

**CULLMAN COUNTY COMMISSION MEETING**  
**October 25, 2016**

**CALL TO ORDER AND WELCOME**

Chairman Walker called the Commission Meeting to order at 10:02 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, County Administrator Gary Teichmiller and County Attorney Chad Floyd. The invocation was given by J.L. Parker. Ella Abbott led the Pledge of Allegiance.

**APPROVE MINUTES OF THE OCTOBER 11, 2016 MEETING; APPROVE APPROPRIATIONS, EXPENDITURES, REQUISITIONS AND ALL JOURNAL ENTRIES TO BE POSTED**

Commissioner Watson made the motion to approve the minutes from the October 11, 2016 Commission Meeting; approve appropriations, expenditures, payroll, requisitions and all journal entries to be posted. Commissioner Marchman seconded the motion which passed on a unanimous voice vote.

**PUBLIC COMMENTS**

There were no public comments.

**NEW BUSINESS**

**Proclamation – Honoring Mayor Max Townson**

The Proclamation was read aloud by the County Clerk and presented to Mayor Max Townson, outgoing Mayor of the City of Cullman. The Mayor made some remarks thanking the Commission for the cooperation the City and County have had over the past eight years while he has served as Mayor. Commissioner Marchman made a motion to approve the proclamation honoring Mayor Townson. Commissioner Watson seconded and the motion passed on a unanimous voice vote.

**Resolution 2017-05 – Application to ALDOT and the FAA for improvement funding assistance for FY-2017 project at the Cullman Airport**

Ben Harrison, Airport Manager, explained this is the third year of a five year plan. Plans for 2017 include work to the north taxiway and apron. If part of the work can be done by the County Road Department, this will free up funding for addition taxiway work that is currently scheduled for 2018. If funding is received from the FAA, it will be a 90/10/10 reimbursable grant with the County and City each paying 5%. The application is for \$600,000. Commissioner Watson made a motion to approve the resolution for application for funding for airport improvement for 2017. Commissioner Marchman seconded. The motion passed on a unanimous voice vote.

**Consider adopting the terms of the proposed Consent Order being offered in the Ryan Creek Acquisitions, Inc. v. Cullman County Commission case**

Chad Floyd, County Attorney, reported he and Commissioner Marchman attended a joint mediation on October 4, 2016 for the cases of Ryan Creek Acquisitions v. Cullman County Commission and Alabama Boating Center v. Fidelity National Insurance Company. All parties were present at the joint mediation, but were unsuccessful in reaching settlement on that date. This was the second attempt to settle this matter through mediation.

Approximately a week after the mediation, the County received notice that the parties to the Jefferson County case, Alabama Boating Centers and Fidelity National Insurance Company, had reached terms of a settlement outside of the mediation. Last week, Mr. Floyd received a proposed consent order that would settle the pending litigation between Ryan Creek Acquisitions and Cullman County. Mr. Floyd reviewed the order with the Commission explaining the first part of the consent order dealt with the procedural history of the case. He then read Paragraphs 1-4 of the Consent Order into the minutes of the meeting. The Order outlines: 1) The County will retain a 150 foot right-of-way easement, extending 75 feet in each direction from the center line of County Road 222 as described in the 1960 ROW Deed. This allows an easement for inspection and repair of Big Bridge. 2) That the Plaintiff shall receive their fee simple interest in the property as described in the 2006 deed, subject to the County's right-of-way easement. 3) That the Plaintiff will indemnify and hold harmless Cullman County against all claims arising from the fuel tank located at the property. 4) The concrete boat ramp is located outside the Cullman County right-of-way easement and there exists no conveyance giving Cullman County a legal right to exercise control over the operation of the boat ramp.

If the County does not agree to the Consent Order, the case will go to trial before Judge Williams in the Circuit Court of Cullman County. There is an appreciable possibility that the Court will invalidate the 1960 right-of-way deed which gives the County its easement in this property. The consent order has the potential to save the County hundreds of thousands of dollars that would be required in litigation and condemnation suits in order to obtain an easement for future bridge maintenance.

Commissioner Marchman stated the key to this is the right-of-way the County retains. That makes the County a winner in this case.

