

**CULLMAN COUNTY COMMISSION MEETING
JANUARY 13, 2009**

CALL TO ORDER AND WELCOME

Chairman James Graves called the Commission Meeting to order at 10:06 a.m., welcomed the guest to the meeting and introduced Charlotte Slatton as the new County Clerk.

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

Charlotte Slatton, County Clerk, called the roll; present were Chairman James Graves, Commissioner Doug Williams, Commissioner Wayne Willingham and County Attorney Dan Willingham. The invocation was given by Dan Willingham and Commissioner Doug Williams led the Pledge of Allegiance.

APPROVE MINUTES OF THE DECEMBER 23, 2008 MEETING, APPROVE APPROPRIATIONS, EXPENDITURES, REQUISITIONS, TRAVEL EXPENSES; AND APPROVE ALL JOURNAL ENTRIES TO BE POSTED.

Commissioner Wayne Willingham made the motion to approve the December 23, 2009 minutes, approve appropriations, expenditures, requisitions, travel expenses and approve all journal entries to be posted. Commissioner Doug Williams made a second to the motion and upon a voice vote, the motion carried unanimously.

APPROVE MINUTES OF THE JANUARY 7, 2009 SPECIAL CALLED MEETING

Commissioner Wayne Willingham made the motion to approve the minutes of the January 7, 2009 Special Called Meeting. Commissioner Doug Williams made a second to the motion and upon a voice vote, the motion carried unanimously.

PUBLIC COMMENTS

Phyllis Little, EMA Director, reported that FEMA is in the process of assessing the storm damage from earlier in the month. Local county estimates of the damages due to flooding are between \$1.5 and \$2 million. The State of Alabama has also inspected the storm damage.

George Mann reported that the Alabama Vietnam Wall Memorial has been located at Sportsman Lake Park. \$887.36 has been received in donations. Memorial bricks will be sold through February 2009 for \$50.00 then the price will return to \$75.00. Applications for the bricks can be acquired at the VA office, the VFW or from Mr. Mann.

NEW BUSINESS

NEW PIER FOR SPORTSMAN LAKE PARK

Sammie Danford, Director of Industrial Development, addressed the Commission regarding a donation of a new pier by the Rotary Club of Cullman, in partnership with Flotation Systems, Inc. of Dodge City. The pier, valued at \$7,535.00 will be installed at Sportsman Lake Park. A sign acknowledging the Rotary Club and Flotation Systems, Inc. donation will be installed at the pier. Commissioner Wayne Willingham asked Ms. Danford to look into the possibility of donation or grant monies for a dock at Lions Club Landing on Smith Lake. Ms. Danford said she will pursue the possibilities of funding for this project. Commissioner Doug Williams made the motion to accept the donation of the pier. Commissioner Wayne Willingham made a second to the motion. A voice vote was taken and the motion passed unanimously.

APPROVE RESOLUTION NO. 2009-01

This resolution is an amendment to Resolution No.2007-55, Courthouse Security, passed September 24, 2007. Resolution 2009-01 prohibits patrons of the Cullman County Courthouse from bringing dogs or other pets into the Courthouse. County Attorney Dan Willingham stated that animals, such as seeing eye dogs or animals used for the purpose of demonstration or presentation in court cases are exempt. Commissioner Wayne Willingham made the motion to accept the Resolution. Commissioner Doug Williams seconded the motion. A voice vote was taken and the motion passed unanimously.

APPOINTMENT OF MR. WAYNE WALKER TO THE CULLMAN COUNTY INDUSTRIAL DEVELOPMENT BOARD

Chairman James Graves made the motion to appoint Mr. Wayne Walker to the Cullman County Industrial Development Board, replacing Peggy Doss, effective January 19, 2009. Mr. Walker's term will be for six years, expiring January 19, 2015. Commissioner Doug Williams made a second to the motion. A voice vote was taken and the motion passed unanimously.

