

CULLMAN COUNTY COMMISSION MEETING
December 14, 2017

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, County Administrator Gary Teichmiller and County Attorney Chad Floyd. The invocation was given by J.L. Parker. Commissioner Marchman led the Pledge of Allegiance.

APPROVE MINUTES OF THE NOVEMBER 14, 2017 MEETING; APPROVE APPROPRIATIONS, EXPENDITURES, REQUISITIONS AND ALL JOURNAL ENTRIES TO BE POSTED

Commissioner Watson made the motion to approve the minutes from the November 14, 2017 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

Joe Webb, a resident of County Road 1371, which is located in the airport area stated there is continual construction at the airport. The heavy equipment and delivery trucks keep the road torn up. He asked if the road could be rehabbed after each project or if the cost of repairs could be written into the cost of the project. The County attempts to patch the road, but it is in a constant state of disrepair. Chairman Walker stated road repairs could not be added to the project cost because of the federal money involved in the projects. The county engineer will be asked to inspect the road with each project to see if it can be maintained better.

OLD BUSINESS

Resolution 2018- 04 - Vacation of the Entirety of County Road 121 – Tabled 11-14-17

Attorney Floyd explained during the last meeting Mary Watson, who lives at the end of County Road 121, requested the County not vacate the road because it would limit access to the property at the end of County Road 121 where she currently lives. He has also been in contact with the trustee of the property and he is in favor of vacating the road. Commissioner Marchman made a motion not to vacate the road. Commissioner Watson seconded and the motion not to vacate County Road 121 passed on a unanimous voice vote.

Consider approval of time & attendance annual software agreement with Gorrie-Regan for courthouse and road personnel – Cost \$ 8,078.20 – Tabled 11-14-17

Commissioner Watson made a motion to approve the software agreement with Gorrie-Regan at a cost of \$8,078.20 for the time and attendance programs for the courthouse and road personnel. Commissioner Marchman seconded. The motion passed on a unanimous voice vote.

Bid No. 1275 – Current Model Compact-size SUV – Tabled 11-14-17

Barry Willingham, Revenue Commissioner, stated he had priced vehicles off the State Bid List and received two local bids. He would like to go with the low bidder, Cullman Chrysler, Dodge Jeep, Ram with a bid price of \$20,692. Commissioner Marchman made a motion to award the bid as recommended by Commissioner Willingham. Commissioner Watson seconded and the motion passed on a unanimous voice vote.

NEW BUSINESS

Authorize the signing of the State Homeland Security Strategic Technology Reserve Grant in the amount of \$8,000

Phyllis Little, EMA Director, stated the Homeland Security Grant is a 100% reimbursable grant to be used for maintenance and equipment. Commissioner Watson made a motion to authorize the signing of the State Homeland Security Strategic Technology Reserve Grant in the amount of \$8,000. Commissioner Marchman seconded. The motion passed on a unanimous voice vote.

Authorize the signing of the State Mortuary Operations Team (SMORT) Grant in the amount of \$11,000

EMA Director Phyllis Little stated the SMORT grant is a 100% grant for training of mortuary personnel including travel expenses and per diem. Commissioner Marchman made a motion to authorize the signing of the State Mortuary Operations Team (SMORT) Grant in the amount of \$11,000. Commissioner Watson seconded the motion which passed on a unanimous voice vote.

Authorize the Chairman to submit a release request to the Federal Aviation Administration for the release of 1.23 acres, purchased with FAA Airport Improvement Program (AIP) grant 3-01-0022-018-2011, at fair market value

Ben Harrison, Airport Manager, informed the Commission the parcel in question was purchased in 2011 through a FAA program. There is a terrain problem on the backside of the property that will prevent it from development for aviation use. The property has been evaluated by an FAA appraiser. The release of the property would only be for use as a fire department. The department would be manned by the Vinemont/Providence Volunteer Fire Department. If for some reason they are unable to proceed with the building of a fire station, the property would not be released. Commissioner Watson made a motion to authorize the Chairman to submit a release request to the Federal Aviation Administration for the release of 1.23 acres, with the stipulation it would be released for fire station development only. Commissioner Marchman seconded. The motion passed on a unanimous voice vote.

Resolution 2018-13 - Authorize the Chairman to sign an agreement with ADECA for the construction of a bathhouse and multiple bay wash station at the OHV Park; Agreement No. 17-RT-55-01

Tanya Sears from the Economic Development Office explained the ADECA grant is an 80/20 grant for the construction of a bathhouse and a six bay wash station at the OHV Park. The total cost of the project is \$688,000 with the County's portion being about \$137,000. The County will be able to perform in-kind labor which will cut the actual cash outlay to approximately \$32,000. Commissioner Marchman made a motion to approve the resolution authorizing the Chairman to sign the agreement with ADECA for the construction at the OHV Park. Commissioner Watson seconded the motion which passed on a unanimous voice vote.

