allegiance.

APPROVE MINUTES OF THE OCTOBER 13, 2015 MEETING; APPROVE APPROPRIATIONS, EXPENDITURES, REQUISITIONS AND ALL JOURNAL ENTRIES TO BE POSTED.

Commissioner Watson made the motion to approve the minutes from the October 13, 2015 Commission Meeting; approve appropriations, expenditures, payroll, requisitions and all journal entries to be posted. Chairman Walker seconded the motion which passed on a unanimous voice vote.

PUBLIC COMMENTS

John Lang, County Engineer, announced the disaster relief grant closeout for County Road 1518, County Road 38 and County Road 5 will be held today at 11:30 at the Economic Development Office.

Rachel Turner addressed the Commission on behalf of ten indigent patients who are receiving medical treatment at Cullman Oncology. She stated in 2009 Cullman Regional Medical Center contacted Cullman Oncology about entering into an agreement with their clinic to provide services for patients because the hospital could not obtain branded drugs donated by pharmaceutical companies. Dr. Nacilla and Dr. Yu felt it was their obligation to provide services to these indigent patients. The agreement was for the clinic to obtain the branded drugs and provide the personnel with the hospital covering the cost of generic drugs and medical equipment such as IV bags, needles, tubing etc. Since 2009, this has worked fine until about four months ago at which time payments from the hospital stopped. The hospital has not corresponded with the clinic. Some hospital board members have been willing to talk with the doctors others have not. These cancer patients were promised they would receive care and the hospital is not being held accountable for the promises they have made to the cancer patients. She stated the doctors will continue to provide the care these indigent patients, at their own expense, but they feel CRMC needs to fulfill the promises they made to these patients. She presented the Commission with a letter outlining the position of the clinic. (*See attachment*)

Chairman Walker stated the Commission does not control the operations of CRMC. He was asked if the Commission makes appointment to their board.

Jerry Smith asked if the County helps fund the hospital. Chairman Walker stated the funding does not come directly from the County but through taxes from the State of Alabama.

OLD BUSINESS

Consider a request for the expansion of the Holly Pond Cemetery – tabled October 13, 2015

Commissioner Watson made a motion to approve the expansion of the Holly Pond Cemetery based on the Health Department letter to the Commission. Chairman Walker seconded and the motion passed on a unanimous voice vote. The paperwork will be sent to the Probate Judge for her approval.

NEW BUSINESS

Public Hearing – 10-Year Solid Waste Management Plan

Commissioner Watson made a motion to open the public hearing. Chairman Walker seconded and the hearing was opened. Chairman Walker thanked the members of the Solid Waste Authority, Tom Beason, Mike Donaldson and Jerry Smith for their hard work in the development of the 10-year plan for the County Sanitation Department. They have volunteered many hours to serve on the board to develop this plan.

Tom Beason, Chairman of the Solid Waste Authority, explained the Authority was established in the early 1990's and functions as an intermediary between Cullman County, the City of Cullman and Cullman Environmental who runs the landfill. The Board is required by ADEM to update the Solid Waste Plan every ten years. The last one was done in 2004 with modification done in 2005; therefore the Board was not required to update the plan until 2015. All political entities in the county are required to participate in the plan. This includes the County and the eleven municipalities. If they do not participate, they must develop their own plan. The plan will be submitted to ADEM once all parties involved have signed.

Mr. Beason presented an overview of the plan including the collection and disposal process. Almost 200 tons are dumped at the landfill daily from the County, City of Cullman and the manufacturing facilities in the county. It is not anticipated that the landfill will exceed capacity during the next ten years. Hazardous materials are required to be transported for disposal; however the Board did not find any sources that require hazardous material disposal. Cullman Environmental takes solid waste from only Cullman County entities. The report also includes a plan for the expansion of the site.

Mr. Beason reported ADEM considers waste from poultry houses as solid waste. There are several hundred tons of poultry waste annually. Most of this waste is disposed of on farm and pasture land as fertilizer.

There are no major changes in the plan from the plan adopted in 2005. The management of the landfill will remain the same and the County and City will continue their collection services. There are currently no plans for a recycling

program in the County. The City of Cullman does have a recycling program with about 20%-25% customer participation. The program does cost the City of Cullman money to operate. It would be cost prohibitive to have a recycling program in the County comparable to the City's.

