

**COMMISSION MEETING**  
**September 11, 2006**

**CALL TO ORDER AND WELCOME**

A regular meeting of the Cullman County Commission was held Monday, September 11, 2006 at 10:00 a.m., in the County Commission Office Conference Room, Chairman Kitchens called the meeting to order and welcomed all visitors.

**CALL OF ROLL TO ESTABLISH QUORUM, INVOCATION AND PLEDGE OF ALLEGIANCE**

Present were Chairman Wiley Kitchens, Commissioner Doug Williams, and Commissioner Stanley Yarbrough. Commissioner Williams gave the invocation and Commissioner Yarbrough lead the pledge of allegiance.

**APPROVE MINUTES, APPROPRIATIONS, EXPENDITURES, REQUISITIONS, TRAVEL EXPENSE AND ALL JOURNAL ENTRIES TO BE POSTED**

Commissioner Yarbrough made the motion to approve minutes, appropriations, expenditures, requisitions, travel expense and all journal entries to be posted. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

**PUBLIC COMMENTS**

**Steve Baldwin** – with Faith Based Recovery Network of North Alabama presented to the commission their mission to staff and maintain faith based recovery network resource centers. To organize and instruct faith based 12 step programs. To network with halfway houses, recovery centers, and prerelease programs.

**NEW BUSINESS**

**September 11, 2001 Proclamation**

Commissioner Williams stated this is a joint proclamation between the City of Cullman and Cullman County Commission remembering the 9/11. Commissioner Williams encouraged everyone to sign the register located at the front of the courthouse. This will be delivered to the Mayor of New York City.

Commissioner Williams made the motion to sign the proclamation. Commissioner Yarbrough seconded, and upon a voice vote, the motion carried unanimously.

**Resolution No. 2006-24 Consider Weight Limit on County Road 101**

Philip Widner, County Engineer stated this road was paved three (3) year ago. We have been notified that in the next couple of months there will be some logging activity on this road, and we just want to protect this road from over weight trucks. Based on the design this road was build by I recommend posting county road 101 at 6 Tons per axle.

Commissioner Yarbrough made the motion to post a weight limit on county road 101. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

**Consider 3-Way stop at the intersection of County Road 606 and County Road 616**

Mr. Widner stated currently there are two lanes of traffic stopping at this intersection, but after further inspection with railroad tracks close to this intersection a 3-way stop will be safer. I recommend placing a 3-way stop at the intersection of county road 606 and county road 616.

Commissioner Williams made the motion to place a 3-way stop at this intersection. Commissioner Yarbrough seconded, and upon a voice vote, the motion carried unanimously.

**Consider Final Plat for The Bluffs at Brushy Pond Subdivision and acceptance of the extension to County Road 102 in District 2**

Mr. Widner stated the commission has already approved a preliminary plat on this subdivision. At this time the developers has built this subdivision to the requirements of the preliminary plat. The only difference in the preliminary plat and the final plat is to correct some drainage problems one lot was removed. I recommend the commission except the final plat and acceptance of the extension to county road 102. The developers will assume maintenance for one year on the extension of road.

Commission Yarbrough made the motion to accept the final plat and extension of county road 102. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

**Resolution No. 2006-25 Authorize Chairman Kitchens to file application Thru ALDOT FY 2007 Transportation Enhancement Program**

Ms. Sammie Danford, Director of Economic Development state this application is for the renovation of the Old Prison Camp (currently used by the East Side Road Department).

Commissioner Williams made the motion to authorize the chairman to sign the application. Commissioner Yarbrough seconded, and upon a voice vote, the motion carried unanimously.

**Resolution No. 2006-26 to establish a Military Memorial and apply for Department of the Army Military Equipment (At Sportsman Lake)**

Chairman Kitchens stated the commission has applied for some excess military equipment to use as static display for memorial purposes. It's the intent of the commission to establish military memorial to honor and recognize those men and women of Cullman County who have and now serve their country in military service.

Commissioner Yarbrough made the motion to establish a Military Memorial. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

**Resolution No. 2006-27 regarding Act 2006-510 (Retirees Increase)**

Mr. Gary Teichmiller, County Administrator stated earlier this year the Legislature pasted a 7% cost of living increase for retirees under the State retirement System. Eligible the county has seventy-four retirees that are eligible to participate. The approximate cost to the county is \$65,000.00. The last increase was in 2005 prior to that there hasn't been one since 2002. I recommend the commission approving the increase.

Commissioner Williams made the motion to approve the increase for the retirees. Commissioner Yarbrough seconded, and upon a voice vote, the motion carried unanimously.

## **DHR**

Chairman Kitchens stated he met with a representative from DHR out of Montgomery. DHR is asking the county to build a new DHR building, approximately 41,000 sq. ft. Chairman Kitchens read a Letter of Intent from the State DHR to agree to a joint venture with the Cullman County Commission for the purpose of constructing a new building for the Cullman County Department of Human Resource. The Commissioners, or a Building Authority they might establish for this purpose, will retain title to the facility from the outset. The building will be located in the City of Cullman on approximately five acres of land currently owned and previously paid for by Cullman County. The building will have approximately 40,000 square feet and about 200 parking spaces. The facility will be financed by a local bond issue which will be tied to a lease agreement with the Alabama Department of Human Resources. The initial lease will be for the period of time necessary to repay the bonds. After the bond debt is retired, DHR will have two (2), five year options to renew the lease on the building at a monthly rental rate of \$1.00 per square foot. After the renewal options have been exercised, the Department of Human Resources reserves the right to renew the terms of the Lease for one additional year for each \$5,000.00 payment made, if any, for any by DHR. This payment refers to any possible unforeseen or unavoidable acquisition costs that may occur during construction of the building over the total amount of bond issue. In such payment have been made, DHE will give the County of Cullman ninety (90) days written notice prior to the lease expiration of their intent to renew or extend the lease at the monthly rental rate of \$1.00 per square foot. This Letter of intent is not a current binding lease or contract under which payments shall begin. The amount of the lease payments will depend upon the bond issue amount and the final lease and contract will be signed after construction details have been finalized and approved.