Resolution 2018-10 – Application for FY-2018 Transportation Alternatives Program (TAP) Grant in conjunction with the City of Cullman

Chad Floyd, County Attorney, stated the TAP is a City of Cullman project. However the County must be on the application since the City of Cullman is located within the boundaries of Cullman County. The project is for streetscape along a four block section on 1st Avenue SE. It is an 80/20 grant but the City of Cullman is paying the entire match. The County will have no financial obligation. Commissioner Watson made a motion to approve the resolution for the application for the 2018 TAP Grant. Commissioner Marchman seconded. Upon a unanimous voice vote, the motion carried.

Resolution 2018-12 - Authorizing, approving and directing the employment of certain law firms to represent the county in potential litigation against contributors of opioid addiction crisis.

Chad Floyd, County Attorney, discussed it is evident there is an opioid crisis not only nationally but locally. The opioid problem has led to increase arrest, putting a strain on law enforcement and the detention facility as well as an increase in the inmate medical care cost the County has experienced. There is currently a class action lawsuit against five manufacturers and three distributors of opioids. The suit has been filed in Ohio Federal Court by the law firm of Levin, Papantonio, Thomas, Mitchell, Rafferty & Proctor out of Pensacola, Florida. They currently have 13 clients in Alabama, including the City of Cullman, and 161 clients nationally. He anticipates the number joining the class action will increase. Commissioner Marchman made a motion to authorize the signing of the resolution for employment of the law firm to represent the County in potential litigation against contributors of opioid addiction crisis. Commissioner Watson seconded. The motion passed on a unanimous voice vote.

Authorize the County Attorney to file a complaint for declaratory judgment against certain companies collecting solid waste from within Cullman County, Alabama

Phillip Patterson, Solid Waste Officer, reported there are several private waste collection companies who are operating in Cullman County. Cullman County Sanitation is the sole provider of collection services in the county. All companies have been notified by registered letter that they are violation of the County ordinance, but they continue to business within the County. The County Attorney recommended a complaint for declaratory judgment be filed in Circuit Court against the companies. Commissioner Watson made a motion to authorize the County Attorney to file a complaint for declaratory judgment against certain companies collecting solid waste from within the county. Commissioner Marchman seconded and the motion passed on a unanimous voice vote.

Consider awarding the bid for the Owen Ridge and County Line Water Tank Recoat – Robinson & Sons Construction Services, Inc.

Randall Waldrep, Water Department Manager, stated the two tanks, located in Morgan County, were last recoated in 2000 and this is scheduled routine maintenance. Five bid were received with Robinson & Sons Construction Service, Inc. have the low bid of \$162,600. Commissioner Marchman made motion to award the bid for recoating of water tanks to Robinson & Sons Construction. Commissioner Watson seconded the motion which passed on a unanimous voice vote.

Consider authorizing payment to the ACCA Liability Self-Insurance Fund for renewal of liability insurance for a period of January 1, 2018 to January 1, 2019 – premium \$396,615

Gary Teichmiller, County Administrator, stated the annual renewal of liability cost is down about ten thousand dollars or 2.5% due to better claims experience this past year. Commissioner Watson made a motion to approve payment of the annual liability premium in the amount of \$396,615 to the ACCA Liability Self-Insurance Fund. Commissioner Marchman seconded and the motion passed on a unanimous voice vote.

Consider the appointment of Josiah Daily as Deputy Coroner following the resignation of Samuel Tucker

Coroner Jeremy Kilpatrick stated Samuel Tucker is resigning and he requested the Commission appoint Dr. Josiah Daily as Deputy Coroner. Commissioner Marchman made a motion to approve the appointment of Dr. Daily as Deputy Coroner. Commissioner Watson seconded. The motion passed on a unanimous voice vote.

Consider the purchase of six (6) printers and a print service agreement for the Revenue Department from Ameritek – Printer cost \$5,994; Monthly service agreement \$507.50

Barry Willingham, Revenue Commissioner, informed the Commission the State of Alabama is beginning a new system for the printing of vehicle tag decals. They have tested their current printer and the ink can be scratched or rubbed off the decal paper which is furnished by the State. He would like to replace six of the printers in his office this year and the remaining six next year. With the reduced cost of printing, he believes the printer will pay for themselves within a year. Commissioner Watson made a motion authorizing the purchase of six (6) printers and approval of a print service agreement for the Revenue Department from Ameritek at a cost of \$5,994 for the equipment and a monthly service agreement fee of \$507.50. Commissioner Marchman seconded the motion which passed on a unanimous voice vote.