Commissioner Marchman made a motion to accept the terms of the proposed Consent Order being offered in the Ryan Creek Acquisitions, Inc. v. Cullman County Commission case. Commissioner Watson seconded the motion which passed on a unanimous voice vote.

**Authorize payment of \$140,000 to Nitorco, Inc. for installation and training of software for the Revenue Department**

Commissioner Watson made a motion to approve the payment of \$140,000 to Nitorco, Inc. for installation and training of software for the Revenue Department. Commissioner Marchman seconded the motion and it passed on a unanimous voice vote.

**Authorize payment of \$50,000 to ESRI for mapping for the Reappraisal Department**

Commissioner Marchman made a motion for payment of \$50,000 to ESRI for mapping for the Reappraisal Department. Commissioner Watson seconded. Upon a unanimous voice vote, the motion carried.

**Consider granting Chris King authority to notify Syscon, Inc. of the termination of the agreement between the Cullman County Sales Tax and Revenue Enforcement Office and Syscon, Inc., effective December 31, 2016**

Attorney Floyd explained the Commission has approved the purchase of new software for the Sales Tax Department, replacing the 1998 Syscon system. The new software will be operational by the end of the year. Commissioner Watson made a motion authorizing Syscon, Inc. to be notified of the termination of the agreement with Sales Tax. Commissioner Marchman seconded. The motion passed on a unanimous voice vote.

**Authorize the Chairman to sign an ACH Agreement with Premier Bank of the South**

Gary Teichmiller, County Administrator, stated the ACH Agreement is in place for the payroll direct deposit program. Commissioner Marchman made a motion authorizing the Chairman to sign the ACH agreement with Premier Bank of the South for payroll direct deposit. Commissioner Watson seconded the motion which passed on a unanimous voice vote.

**Consider changes to the Employee Health Insurance Plan effective January 1, 2017**

Judy Bradford, Human Resource Manager, addressed the Commission concerning changes to the employee health insurance plan for next year. Currently the County is self-insured with Blue Cross administering the program. Over the past ten years there has been a 120% increase in health care cost, up from approximately \$3 million to \$6.4 million in 2016. An insurance committee was formed to look into ways to contain cost while still providing good care to employees. The committee was made up of department heads from the largest departments; Sheriff's Department, Road, Sanitation, Water, Revenue and Probate, along with the County Administrator and County Attorney. All aspects of change were considered from modifying the current plan, starting with a totally new plan, changes in copays and deductibles and increase of premiums. Forty Alabama counties were contacted concerning health care for their employees. The following are the committee's recommendations:

- The County will continue to be self-insured with Blue Cross administering the plan.
- Office visit and emergency room copay will increase.
- Addition of "Teledoc", a 24/7/365 access to U.S board certified doctors through video or phone visits for non-emergency issues
- Addition of Access Health – a local "near site" clinic. Cullman Primary Care's three clinics will provide routine clinical care with no copays or deductibles to the employee and no waiting in line. The cost to the County is \$266,000 but the anticipated savings will be approximately \$270,000
- Vision coverage will now be a separate "stand alone" policy with Southland Superior Vision. The anticipated savings is \$100,000
- Employee contributions will increase. In 2006 employees paid about 25% of the health care cost. In 2016, contributions covered 13%.
  - ✓ Single coverage will increase to 7.9% or an additional \$8 in monthly premiums or \$48/month
  - ✓ Family coverage will increase to 15.3% or an additional \$25 in monthly premiums or \$210/month

Chairman Walker thanked Ms. Bradford for the extensive work she has done on the benefits package. Commissioner Watson made a motion to approve the changes to the Employee Health Insurance Plan to become effective January 1, 2017. Commissioner Marchman seconded the motion which passed on a unanimous voice vote.

**Authorize the Chairman to sign a contract with Access Health through Blue Cross/Blue Shield to provide supplemental clinical care for county employees**

Ms. Bradford stated Blue Cross has contracted with Cullman Primary Care's three clinics to provide routine clinical care with no copays or deductibles to the employee and without waiting in line, employees will move to the front of the line. Commissioner Marchman made a motion to authorize the Chairman to sign a contract with Access Health through Blue Cross/Blue Shield to provide supplemental clinical care for county employees. Commissioner Watson seconded. The motion passed on a unanimous voice vote.

