

COMMISSION MEETING
November 9, 2007

CALL TO ORDER AND WELCOME

A regular meeting of the Cullman County Commission was held Friday, November 9, 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 Wayne Willingham, Commissioner Doug Williams and County Attorney Dan Willingham. Dan Willingham gave the invocation and Commissioner Willingham 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

Mr. David Bussman, Manager of the Cullman County Water Department, updated the Commission on the Emergency Water Conservation Plan for the Cullman County Water Distribution System. The City of Cullman is considering going into stage 3 next week.

NEW BUSINESS

Consider awarding Bid No. 910 Truck with Knuckle Boom Loader and Dump Body – Sanitation

Mr. James Rollo, Manager of the Sanitation Department, said the only bid received was from Southland International for \$97,623.00.

Commissioner Williams made the motion to accept the bid from Southland International. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

Consider awarding Bid No. 912 Twenty-five cubic yard rear-loading refuse collection truck with body – Sanitation

Mr. Rollo said three bids were received. The company that met all specifications was Ingram Equipment Company for \$125,564.00. One bid received was lower, but it did not meet the specifications.

Commissioner Williams made the motion to award the bid to Ingram Equipment Company. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

Consider awarding Bid No. 913 Front-loading refuse collection truck with body

Mr. Rollo stated two bids were received. The low bid did not meet specifications. The bid recommended for award is from Nextran of Birmingham, AL for \$196,020.00. The reason this amount is different from the bid is because we asked for a three year bid amount and a five year warranty amount. The option selected was a five year warranty; the cost is in addition to the bid amount.

Commissioner Williams made the motion to accept the bid from Nextran. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

Consider awarding Bid No. 914 Vertical Carousel Storage Unit – Office of the Probate Judge

Mrs. Tammy Brown, Chief Clerk of the Office of the Probate Judge, said they received a bid from Kardex Systems, Inc. for \$28,596.00. Mrs. Brown recommended awarding the bid to Kardex.

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

Consider awarding Bid No. 915 – Vertical carousel Storage Unit – Revenue

Mr. Scott Andrews of the Revenue Commissioner's Office stated the bids received were the same as those for the Probate Judge; the Revenue Office wants the same consideration and recommended awarding the bid to Kardex.

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

Consider awarding Bid No. 916 – Sheriff's Patrol Car

Lt. David Sandlin with the Sheriff's Department said they received a bid from Eckenrod Ford, a little over \$21,000.00.

Commissioner Williams made the motion to award the bid to Eckenrod Ford. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

Consider awarding Bid No. 917 Van – Detention Center (Jail)

Mr. Gary Teichmiller, County Administrator stated only one bid was received from Eckenrod Ford in the amount of \$27,950.50. Commissioner Williams said his copy of the bid did not include transportation costs.

Commissioner Willingham made the motion to table Bid #917. Commissioner Williams seconded the motion to table Bid No. 917 until several questions could be answered.

Consider awarding Bid No. 918 – Digital Multifunction Imaging System – Office of the Probate Judge

Mrs. Tammy Brown stated two bids were received, one from Office Equipment Co, Inc. and one from Bryan Business Solutions. Office Equipment did not meet the specifications required. Mrs. Brown recommended awarding the bid to Bryan Business Solutions.

Commissioner Willingham made the motion to award the bid to Bryan Business Solutions. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

Consider awarding Bid No. 919 Computer Equipment – IT Department

Mr. Ken Walling from the IT Department said this bid is for computer equipment, monitors and printers for the next six months. Dell Marketing, LP was the lowest total bid. Mr. Walling recommended awarding the bid to Dell. Commissioner Williams made the motion to award the bid to Dell. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

Consider awarding Bid No. 920 – Wide Format Plotter – Engineering

Mr. Fred Penn, County Engineer, said three bids were received. The low bidder was CDW Government, Inc. with a bid of \$4,069.84; this bid included a three year warranty. Mr. Penn recommended awarding the bid to CDW Government, Inc. Commissioner Willingham made the motion to award the bid to the low bidder. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

Consider awarding Bid No. 921 – Gas and Diesel

Mr. Penn stated the vendor that was going to bid on Gas and Diesel refused to bid because of the price index included with this bid. The price index changes every month and the gas price changes daily. We need to consider changing the specifications and rebidding.

Consider awarding Bid No. 922 – Off road fuel

Mr. Penn stated no bids were received and recommended changing the specifications and rebidding.

Resolution No. 2007-66 Reduce Speed Limit on County Road 1356 to 20 mph

Mr. Penn said this is a road that comes off the Eva Road. County Road 1356 is approximately .2 mile in length. Mr. Penn recommended reducing the speed to 20 mph.

Commissioner Williams made the motion to reduce the speed to 20 mph on County Road 1356. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

Resolution No. 2007-67 Reduce Speed Limit on County Road 1357 to 20 mph

Mr. Penn said this road comes off of County Road 1356. He recommended reducing the speed to 20 mph.

Commissioner Williams made the motion to reduce the speed on County Road 1357 to 20 mph. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

Resolution No. 2007-68 Reduce Speed Limit on County Road 1682 to 30 mph

Mr. Penn stated the speed reduction will be for the north end of County Road 1682. County road 1682 runs into County Road 1689 which is the Holly Pond – Fairview Road up to the Brooklyn Road. The south end of County Road 1682 is already posted at 40 mph.

Commissioner Williams made the motion to reduce the speed on the north end of County Road 1682 to 30 mph. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

Consider Plat for Cedar Cove Estates, Phase I-A located in District 2 on County Road 318 and 309 off County Road 330

Mr. Keith Creel, of the Engineering Department, said the Cedar Cove Estates was approved on October the 9th with the developer accepting responsibility for the maintenance of the roads for one year. At this time the developer is doing a Phase I-A adding more lots on County Road 309 which is in this subdivision.