Consider a service contract between the Volunteer Fire Department and Sharp Communications for 23 various pieces of equipment – Cost \$1,519.02/month

Gary Teichmiller, County Administrator, stated the Volunteer Fire Department has 23 pieces of field equipment to be place under a service contract with Sharp Communications. The \$1,519.02 cost will be paid from the annual appropriation the

department receives from the County. Commissioner Marchman made a motion to approve the service contract with Sharp Communications. Commissioner Watson seconded. The motion passed on a unanimous voice vote.

Consider authorizing repairs to compac roller at the Road Department by Thompson Tractor - \$13,450

John Lang, County Engineer, stated the roller is an essential piece of equipment for the department. The County Garage has tried unsuccessfully to fix it, now the part has been sent to the factory and major work needs to be done. The cost of new equipment justifies spending money to have it repaired. Commissioner Watson made a motion to authorize the repairs to the compact roller by Thompson Tractor at a cost of \$13,450. With a second by Commissioner Marchman, the motion passed on a unanimous voice vote.

Consider authorizing payment of \$202,656.52 to ALDOT for matching funds for resurfacing of County Road 222 from County Road 96 to County Road 109; Project STPNU-2217(250), CCP 22-67-18

Mr. Lang, County Engineer, stated the federal aid project was approved in a previous meeting and the 20% match is due to ALDOT for the project to move forward. Commissioner March made a motion authorizing the payment of \$202,656.52 to ALDOT for resurfacing of County Road 222 from County Road 96 to County Road 109. Commissioner Watson seconded. The motion carried on a unanimous voice vote.

Resolution 2018-08 – Resurfacing County Road 813 from County Road 437 to County Road 222, Project #ST-022-888-012, CCP 22-67-19, CPMS Red #100067683

Mr. Lang stated the project will be the resurfacing of County Road 813 from Trimble to Old Hwy 69, approximately 2.7 miles. The cost will be \$506,000 with an 80/20 match. Commissioner Watson made a motion to approve the resolution for the resurfacing project for County Road 813. Commissioner Marchman seconded the motion which passed on a unanimous voice vote.

Resolution 2018-09 – Resurfacing County Road 1545 from County Road 1422 to the intersection of County Road 1527, Project CCP-22-67-19 FAS Rt. No. 09

John Lang, County Engineer, stated the resurfacing of County Road 1545 will be the federal aid project for 2019. Pre-engineering will take place in the fall of 2018 but funds must be obligated now. Commissioner Marchman made a motion to approve the resolution for the resurfacing of County Road 1545 from County Road 1422 to the intersection of County Road 1527. Commissioner Watson seconded and the motion passed on a unanimous voice vote.

Resolution 2018-11 – Set speed limit on County Road 1668 at 35 MPH

Mr. Lang reported a request was made for a speed limit on County Road 1668. Following the evaluation he recommended setting the speed limit at 35 MPH. Commissioner Watson made a motion to set the speed limit on County Road 1668 at 35 MPH. With a second by Commissioner Marchman, the motion passed.

Bid No. 1276 – Herbicide

John Lang, County Engineer, stated one complete bid was received from Helena Chemical, who currently has the bid. Commissioner Marchman made a motion to award the bid for herbicide to Helena Chemical. Commissioner Watson seconded and the motion passed on a unanimous voice vote.

Consider December 26th for extended Christmas holiday

Commissioner Watson made a motion to approve December 26th as a holiday for all County employees. Commissioner Marchman seconded. The motion passed on a unanimous voice vote.

ANNOUNCEMENTS

Chairman Walker announced Santa will visit the Courthouse, Wednesday, December 20th from 10:00-4:00 in the main lobby. He wished everyone a happy holiday season.

WORK SESSION

The Commission will hold a Work Session on Thursday, December 28, 2017 at 8:30 a.m. in the commission conference room.

NEXT REGULAR COMMISSION MEETING DECEMBER 14, 2017

Chairman Walker announced the next commission meeting will be Thursday, December 28, 2017 at 10:00 a.m. in the commission meeting room.

ADJOURN THE MEETING

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

/s/ _____
Kenneth Walker,
Chairman

/s/ _____
Kerry Watson,
Associate Commissioner

/s/ _____
Garry Marchman,
Associate Commissioner