

CULLMAN COUNTY COMMISSION MEETING
June 28, 2011

CALL TO ORDER AND WELCOME

Chairman James Graves called the Commission Meeting to order at 10:06 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 Tim Culpepper. The invocation was given by Herman Reid. George Krigbaum led the Pledge of Allegiance.

APPROVE MINUTES OF THE JUNE 14, 2011 MEETING, APPROVE APPROPRIATIONS, EXPENDITURES, REQUISITIONS, TRAVEL EXPENSES; AND APPROVE ALL JOURNAL ENTRIES TO BE POSTED.

Commissioner Yarbrough made the motion to approve the minutes from June 14, 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 JUNE 15, 2011 RECESSED MEETING

Commissioner Yarbrough made the motion to approve the minutes from June 15, 2011 Recessed Commission Meeting. Commissioner Hicks seconded. The motion passed on a unanimous voice vote.

PUBLIC COMMENTS

George Krigbaum, an officer with the State Office of the American Legion, introduced some of the Boy's State and Girl's State representatives from Cullman County. They included Jerry Blackmon from Holly Pond High School who received a scholarship to the University of Alabama at Boy's State; Ashley Pickett from Holly Pond High School; Rachel Sell from Holly Pond High School; and Katelyn Sapp from West Point High School.

Christen Wilson stated County Road 631 is experiencing washing into the ditches and her yard. She requested the road department look into the situation.

Barry Willingham, Revenue Commissioner, announced Marguerite Davis will be retiring after 34 years with the County. He invited the public to a reception in her honor on July 1st.

Legal Services of Alabama to address the Commission concerning free legal services available for municipalities who do not have a city attorney and for people affected by the

April tornados

Nichole Otero with Legal Services of Alabama, a non-profit law firm, informed the Commission their office has received a grant from the DuPont Foundation to provide legal services to help individuals with any legal issues who were affected by the storm. These could include landlord/tenant contracts, consumer issues and contractor issues. Services will also be available to municipalities who do not have a city attorney.

Discussion of debris removal and “Clean Sweep” program

Chairman Graves stated the process of debris removal has been both confusing and frustrating. There are still areas of the County which are not on the debris “grid” from FEMA. As of this morning the County has requested FEMA for “boots on the ground” to evaluate storm damaged areas which satellite photography has not picked up as severe enough for FEMA inclusion.

The Chairman stated the County will be looking at their options with the approaching of the July 11th deadline at which time the County’s portion for payment will go to 12.5%. Much of the work will have to be done by County employees and there is uncertainty as to what can be done for removal of debris on private property.

NEW BUSINESS

Authorize the Chairman to sign the maintenance service agreement with Avaya for Courthouse phone system

Gary Teichmiller, County Administrator, stated the service agreement is approximately \$1,200 per month. Avaya currently has the agreement. Commissioner Yarbrough made a motion to authorize the Chairman to sign the maintenance service agreement with Avaya for the phone system at the Courthouse. Commissioner Hicks seconded. The motion passed on a unanimous voice vote.

Authorize the Chairman to sign an agreement with the Department of Public Accounts for the 2010 audit

Mr. Teichmiller stated the cost for the 2010 audit has increased to \$14,200. Commissioner Hicks made a motion to authorize the Chairman to sign the agreement with the Department of Public Accounts for the 2010 audit. Commissioner Yarbrough seconded the motion. Upon a unanimous voice vote, the motion passed.

Authorize the Chairman to sign the SenioRx prescription drug agreement with NARCOG

Chairman Graves stated the County, through the Commission on Aging, has participated in the SenioRx prescription drug program with NARCOG since its inception. Commissioner Yarbrough made a motion to authorize the Chairman to sign the agreement with NARCOG. Commissioner Hicks seconded the motion which passed on a unanimous voice vote.

Consider approval of surplus of 1999 GMC chassis Serial # 1GDJ6H1C9XJ516075 from Water Department

Commissioner Yarbrough made a motion to approve the surplus of 1999 GMC chassis Serial # 1GDJ6H1C9XJ516075 from Water Department. Commissioner Hicks seconded. The motion passed on a unanimous voice vote

Consider approval of surplus of 2000 GMC 1500 pickup Serial # 1GTEC14VXYZ300984 from Water Department

Commissioner Yarbrough made a motion to surplus of 2000 GMC 1500 pickup Serial # 1GTEC14VXYZ300984 from Water Department to be sold on Govdeals. Commissioner Hicks seconded the motion. Upon a unanimous voice vote the motion carried.

Resolution 2011-44 – Amendment to the Cullman County Personnel Handbook

Commissioner Yarbrough made a motion to adopt the resolution making changes to Section 11.20.2.5 of the Personnel Handbook. Commissioner Hicks seconded the motion which passed on a unanimous voice vote.

Resolution 2011-45 – Set speed limit on County Road 1218 at 25 MPH

Fred Penn, County Engineer, stated County Road 1218 has vertical and horizontal curves and recommended a speed limit of 25 MPH. Commissioner Yarbrough made a motion to set the speed limit on County Road 1218 at 25 MPH. Commissioner Hicks seconded the motion which passed on a unanimous voice vote.