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

Authorize the Chairman and the EMA Director to sign Homeland Security Grant for Local Exercise

Mrs. Phyllis Little, EMA Director, stated EMA has received a \$5,000.00 grant for a local exercise which is 100% reimbursable. At this time, approval for the Chairman and EMA Director to sign the grant is needed.

Commissioner Williams made the motion for the Chairman and EMA Director to sign the grant. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

Authorize the Chairman and the EMA Director to sign Homeland Security Grant for Local Citizens Corps Program

Mrs. Little said this grant includes the Citizens Emergency Response Team training that is done through the EMA Office and Neighborhood Watch Programs that are done through the local law enforcement offices. Cullman County will receive a total of \$20,000.00 this year.

Commissioner Williams made the motion to allow the Chairman and EMA Director to sign the grant. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

Authorize the Chairman and the EMA Director to sign Homeland Security Grant for Courthouse Security and Explosives Detection Canine

Mrs. Little stated this is a grant for a new Explosives Detection Canine. The need for a new canine is due to the age and health on the current canine. The cost of the canine is \$11,000.00. The proposal to complete the security at the courthouse for additional cameras and monitoring equipment from ADT was \$44,000.00. Homeland Security agreed to give the county \$22,000.00, which is 50% of the cost to complete the security, with the understanding that the additional \$22,000.00 come from the courthouse or the courts. Judge Brunner has filed for the \$22,000.00 through the court systems and we are waiting to hear from them. This grant is 100% reimbursable on the \$22,000.00 and 100% reimbursable through the court systems. Ms. Little asked the Commission to authorize this grant with the understanding that the \$22,000.00 for courthouse security cannot be spent until assurance of the remaining funding. The \$11,000.00 for the Canine can be spent as soon as the paperwork is completed.

Commissioner Williams made the motion accept this grant, partially to be spent and partially to be held until additional funding is received. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

Economic Impact on Smith Lake

Mr. Dan Willingham, County Attorney, said there is an organization that is involved in Smith Lake basically to maintain more stabilized levels on the lake. They are asking the Commission to support a resolution in efforts to stabilize the water level fluctuations of Smith Lake. The second purpose of the resolution is to ask the Federal Energy Regulatory Commission to issue a draft environmental assessment in order to allow further study and analysis of the concerns of the stakeholders.

The third purpose of the "Support Smith Lake" resolution is to improve all aspects of Smith Lake by first and foremost maintaining reasonable water levels. The stakeholders, citizens of Cullman County, and the general public will benefit as a direct result of maintaining the water level nearer the full pool, thus, having less water level fluctuations. Some of the many benefits include safety, environment and fisherman, home owners, marina owners, local businesses and recreation. The Cullman County Commission's "Support Smith Lake" resolution is necessary to preserve one of Cullman County's most vital economic and recreational resources including, but not limited to the return of water at Smith Lake Park, a County owned facility.

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

Consider an "amendment" to the amendment for Advance Rotors, Inc.

Commissioner Doug Williams said Advance Rotors, Inc. came to the Commission a while back for a tax abatement for the purpose of purchasing machinery. Advance Rotors at this time is asking the Commission to amend the first request for the tax abatement due to the statute of limitations running out on the original request and extend their time to April 2009. Commissioner Williams made the motion to amend the original abatement for Advance Rotors, Inc. Commissioner Willingham seconded, and upon a voice vote, the motion carried unanimously.

Consider giving a \$1,000.00 donation to the Valley Grove Community Center

Commissioner Willingham made the motion to donate \$1,000.00 to Valley Grove Community Center. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

Veterans Day Proclamation

County Attorney Dan Willingham presented a Proclamation to the Commission for approval to be read at the Veterans Services.

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

Budgets

Chairman Kitchens discussed the current budget procedure for all county departments. The Chairman stated that a new bill recently passed by the Legislature addresses the responsibility particularly for elected officials, for management of their department budgets. County Attorney Dan Willingham was asked to study the new bill and make some recommendations as to how this bill can be implemented by the county. There was discussion about the progress of the DHR building. The Public Authority Board has to be established and the board members appointed before continuing with bond issues, etc. for the new building.

OLD BUSINESS

Commissioner Williams inquired about the status of an agreement with Cullman Regional Medical Center (CRMC) concerning indigent care and medical care given to detainees housed at the Cullman County Detention Center. County Attorney Dan Willingham stated everything, in principle, is in place; however he wants to clarify some points of the agreement with CRMC to make sure the Commission is in agreement.

Commissioner Williams stated his concerns about the impact comp time has on department budgets; comp time is impossible to budget for. There was additional discussion regarding comp time; the Commission asked Dan Willingham, County Attorney, if it is possible to pass a resolution doing away with comp time and let him prepare the paperwork. Mr. Willingham stated that it is possible to pass a resolution at this meeting as long as the motion includes the statement "as long as it is not in violation of our office".

Commissioner Willingham made the motion to pass the resolution to do away with comp time as long as it is not in violation of our office. Commissioner Williams seconded, and upon a voice vote, the motion carried unanimously.

Commissioner Williams stated that next Tuesday is Election Day and encouraged everyone to go out and vote.

NEXT REGULAR COMMISSION MEETING TUESDAY, NOVEMBER 27, 2008

Chairman Kitchens announced the next regular Commission Meeting will be Tuesday, November 27, 2007 at 10:00 am in the County Commission Office Conference Room.

ADJOURN

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

Wiley Kitchens, Chairman

J. Douglas Williams
Associate Commissioner

Wayne Willingham
Associate Commissioner