There were two options in the original contract which was signed in the 1990's between the County, City of Cullman and Cullman Environmental. At the end of twenty years: 1) Cullman Environmental had the option to purchase the landfill and 2) there was a clause for Cullman Environmental to automatically extend the contract for ten years. In October 2014 ownership of the landfill was conveyed to Cullman Environmental and the contract was extended ten years.

Currently between 70,000 and 80,000 tons of solid waste are dumped annually. The EPA continues to increase regulations on what can be done with solid waste and at some point the County will probably need to look at alternative options for solid waste disposal. At one time Cullman County looked at incineration as a means of disposal and it is still an option. However, he feels the process of gasification is a better alternative. It is similar to incineration but as you burn things like tires or roofing the gas can be turned into synthetic diesel fuel or material for paving of roadways. Metals are also recovered. What makes it very attractive is for every ton of garbage processed there is only 200 pounds of waste that needs to be buried. He recommended that the next board look into the possibility of gasification. It is not a cheap alternative, but when you consider the cost of solid waste disposal over the past twenty years it may be a viable alternative. Once the plan is approved and all municipalities sign their agreements, the plan will be sent to ADEM.

Commissioner Watson made a motion to close the public hearing. Chairman Walker seconded and the hearing was closed.

Commissioner Watson made a motion to approve the 10-Year Solid Waste Management Plan. Chairman Walker seconded and the motion passed on a unanimous voice vote.

Consider authorizing the Chairman to sign a contract the F&O Architects LLC for the design and construction of a training facility for the Sheriff's Department

Commissioner Watson stated the Sheriff will be covering the cost of the architectural design fees for the facility in the amount of \$17,500. Commissioner Watson made a motion to authorize the Chairman to sign a contract the F&O Architects LLC for the design and construction of a training facility for the Sheriff's Department. Chairman Walker seconded. Upon a unanimous voice vote, the motion carried.

Authorize the signing of a confidential settlement agreement for the Sheriff's Department

Commissioner Watson made a motion to authorize the signing of a confidential settlement agreement for the Sheriff's Department. Chairman Walker seconded the motion which passed on a unanimous voice vote.

Consider a settlement proposal concerning Big Bridge right-of-way issue

John Lang, County Engineer, recommended the settlement proposal be rejected. He feels the County can get better terms on an agreement even if it has to go to trial. Commissioner Watson made a motion to reject the settlement proposal concerning Big Bridge right-of-way issue. Chairman Walker seconded and the motion to reject the proposal and the motion passed on a unanimous voice vote.

Resolution 2016-02 – ADECA Surplus Property Division Closing

Chairman Walker explained ADECA has plans for closing the surplus property division at Eva. The office is a benefit to many entities in the county. He encouraged others to contact the Governor's Office and ADECA to oppose the closing of the Eva location. Commissioner Watson made a motion to approve the resolution opposing the closing of the ADECA Surplus Property Division in Eva. Chairman Walker seconded and the motion passed on a unanimous voice vote.

Resolution 2016-03 – Grant Pre-Application for 2016 Airport Improvement Project: South Taxiway Rehabilitation

Ben Harrison, Airport Manager, stated the project is for the re-asphalting of the south taxiway. The rehabilitation is in the airport's five year plan. The grant is a 90/10 grant. ALDOT may pay 5% of the cost with the other 5% being split between the County and City of Cullman. However, if ALDOT does not pay part of the match, the County and City will be responsible for the entire 10% match. Commissioner Watson made a motion to approve the submission of the grant pre-application for the 2016 airport improvement project. Chairman Walker seconded. The motion passed on a unanimous voice vote.

Resolution 2016-04 – Grant Pre-Application for 2016 State 50/50 grant for Cullman Regional Airport: Perimeter Fencing (Phase I and II)

Ben Harrison, Airport Manager, stated the plan is for new fencing and rehabilitation of some existing fence. The project has been divided into two phases because they are unsure of how much money will be available. The second phase may have to be done next year. Commissioner Watson made a motion to approve the grant pre-application for fencing projects for the airport. Chairman Walker seconded and the motion passed on a unanimous voice vote.