**Authorize the Chairman to sign a contract with Southland Superior Vision to provide county employees vision insurance effective January 1, 2017**

Ms. Bradford stated the plan with Southland Superior Vision will cost the County \$76,000 annually. This is the same plan state employees have. Commissioner Watson made a motion to authorize the Chairman to sign a contract with Southland Superior Vision to provide county employees vision insurance effective January 1, 2017. Commissioner Marchman seconded the motion which passed on a unanimous voice vote.

**Consider payment of \$27,903.96 for ACA Transitional Reinsurance Contribution, the third installment required of self-insured entities to help fund ObamaCare**

Judy Bradford, HR Manager, explained since the County is self-insured, contribution must be made into the reinsurance fund. Three annual payments were required starting in 2014. This year's contribution is \$27,903.96 bring the three year total to \$132,038.94. The County receives no benefit from this contribution, but is penalized if payment is not made. Commissioner Marchman made a motion to authorize payment for the ACA Transitional Reinsurance Contribution mandated under ObamaCare. Commissioner Watson seconded. Upon a unanimous voice vote, the motion carried.

**Consider change to the Cullman County Employee Handbook effective October 25, 2016**

Ms. Bradford explained the Employee Handbook was adopted in February of this year. It is intended to be a “living document” which will change over time. Since the adoption, several items that been brought to the department’s attention which need some clarification. She presented a list of the proposed changes and additions to the Commission. This also includes the institution of longevity pay for county employees. *(See attachment to the minutes)* Commissioner Watson made a motion to approve the changes to the Cullman County Employee Handbook effective October 25, 2016. Commissioner Marchman seconded the motion which passed on a unanimous voice vote.

**Authorize the Sheriff to award the bid for the construction of the Sheriff’s Training Facility to Adams Building Company, LLC to be paid for from the Sheriff’s discretionary funds**

Chad Floyd, County Attorney, explained the construction of a training facility has been a long term goal of the Sheriff’s Department. The project was bid three times. The final advertising produced one bidder, Adams Building Co., LLC, with a bid of \$319,000. Construction cost will be paid by the Sheriff from his discretionary funds. Commissioner Marchman made a motion to authorize the Sheriff to award the bid for the construction of the Sheriff’s Training Facility to Adams Building Company, LLC. Commissioner Watson seconded the motion and it passed on a unanimous voice vote.

**Authorize the Chairman to sign an agreement with Sheriff Matt Gentry with respect to the Sheriff’s Training Facility.**

Attorney Floyd stated the agreement between the Cullman County Commission and the Sheriff spells out ownership and funding for the training facility. Payment for the facility will be made by the Sheriff from his discretionary funds, pistol permits, and no funding will come from the General Fund. Commissioner Watson made a motion to the Chairman to sign an agreement with Sheriff Matt Gentry with respect to the Sheriff’s Training Facility. Commissioner Marchman seconded. The motion passed on a unanimous voice vote.

**Authorize the Chairman and Sheriff Matt Gentry to sign an agreement for the construction of the Sheriff’s Training Facility between the Cullman County Sheriff’s Office and Adams Building Company, LLC**

Attorney Floyd stated the architect has drawn up an agreement for the construction of the Sheriff’s training facility with a contract price of \$319,000. Completion date is set for April 4, 2017. Commissioner Marchman made a motion authorizing the Chairman and Sheriff Matt Gentry to sign an agreement for the construction of the Sheriff’s Training Facility by Adams Building Co., LLC. Commissioner Watson seconded the motion which passed on a unanimous voice vote.

**Consider purchase of two (2) 2017 Heil body 25 yd. rear loader for the Sanitation Department to be purchased from the NJPA Cooperative list – Cost \$328,947.42**

James Rollo, Sanitation Department Manager, stated the purchase of the equipment is part of the five year fleet rotation program. They will be surplusing two trucks once the new equipment is received. Commissioner Watson made a motion to approve the purchase of two (2) 2017 Heil body 25 yd. rear loader for the Sanitation Department from the NJPA Cooperative list at a cost \$328,947.42. Commissioner Marchman seconded. The motion passed on a unanimous voice vote.