APPOINTMENT OF MR. GORDON DUNAGAN TO THE CULLMAN COUNTY INDUSTRIAL DEVELOPMENT BOARD

Chairman James Graves made the motion to appoint Mr. Gordon Dunagan to the Cullman County Industrial Development Board, replacing Jim Greer, effective January 19, 2009. Mr. Dunagan's term will be for six years, expiring January 19,

2015. Commissioner Wayne Willingham made a second to the motion. A voice vote was taken and the motion passed unanimously.

APPOINTMENT OF MR. MICHAEL EDDY TO THE CULLMAN COUNTY INDUSTRIAL DEVELOPMENT BOARD

Commissioner Wayne Willingham made the motion to appoint Mr. Michael Eddy to the Cullman County Industrial Development Board, replacing Jason Grimmett, effective January 19, 2009. Mr. Eddy's term will be for six years, expiring January 19, 2015. Commissioner Doug Williams made a second, and upon a voice vote, the motion passed unanimously.

REAPPOINTMENT OF MS. JANE DAVIS TURKETT ABT TO THE LIBRARY BORAD OF TRUSTEES

Chairman James Graves made the motion to reappoint Ms. Jane Davis Turkett Abt to the Library Board of Trustees. Ms. Abt's term will be for four years, expiring September 30, 2012. Commissioner Doug Williams seconded, and upon a voice vote, the motion passed unanimously.

REAPPOINTMENT OF MR. REX SMITH TO THE AIRPORT BOARD

Chairman James Graves made the motion to reappoint Mr. Rex Smith to the Airport Board. Mr. Smith's term will be for four years, expiring January 2013. Commissioner Wayne Willingham made a second to the motion. A voice vote was taken and the motion passed unanimously.

REAPPOINTMENT OF COMMISSIONER DOUG WILLIAMS TO THE LOCAL EMERGENCY PLANNING COMMITTEE

Chairman James Graves made the motion to reappoint Commissioner Doug Williams to the Local Emergency Planning Committee (LEPC). He will serve as Chairman for the year of 2009. This is an annual appointment which will expire December 31, 2009. Commissioner Wayne Willingham made a second, and upon a voice vote the motion passed unanimously.

APPOINTMENT OF MS. RITA NICHOLAS TO THE CULLMAN AREA MENTAL HEALTH AUTHORITY

Chairman James Graves made the motion to appoint Ms. Rita Nicholas to the Cullman Area Mental Health Authority. This appointment is made to complete the term of Ms. Michelle Maenche, which will expire April 1, 2009. Commissioner Wayne Willingham made a second to the motion. The motion passed unanimously upon a voice vote.

APPROVE RESOLUTION NO. 2009-02

Resolution 2009-02 reduces the speed limit on County Road 1139 to 35 MPH. Commissioner Wayne Willingham stated there have been several complaints from residents and county engineer recommends a 35 MPH speed limit. Commissioner Wayne Willingham made a motion to accept the Resolution. Commissioner Doug Williams made a second to the motion. A voice vote was taken and the motion passed unanimously.

APPROVE RESOLUTION NO. 2009-03

Resolution 2009-03 reduces the speed limit on County Road 1401 to 15 MPH. Mr. Fred Penn, County Engineer, reported that this road is a narrow, dead-end, gravel road which merits the 15 MPH speed limit. A sign is to be posted with the new speed limit. Commissioner Doug Williams made a motion to accept the Resolution. Commissioner Wayne Willingham seconded the motion, and upon a voice vote, the motion passed unanimously.

APPROVE RESOLUTION NO. 2009-04

Resolution 2009-04 authorizes the county to enter into an agreement with third party transportation contracting agencies during FY-2009 and authorize the Chairman to sign the resolution and certification documents. This is an annual agreement between CARTS and various agencies. The Chairman explained the agreement between CARTS and agencies such as the Commission on Aging, Senior Centers and Margaret Jean Jones Center is necessary in order to provide transportation for these agencies. Commissioner Wayne Willingham made a motion to authorize the Chairman to sign the resolution and certification document. Commissioner Doug Williams made a second to the motion. A voice vote was taken and a motion passed unanimously.