Consider approve of the purchase of a server from Syscon Computer System for system specific software for the Sales Tax Office

Chris King, Director of Sales Tax, stated the Sales Tax Office has needed to replace the outdated server for a couple of years, but funds have not been available. They have now been told if the server crashes, data cannot be retrieved. The server is system specific to the software used by Sales Tax. Commissioner Watson made a motion to approve the purchase of a server from Syscon for the Sales Tax Office at a cost of \$5,500. Chairman Walker seconded. Upon a unanimous voice vote, the motion passed.

Consider the surplus of three (3) SKW Diesel Generators from the Parks to be sold at auction

Commissioner Watson made a motion to surplus of three (3) SKW Diesel Generators from the parks to be sold at auction. Chairman Walker seconded and the motion passed on a unanimous voice vote.

Bid No. 1218 – Traffic Stripping

John Lang, County Engineer, stated J.C. Cheek Contractors were the low bidder with no stipulations and he recommended awarding the bid. Commissioner Watson made a motion to award the bid for traffic stripping to J.C. Cheek Contractors for one (1) year. Chairman Walker seconded the motion which passed on a unanimous voice vote.

Bid No. 1219 – One (1) or more 2015 model year pick-up truck(s)

Phyllis Little, EMA Director, stated two bids were received but only one met the specifications, Bill Smith Buick GMC. Commissioner Watson made a motion to award the bid for one (1) or more 2015 model year pick-up truck(s) to Bill Smith Buick GMC. Chairman Walker seconded the motion and it passed on a unanimous voice vote.

Approve payment of the FY 2016 NARCOG dues

Gary Teichmiller, County Administrator, stated these are the annual dues for services received from NARCOG. The cost is up about \$800 over FY-2015 with the total payment due of \$57,800. Commissioner Watson made a motion to approve the payment to NARCOG. Chairman Walker seconded. The motion passed on a unanimous voice vote.

Authorize the signing of an employment agreement for a mental health coordinator for the Office of the Judge of Probate, Cullman County, Alabama

Chad Floyd, County Attorney, stated the probate office lost an employee due to resignation and the agreement will replace the employee with a contract employee. Commissioner Watson made a motion to authorize the signing of the employment agreement for a mental health coordinator for the Probate Judge Office. Chairman Walker seconded the motion which passed on a unanimous voice vote.

Consider a settlement agreement in the Urmita, Inc. case

Chad Floyd, County Attorney, stated settlement proposal arises out of a suit filed by the County against Urmita, Inc. for failure to file and pay lodging’s tax with the County. The trial is set for next week. The settlement agreement states that all tax are to be paid by this Friday. (October 30, 2015) Commissioner Watson made a motion to authorize the signing of a settlement agreement with Urmita, Inc. for delinquent lodging’s taxes. Chairman Walker seconded. The motion passed on a unanimous voice vote.

Consider acceptance of County Road 2020 in Lakeshore West, Phase VIII & VIIIA, located in District 2.

Keith Creel, Engineering Assistant, stated the road was built to the County’s specification. They have requested the road be taken into the county’s maintenance system. The road has been inspected by the engineer and is in good repair. Commissioner Watson made a motion to accept County Road 2020, located in Lakeshore West Phase VIII and VIIIA, into the county maintenance system. Chairman Walker seconded. The motion passed on a unanimous voice vote.

WORK SESSION

The Commission will hold a Work Session on Tuesday, November 10, 2015, at 8:30 a.m. in the commission conference room.

NEXT REGULAR COMMISSION MEETING NOVEMBER 10, 2015

Chairman Walker announced the next commission meeting will be Tuesday, November 10, 2015 at 10:00 a.m. in the commission meeting room.

ADJOURN THE MEETING

Commissioner Watson made a motion to adjourn the meeting. Chairman Walker seconded the motion and the meeting was adjourned at 10:44 a.m.

/s/
Kenneth Walker,
Chairman

/s/
Kerry Watson,
Associate Commissioner

(ABSENT)
Garry Marchman,
Associate Commissioner