**Consider purchase of equipment by the Sanitation Department from the NJPA Cooperative List for the startup of a roll off operation by Cullman County Sanitation Department – Cost \$604,160.06**

James Rollo, Manager of the Sanitation Department, discussed the startup of the roll-off operation for the Sanitation Department. This has been in the planning for a number of years. The startup cost should be recovered in about two years and it will then provide an additional revenue stream. Truck equipment will be purchased along with sixty collection boxes. Money has been set aside so no funds will need to be borrowed. Commissioner Marchman made a motion to approve the purchase of equipment by the Sanitation Department from the NJPA Cooperative List for the startup of a roll off operation by Cullman County Sanitation Department at a cost \$604,160.06. Commissioner Watson seconded the motion which passed on a unanimous voice vote.

**Consider replacement of chiller rack for the courthouse by Dye Service of Holly Pond – Cost \$9,643.50**

Commissioner Watson made a motion to approve the replacement of a chiller rack for the courthouse by Dye Service of Holly Pond at a cost of \$9,643.50. Commissioner Marchman seconded and the motion passed on a unanimous voice vote.

**Consider repairs to the Courthouse Elevator 2 Generator by Otis Elevator Service – Cost \$6,500**

Commissioner Marchman made a motion to authorize the repairs to the courthouse elevator generator by Otis Elevator Service at a cost of \$6,500. Commissioner Watson seconded. The motion passed on a unanimous voice vote.

**Consider plat for Wynn Haven Subdivision, located in District 1 on County Roads 1162 & 1169**

Keith Creel, Engineering Assistant, stated Wynn Haven Subdivision, located on County Road 1162 and County Road 1169, has eighteen lots and qualifies as a minor subdivision. Commissioner Watson made a motion to approve the plat for the Wynn Haven Subdivision, located in District 1 on County Road 1162 and County Road 1169. Commissioner Marchman seconded the motion which passed on a unanimous voice vote.

**Consider \$500 appropriation for FY-2017 polling maintenance and operational support for each of the following voting location**

Baileyton Senior Center  
Baldwin Community Center  
Beat 8 Community Center  
Berlin Community Center  
Bethel Community Center  
Bethsadia VFD  
Brooklyn Community Center  
Brushy Pond Community Center  
Center Hill Community Center  
Cold Springs Community Center  
East Point Community Center

Grandview Community Center  
Jones Chapel VFD  
Joppa VFD  
Kelly Community Center  
Logan Fire & Rescue  
Simco Community Center  
Valley Grove Community Center  
Walter Community Center  
West Point Community Center  
White City Community Center

Commissioner Marchman made a motion to approve a \$500 appropriation for FY-2017 polling maintenance and operational support for each voting location. Commissioner Watson seconded. Upon a unanimous voice vote, the motion passed.

**Resolution 2017-04 – Set speed limit County Road 1848 at 25 MPH**

John Lang, County Engineer, stated they had received a request for an evaluation for a speed limit and following the inspection he recommended a 25 MPH limit. Commissioner Watson made a motion to set the speed limit on County Road 1848 at 25 MPH. Commissioner Marchman seconded and the motion passed on a unanimous voice vote.

**Bid No. 1218 – Extension – Traffic Striping – J.C. Cheek**

John Lang, County Engineer, stated J.C. Cheek has agreed to extend the bid at the current price for one year. He recommended the extension. Commissioner Marchman made a motion to extend the bid with J.C. Cheek for traffic striping. Commissioner Watson seconded the motion which passed on a unanimous voice vote.

**WORK SESSION**

The Commission will hold a Work Session on Wednesday, November 16, 2016, at 8:30 a.m. in the commission conference room.

**NEXT REGULAR COMMISSION MEETING NOVEMBER 16, 2016**

Chairman Walker announced the next commission meeting will be Wednesday, November 16, 2016, at 10:00 a.m. in the commission meeting room.

Commissioner Watson announced there will be a reception for Chairman Kenneth Walker at 2:00 p.m. on November 16<sup>th</sup> in the commission meeting room following his swearing-in at that morning's commission meeting.

**ADJOURN THE MEETING**

Commissioner Marchman made a motion to adjourn the meeting. Commissioner Watson seconded and the meeting was adjourned at 10:45 a.m.

/s/ \_\_\_\_\_  
Kenneth Walker,  
Chairman

/s/ \_\_\_\_\_  
Kerry Watson,  
Associate Commissioner

/s/ \_\_\_\_\_  
Garry Marchman,  
Associate Commission