Mr. Teichmiller added that based on 40,000 square foot with the average construct price around \$125.00 per foot your looking around 5 million in construction cost and plus engineering and architectural cost somewhere between 5.5 and 6 million. Also, the bond issue will be secured through rental payments from the State. This will be a revenue bond not a general obligation bond so it would not go against the county's debt level.

Commissioner Williams made the motion to allow the chairman to enter into an agreement with DHR. Commissioner Yarbrough seconded, and upon a voice vote, the motion carried unanimously.

### **Consider \$1,000.00 donation to the Kelley Community Center**

Commissioner Williams stated he had received a letter of request from Kelley Community Center for a donation to the center for operation. I make the motion to give a \$1,000.00 donation to the center. Commissioner Yarbrough seconded, and upon a voice vote, the motion carried unanimously.

### **Consider \$1,000.00 donation to the Joppa Community Center**

Commissioner Williams said he also received a letter of request from Joppa Community Center for a conation. I make the motion for to give the donation. Commissioner Yarbrough seconded, and upon a voice vote, the motion carried unanimously.

### **Consider adopting the Alcohol /Drug Abuse Policy and Sexual Harassment Policy**

Mr. Willingham stated these policies needs to be presented as two separate policies.

Commissioner Yarbrough made the motion to adopt the Alcohol Abuse Policy. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

Commissioner Yarbrough made the motion to adopt the Sexual Harassment Policy. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

### **Consider annual support to the Cullman Oktoberfest, Inc.**

Commissioner Williams made the motion to give the annual support to Cullman Oktoberfest. Commissioner Yarbrough seconded, and upon a voice vote the motion carried unanimously.

### **Consider the surplus of the following vehicles – Sheriff's Department**

1998–Ford Crown Vic – Vin # 2FAFP71W5WX130843

1996-Ford Crown Vic – Vin # 2FALP71W6TX178883

2003-Ford Crown Vic – Vin # 2FAFP71W83X125079

Lt. Morgan with the Sheriff's Department stated the 1998 and 1996 Ford Crown Vic will be donated to Wallace State College to use for security. The 2003 Ford Crown Vic was totaled in a wreck.

Commissioner Yarbrough made the motion to surplus the vehicles. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

### **Consider awarding Bid No. 860 – Gasoline and Diesel**

Mr. Widner stated several months ago the county extended this bid to look at purchasing off of state bid. After further research the state bid is not feasible for all departments to purchase from, due to the quantities required to purchase. Bids were sent out only two (2) bids were received. I recommend awarding the bid to Eidson Petroleum.

Commissioner Williams made the motion to accept the low bidder. Commissioner Yarbrough seconded, and upon a voice vote, the motion carried unanimously.

### **Consider awarding Bid No. 861 – Diesel**

Mr. Widner stated only one (1) bid was received from B&B Petroleum. I recommend awarding the bid to B&B.

Commissioner Williams made the motion to award the bid to B&B. Commissioner Yarbrough seconded, and upon a voice vote, the motion carried unanimously.

### **EMA – Homeland Security Grants**

Phyllis Little, Director of EMA stated she needed a signature on two (2) Homeland Security Grants. The first grant is for \$120,000.00. This grant is for equipment for first response agencies. The second grant is for \$20,000.00. This grant is used for acquisition of first responder equip, in accordance with the FY 2006 Authorized Equipment List, to sustain the county mutual aid teams that participate in the Alabama Mutual Aid System, and to provide law enforcement communities the support they need to prevent, respond to and recover form a terrorist incident.

Commissioner Williams made the motion for the Chairman to sign the grants. Commissioner Yarbrough seconded, and upon a voice vote, the motion carried unanimously.

**Consider entering into an agreement with the City of Cullman for the industrial access for Advance Heating**

Mr. Willingham stated this is an Agreement between the City of Cullman and Cullman County Commission to provide an industry with access to property. It is agreed that the Cullman County Commission will construct a road into Industrial Park III off of County Road 222. The City shall either provide or reimburse the County for all materials, fuel, staking, silt fencing, and labor cost for the construction of the road and shall reimburse the County for any materials, labor, and fuel expended by the County.

Commissioner Yarbrough made the motion to sign the agreement. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

**OLD BUSINESS**

**Resolution No. 2006-28 Boar's Knob Subdivision**

Mr. Willingham explained this subdivision was brought up in a commission meeting prior (June 26, 2006).

Mr. Widner had several questions concerning the variance on the right of way.

This item was tabled for further review.

**NEXT COMMISSION MEETING SEPTEMBER 25, 2006**

Chairman Kitchens announced the next Commission Meeting will be Monday, September 25, 2006 at 10:00 a.m. in the Commission Office Conference Room.

**ADJOURN**

Commissioner Williams made the motion to adjourn. Commissioner Yarbrough seconded.

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Wiley Kitchens, Chairman

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Doug Williams, Commissioner

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Stanley Yarbrough, Commissioner