

COMMISSION MEETING
April 24, 2007

CALL TO ORDER AND WELCOME

A regular meeting of the Cullman County Commission was held Tuesday, April 24, 2007 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, Commissioner Wayne Willingham and Attorney Dan Willingham. Mr. Dan Willingham gave the invocation and Commissioner Williams lead the pledge of allegiance.

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

Commissioner Willingham made the motion to approve. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

PUBLIC COMMENTS

Randy McClendon – Mr. McClendon addressed the commission requesting the status of county roads 14 and 12. Did the commission resolve the issue with Twin Pines Coal Co. to know where the roads are going to be?

Mr. Penn, County Engineer stated he has found documentation where county road 14 would be left open and utilities would run down county road 12. Mr. Parker at one time voiced his opinion not to have the road improved down to his property. Now he (Mr. Parker) is saying he wants the road improved down to his property.

Commissioner Willingham stated also taking the road back over to Mr. McClendon's.

Bud McClendon – stated they had a meeting with the Commissioners, the Community and Twin Pines Coal Co. They (Twin Pines) agreed that if they allowed them to strip county road 12 and 14, the roads would be put back. This was in a commission meeting over at the CCOB building. Also, it was agreed by the commission for the county to maintain the roads after Twin Pines re-built them to county specifications.

Mrs. Calvert - stated these are different owners, since that meeting Twin Pines has sold. Mrs. Calvert said they have property also and in the process of dealing with Mr. Linton.

Chairman Kitchens – said they are issues that needs to be resolved and in all fairness to the citizens and Twin Pines another meeting needs to be scheduled.

Mr. Day – Addressed the Commission concerning water pressure problems on county road 18.

NEW BUSINESS

Resolution No. 2007-22 ORV Park

County Attorney Dan Willingham stated this Resolution is requesting grant money from ADECA for the purpose of doing engineering services for the master plans, for the construction of the environmental and safety education center, park office and maintenance facilities. The grant would be in the amount of \$275,501.27 and the county's match would be \$68,875.32, total project is \$344,376.59.

Commissioner Willingham made the motion to accept the resolution for the ORV Park grant money. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

Commission on Aging – Randall Shedd

Mr. Randall Shedd, Director of the Commission on Aging stated he didn't have any action to ask of the commission, but to do some communication with the commission. The Commission on Aging is offering a service to the seniors of Cullman County along with the Better Business Bureau of Cullman. Seniors of Cullman are always targeted by scam artist trying to separate them from their checking account, money and etc. We are trying to educate senior citizens how to handle these type calls or when they come to their home. This is part of the services we are offering to senior citizens. Mr. Shedd also expressed his appreciation to the commission for their support.

Resolution No. 2007-21 – Coroner Increase

Chairman Kitchen stated in March of 2006 the Coroner requested an increase in revenue. The commission has prepared a resolution to request such increase.

Mr. Gary Murphree, Coroner questioned the wording of salary and expense allowance.

Commissioner Williams stated they had discussed this with the State Auditors concerning this because of the ominous bill and how everyone fell into that slot. Our understanding is that you receive a W2 for the \$6700.00 salary. You also receive a 1099 for the \$1000.00 expense account. The commission questioned, can an employee or elected official receive both a W2 and a 1099. We are trying to give you an increase but the commission needs to make sure we follow the guidelines of the State Auditors and not step outside the guide lines.

Chairman Kitchens stated the commission is requesting the Coroners salary be increased to \$10,000.00.

Commissioner Williams made the motion to make the increase a salary or expense account increase which ever one that the legislature deems appropriate. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

Consider the surplus of Office Equipment (Safety)

Commissioner Willingham made the motion to surplus the office equipment. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

Consider awarding Bid No. 893 – Various Computer Equipment

IT Director Joey Martin stated three (3) bids were received. I recommend awarding the bid to Dell Computers.

Commissioner Willingham made the motion to award the computer bid to Dell Computers. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

Twin Pines Coal Company

Chairman Kitchens announced this is for the relocation of County Road 27.

Fred Penn, County Engineer stated Twin Pines Coal Company had contacted them concerning the relocation of County Road 27. We went have looked at this and as far as the county we don't have a problem with the relocation of County Road 27. The citizens of this area need to get together and have some input in the relocation.

Steve Ingle, Engineer for Twin Pines Coal Co. stated there is a miss communication here, what we are requesting is to relocate a section of county road 27 and then vacate a section that is in existence now. What Twin Pines is proposing to do is to construct the new section of 27 immediately upon approval prior to closing the old section of 27 so we do not hinder the traveling public or traffic. As part of the relocation we will also relocate utilities that travel down the existing side of 27. Once county road 27 is relocated and meets the county's approval at that point and time we will close the old section of county road 27 and initiate the mining operations along that section of county road 27. The traveling public would never be hindered at all.

Commissioner Willingham stated I think there was a lot of misperception on that, but we have all these other issues to address before we are willing to go that route.

Mrs. Calvert ask about the Fire Department and the Community Center.

Mr. Ingle said they would be no changes in the Community Center and the Fire Department could possibly be moved, but that's up in the air right now, but we are looking at leaving it where it is now. What I would like to request because of time, as far as county road 27 is concern we can't set and wait 30-60 days down the road.

Mrs. Calvert wanted to know what type of road it would be.

Mr. Ingle replied that it would be built back to county specs.

Chairman Kitchens said these are issues that the commission and the residents need to sit down with Twin Pines Coal Company and discuss. We need to establish a meeting where everyone can be there along with our County Attorney to resolve these issues.

Mr. Ingle stated with this being time sensitive due to the type of operation they had going could some of the issues be addressed today.

Mr. Penn stated Twin Pines could go ahead and do this contingent upon meeting the demands of the citizens in that area. This may be something you would consider.

Mr. Day wanted whatever agreement was made be put in writing.

Chairman Kitchens announced they would meet again at 2:00 pm with Twin Pines.

OLD BUSINESS

Pay Policy

Attorney Dan Willingham stated that the commission had received a Pay Policy. This is a broad base policy. I believe there was an addendum attached to the policy that several departments have questions pertaining to this.

Several department heads discuss questions pertaining to the Pay Policy and Ranges. It was agreed that Commissioner Williams would meet with each department head in the next two weeks.

Commissioner Williams made a motion to adopt the Pay Policy and not the Ranges. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

Consider design speed variance and preliminary plat for Watersound Subdivision located in District 2 off County Road 351

Mr. Penn stated this was tabled from the last commission meeting. Question on the preliminary plat and the design speed have been addressed. I recommend a design speed variance for Watersound Subdivision be for 20 MPH.

Commissioner Willingham made the motion for the 20 MPH design speed variance. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

Commissioner Willingham made the motion to consider the preliminary plat for Watersound Subdivision. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

Annual Spring Clean Up during the month of May

Mr. Rollo with the Sanitation Department stated certificates for the Annual Spring Clean Up during the month of May was mailed out in the light bills this month. This is sponsored by the Cullman County Commission.

NEXT REGULAR COMMISSION MEETING MAY 8, 2007

Chairman Kitchens announced the next regular commission meeting will be Tuesday May 8, 2007 at 10:00 am in the Commission Office Conference Room.

ADJOURN

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

Wiley Kitchens, Chairman

J. Douglas Williams
Associate Commissioner

Wayne Willingham
Associate Commissioner