

CULLMAN COUNTY COMMISSION MEETING
May 10, 2011

CALL TO ORDER AND WELCOME

Chairman James Graves called the Commission Meeting to order at 10:02 a.m. and welcomed the visitors

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

Charlotte Slatton, County Clerk, called the roll; present were Chairman James Graves, Commissioner Darrell Hicks, Commissioner Stanley Yarbrough, and County Attorney Rusty Turner. The invocation was given by Representative Mac Buttram. Commissioner Yarbrough led the Pledge of Allegiance.

APPROVE MINUTES OF THE APRIL 26, 2011 MINUTES, APPROVE APPROPRIATIONS, EXPENDITURES, REQUISITIONS, TRAVEL EXPENSES; AND APPROVE ALL JOURNAL ENTRIES TO BE POSTED.

Commissioner Yarbrough made the motion to approve the minutes from April 26, 2011 Commission Meeting, approve appropriations, expenditures, requisitions, travel expenses and approve all journal entries to be posted. Commissioner Hicks seconded the motion which passed on a unanimous voice vote.

APPROVE MINUTES OF THE APRIL 28, 2011 EMERGENCY CALLED MEETING

Commissioner Hicks made a motion to add to the agenda the approval of the minutes of the April 28, 2011 Emergency Called Meeting. Commissioner Yarbrough seconded the motion. With a unanimous voice vote, the item was added to the agenda.

Commissioner Yarbrough made a motion to approve the minutes of the April 28, 2011 Emergency Called Meeting. Commissioner Hicks seconded the motion which carried on a unanimous voice vote.

PUBLIC COMMENTS

James Rhodes addressed the Commission concerning the Alabama Forever Wild Program which was established in 1992, by constitutional amendment, to provide for the purchase of public recreational lands. He requested the Commission oppose any further expenditure the State might want to make with regard to the purchase of lands. Representative Mac Buttram, who was in attendance at the meeting, stated there will probably be a statewide referendum concerning the program.

Chairman Graves stated the County is hopeful the County or the Corps of Engineers will be able to help with the removal of large stumps on private property. Paper work has been submitted for the Corps to assist home owners. The contractor is requesting vegetation debris be

sorted separate from construction debris to facilitate removal of the storm debris. At this time, only debris on right of way will be picked up.

Barry Willingham, Revenue Commissioner, stated the satellite offices at Baileyton and Dodge City have been closed. This has been done to cut cost. Other options are currently being considered.

NEW BUSINESS

Ratify Proclamation of Existence of Local Emergency of April 27, 2011

Chairman Graves stated at the previous meeting, the Commission had authorized Phyllis Little, EMA Director, to declare a local emergency if necessary since all Commissioner were to be out of town from April 27-29. Ms. Little did sign the existence of a local emergency on April 27, 2011 following the afternoon tornado. Commissioner Yarbrough made a motion to ratify the Proclamation of the Existence of a Local Emergency of April 27, 2011. Commissioner Hicks seconded the motion which passed on a unanimous voice vote.

Discuss termination of local emergency

Phyllis Little, EMA Director, stated she has been in contact with the State EMA Office. They have advised that the local declarations should continue in effect to allow for flexibility in dealing with emergency issues. Commissioner Hicks made a motion to table the termination of the local emergency. Commissioner Yarbrough seconded the motion. Upon a unanimous voice vote the item was tabled.

Consider termination of dusk to dawn curfew

Chairman Graves stated in discussions with the Sheriff, since power has been restored to most areas of the County, the curfew is no longer needed. Commissioner Hicks made a motion to terminate the dusk to dawn curfew for the County. Commissioner Yarbrough seconded. The motion passed on a unanimous voice vote.

Approve lease agreement with First Federal for Economic Development Office relocation

Chairman Graves stated the Economic Development Office was severely damaged by the tornado and the City has condemned the building. Their offices have been relocated temporarily to the second floor of the old First Federal Saving and Loan building with a month to month lease. Commissioner Yarbrough made a motion to approve the lease. Commissioner Hicks seconded the motion which carried on a unanimous voice vote.

Ratify the request to the Corps of Engineers for debris removal

Chairman Graves stated a request has been sent to the Corps of Engineers for debris removal. By allowing the Corps of Engineers to handle the debris removal, the County will not have to pay the bill upfront and wait for reimbursement. Commissioner Yarbrough made a motion to ratify the request to the Corps of Engineers for the debris removal. Commissioner Hicks seconded. The motion passed on a unanimous voice vote.

Approve municipalities within Cullman County to have the option to be included in the agreement with the Corps of Engineers for the debris removal

Chairman Graves stated the County can allow municipalities to be included in the agreement

with the Corps of Engineers for debris removal within their town limits. This should help facilitate the Corps with the clean-up since they will not be concerned with governmental boundaries. Commissioner Yarbrough made a motion to approve municipalities within the County to have the option for inclusion of debris removal with the Corps of Engineers. Commissioner Hicks seconded the motion which passed on a unanimous voice vote.