APPROVAL RESOLUTION NO. 2009-05

Resolution 2009-05 removes the weight restrictions off County Road 101. Commissioner Wayne Willingham stated there is a business dealing in sod on this road that needs the weight restrictions removed in order to conduct business. There are no bridges involved in lifting the weight restrictions. Commissioner Wayne Willingham made a motion to accept the Resolution. Commissioner Doug Williams made a second to the motion. A voice vote was taken and the motion passed unanimously.

AUTHORIZE THE CHAIRMAN TO NEGOTIATE RIGHT OF WAY ACQUISITION ALONG HWY 278

David Bussman, Superintendent of the Cullman County Water Department, reported that the previous week an 8" water line burst at Ryan's Creek going across Highway 278W. Water lines in this area have been filled over by the state so they are currently about 18 feet deep. Mr. Bussman wants to have access to run a waterline parallel to Highway 278 back to the pump station. Two property owners are involved with this right of way acquisition; one property owner is already in agreement. Commissioner Wayne Willingham made a motion to allow the Chairman to negotiate right of way acquisition

along Highway 278W for replacement of waterlines. Commissioner Doug Williams made a second to the motion. A voice vote was taken and the motion passed unanimously.

ALLOW THE WATER DEPARTMENT TO REMOVE METER SETS VACATED FOR MORE THAN 24 MONTHS

David Bussman, Superintendent of Cullman County Water Department, reported there are between 2,000 and 3,000 meter sets the water department is maintaining that have no water usage. Some of these are properties where the structures have been torn down but the meter was never removed and other property where two structures were rebuilt and disputes have occurred over which property has the meter. Commissioner Wayne Willingham asked about meter deposits. Mr. Bussman said they no longer require deposits and any deposits collected previously were returned to the customers six to seven years ago. Commissioner Doug Williams made a motion to allow the Water Department to begin removing all meter sets that have been vacant for more than 24 months. Commissioner Wayne Willingham made a second to the motion. A voice vote was taken and the motion passed unanimously.

AUTHORIZE THE CHAIRMAN TO SIGN AN AGREEMENT BETWEEN CULLMAN COUNTY AND THE CULLMAN COUNTY BOARD OF EDUCATION REGARDING THE PRE-DISASTER MITIGATION COMPETITIVE (PDM) PROGRAM

County Attorney Dan Willingham reported that the Federal Government has given a grant for the building of a storm shelter to be located at the Cullman Area Career Center totaling \$1.608 million. The county will enter a contract with the Board of Education to act as the administrative agency for the grant money to flow through. The Board of Education will pay the \$402,000 in matching funds which can be in-kind to include land and site preparation. The property lies within the town limits of South Vinemont and possibilities for dual functions of the property are being evaluated. Chairman Graves stated there are three additional projects similar to these that may be developed in the future. Chairman Graves stated once the project is completed all responsibility will be turned over to the Board of Education. Commissioner Doug Williams made a motion to allow the Chairman to sign an agreement between Cullman County and the Cullman County Board of Education regarding the Pre-Disaster Mitigation Competitive (PDM) Program. Commissioner Wayne Willingham made a second to the motion. A voice vote was taken and the motion passed unanimously.

APPOINTMENT OF MS. DIANE BROWN TO THE DEPARTMENT OF HUMAN RESOURCES BOARD

Commissioner Doug Williams made the motion to appoint Ms. Diane Brown to the Department of Human Resources Board, replacing Ms. Patty Housch, effective January 13, 2009. Ms. Brown's term will expire May 15, 2010. Commissioner Wayne Willingham made a second to the motion. A voice vote was taken and the motion passed unanimously.

THE NEXT COMMISSION MEETING WILL BE HELD AT 10:00 A.M., TUESDAY, JANUARY 27, 2009, IN THE COMMISSION CONFERENCE ROOM.

ADJOURN THE MEETING

Chairman Graves asked if there was further business to consider and there was none. Chairman Graves adjourned the meeting at 10:30 a.m.

James D. Graves, Chairman

J. Douglas Williams

Wayne Willingham