Resolution 2011-46 – Set speed limit on County Road 643 at 35 MPH

Mr. Penn recommended the speed limit on County Road 643 be set at 35 MPH. Commissioner Hicks made a motion to set the speed limit on County Road 643 at 35 MPH. Commissioner Yarbrough seconded. The motion passed on a unanimous voice vote.

Resolution 2011-47 – 2011 Sales Tax Holiday

Chris King, Director of Sales Tax, informed the Commission the annual sales tax holiday will be the weekend of August 5-7, 2011. This allows for purchase of back to school supplies, equipment and clothing without sales tax charges. Commissioner Hicks made a motion to approve the sales tax holiday resolution. Commissioner Yarbrough seconded. Upon a unanimous voice vote the motion carried.

Resolution 2011-48 – Authorize County Attorney to associate outside attorneys regarding personnel matters

Tim Culpepper, County Attorney, stated occasions arise where there is a conflict in advising the County on personnel matters when the law firm may have previously dealt with the employee in question. If this is the case, the matter would be referred to another local attorney or to an attorney specializing in employment issues. Commissioner Hicks made a motion to approve the resolution for outside attorney representation if the need arises. Commissioner Yarbrough seconded the motion which passed on a unanimous voice vote.

Consider a donation of \$1,000 to the White City Community Center

Commissioner Hicks made a motion to donate \$1,000 to the White City Community Center, a polling place. Commissioner Yarbrough seconded. The motion passed on a unanimous voice vote.

Bid No. 1082 – Computer Equipment

Gary Teichmiller, County Administrator, stated two bids were received. The low bidder was I.S. Corp who currently has the bid. He stated the IT Department has recommended awarding the

bid to I.S. Corp. Commissioner Yarbrough made a motion to award the bid. Commissioner Hicks seconded the motion which passed on a unanimous voice vote.

Consider proposed plat for Rocky Springs Subdivision, Phase III located in District 2 off County Road 67.

Keith Creel, Assistant Engineer, stated the plat is a continuation of the subdivision with the extension of 1,500 feet of roadway and the addition of eight lots. It meets the County's regulations and he recommended approval. Commissioner Yarbrough made a motion to approve the plat for Rocky Springs Subdivision, Phase III located in District 2 off County Road 67. Commissioner Hicks seconded the motion. Upon a unanimous voice vote, the motion carried.

Ratify employment contracts

Commissioner Hicks made a motion to ratify the employment contracts for the following offices: County Administrator, County Clerk, Road Superintendent, Safety Director and Sanitation Director. Commissioner Yarbrough seconded the motion. Upon a unanimous voice vote, the motion passed.

Approve the following personnel actions:

Resignations:	Margaret Rasbury	Sheriff Department
	Stephen Hanson	Sheriff Department
	Nena Evans	CARTS
	James Roberts	CARTS
Layoff:	Angela Paden	CARTS
New Hires:	Nicholas Johnson	Detention Deputy
	Brandon Woods	Detention Deputy
	Richard Neese	Detention Deputy
	Justin Bates	Sheriff Department
	Windell Turner	Sanitation -temporary
	Harry Johnson	CARTS - temporary
	Don Newman	Juvenile Detention
Promotions:	Brian K Swann	Road Department

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

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OLD BUSINESS

Consider approval of Our Lady of the Hills Homestead Cemetery, LLC

Attorney Culpepper stated the Commission had referred the cemetery request to the Health Department and they have recommended approval. Commissioner Hicks made a motion to approve the application of Our Lady of the Hills Homestead Cemetery, LLC. Commissioner Yarbrough seconded. Upon a unanimous voice vote, the motion carried.

Authorize the Chairman to sign Transportation Enhancement Grant through ALDOT for Hog Mountain project

Chairman Graves stated the purchase of land for Hog Mountain has been discussed for a number of years. The scope of the project had originally included walking trails, bicycle trail, parking and restrooms. The Commission does not want to involve the County in the development of an additional park at this time. After discussion with the Civil War Trust, it has been determined the County will apply for an 80/20 transportation enhancement grant. The Civil War Trust will reimburse the County for the 20% match; therefore the County will not pay any of the cost and the grant will be for the purchase of the land only. No other projects will be done. Commissioner Yarbrough made a motion to authorize the Chairman to sign the grant application. Commissioner Hicks seconded the motion which passed on a unanimous voice vote.

Commissioner Hicks made a motion to add **Terminate the County’s contract with FEMA for debris removal.** Commissioner Yarbrough seconded. The motion passed on a unanimous voice vote.

Terminate the County’s contract with FEMA for debris removal

Commissioner Hicks made a motion to approve the termination of the County’s contract with FEMA effective at 11:59 p.m. on July 11, 2011. Commissioner Yarbrough seconded the motion which passed on a unanimous voice vote.

The next NARCOG meeting will be July 20, 2011 at the Decatur office of NARCOG.

NEXT REGULAR COMMISSION MEETING TUESDAY JULY 12, 2011

Chairman Graves announced the next commission meeting will be Tuesday, July 12, 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 10:45 a.m.

/s/ _____

James D. Graves, Chairman
Hicks,
Associate Commissioner

/s/ _____

Darrell
Stanley Yarbrough,
Associate Commissioner

/s/ _____