Approve payment of county employees for Thursday, April 28, 2011 as a weather administration day

Chairman Graves stated due to the damage the Courthouse sustained on April 27th , along with the debris and downed power lines around the Courthouse, it was not safe for the public or employees to be in the area; therefore the Courthouse was closed on the 28th. Commissioner Hicks made a motion to pay employees for Thursday, April 28, 2011. Commissioner Yarbrough seconded. Upon a unanimous voice vote, the motion carried.

Resolution 2011-38 – Call Out Pay in Emergencies and ratify all payments made since Resolution 2005-60

Commissioner Hicks made a motion to approve Resolution 2011-38 concerning Call Out Pay in Emergencies. Commissioner Yarbrough seconded the motion which passed on a unanimous voice vote.

Approve \$10,000 expenditure for filming of documentary footage of storm damage

Chairman Graves stated the County and City of Cullman wish to have a permanent record to the storm. The documentary can be used for FEMA related issues, for public relations footage and as a historical record. Commissioner Yarbrough made a motion to approve \$10,000 for the filming of the documentary of the storm damage. Commissioner Hicks seconded. The motion passed on a unanimous voice vote.

Consider extension which allows affected businesses to have until June 30, 2011 to file local tax return which would be due May 20th and June 20th (penalty will be waived but interest will not)

Chris King, Director of Sale Tax, stated the State of Alabama has extended the filing of state sale tax return and he recommended the County follow the same guidelines as the State. The County has the ability to waive the penalty for late filing but by state law the interest must be paid. Anyone who lost tax records in the storm can contact the Sales Tax Office for records going back at 1998. Commissioner Yarbrough made a motion to grant an extension allowing affected businesses to have until June 30, 2011 to file local tax return which would be due May 20th and June 20th. Commissioner Hicks seconded the motion. Upon a unanimous voice vote, the motion carried.

Bid No. 1078 – One (1) or more tractors with boom mowers

John Easterwood, Road Department Administrative Coordinator, stated Trigreen Equipment was the low bidder at \$77,566 including an extended warranty. Commissioner Yarbrough made a motion to award the bid to Trigreen Equipment. Commissioner Hicks seconded. The motion passed on a unanimous voice vote.

Bid No. 1079 – Steel beams

Mr. Easterwood stated Shelton Steel, Inc. was the low bidder. Commissioner Hicks made a motion to award the bid to Shelton Steel, Inc. for steel beams to be used in bridge construction. Commissioner Yarbrough seconded the motion which passed on a unanimous voice vote.

Approve a request to transfer cable franchise from CoBridge Telecom, LLC to Zito Alabama, LLC based on a pending acquisition

Gary Teichmiller, County Administrator, stated Zito Alabama, LLC is purchasing the assets of CoBridge Telecom, LLC and is requesting the local franchise transfer. Commissioner Yarbrough made a motion to approve the transfer request. Commissioner Hicks seconded. The motion passed on a unanimous voice vote.

Authorize the payment of \$25,000 to the Town of Holly Pond for the Guy Hunt Library and Museum

Chairman Graves stated the funding for the Guy Hunt Library and Museum was approved previously contingent on additional documentation. Mayor Nail has provided the necessary paperwork. Commissioner Hicks made a motion to approve payment of \$25,000 to the Town of Holly Pond for the Guy Hunt Library and Museum. Commissioner Yarbrough seconded the motion which passed on a unanimous voice vote.

Approve the following personnel actions

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| New Hires: | Johnathan Easterwood | Road Department (temporary) |
| | Randy Joshua Hinkle | Road Department (temporary) |
| Pay Raises: | Glispy Hudgins | Sanitation Department |

Commissioner Hicks made a motion to approve all personnel actions. Commissioner Yarbrough seconded the motion which passed on a unanimous voice vote.

Revenue Commissioner Barry Willingham requested the Commission pass a resolution limiting employee parking to the parking area in the block south of the Courthouse. The commissioners agreed that due to the repairs and renovations parking at the rear of the Courthouse should be available for customer parking only. Commissioner Hicks made a motion to add the resolution to the agenda. Commissioner Yarbrough seconded the motion. On a unanimous voice vote, the item was added to the agenda.

Resolution 2011-39 - South parking lot designated for employee parking

Commissioner Yarbrough made a motion to approve the resolution concerning employee parking. Commissioner Hicks seconded the motion which passed on a unanimous voice vote.

The next NARCOG meeting will be May 25, 2011 at the Decatur office of NARCOG.

NEXT REGULAR COMMISSION MEETING TUESDAY MAY 24, 2011

Chairman Graves announced the next commission meeting will be Tuesday, May 24, 2011 at 10:00 a.m. in the Commission Meeting Room.

ADJOURN THE MEETING

Commissioner Hicks made a motion to adjourn the meeting. Commissioner Yarbrough seconded the motion. Chairman Graves adjourned the meeting at 10:47 a.m.

/s/ _____

James D. Graves, Chairman
Yarbrough

/s/ _____

Darrell Hicks

Stanley

Commissioner

Associate Commissioner

Associate