

**CULLMAN COUNTY COMMISSION MEETING
November 12, 2013**

CALL TO ORDER AND WELCOME

Chairman Kenneth Walker called the Commission Meeting to order at 10:00 a.m. and welcomed the visitors.

CALL OF ROLL TO ESTABLISH QUORUM

The County Clerk called the roll; present were Chairman Kenneth Walker, Commissioner Darrell Hick, Commissioner Stanley Yarbrough and County Attorney Heath Meherg. The invocation was given by Commissioner Hicks. Matt Kinsland led the Pledge of Allegiance.

APPROVE MINUTES OF THE OCTOBER 22, 2013 MEETING; APPROVE APPROPRIATIONS, EXPENDITURES, REQUISITIONS AND ALL JOURNAL ENTRIES TO BE POSTED.

Commissioner Yarbrough made the motion to approve the minutes from the October 22, 2013 Commission Meeting; approve appropriations, expenditures, requisitions and all journal entries to be posted. Commissioner Hicks seconded the motion which passed on a unanimous voice vote.

PUBLIC COMMENTS

There were no public comments.

NEW BUSINESS

Public Hearing concerning the vacating of County Road 828

Commissioner Yarbrough made a motion to open the public hearing for the vacating of County Road 828. Commissioner Hicks seconded. Jon Brunner, County Engineer, stated County Road 828 is a cut through road in the Logan area and has not been maintained by the County and there is a closed bridge on the road. Mr. Meherg, County Attorney, stated notices have been advertised and posted. Commissioner Yarbrough stated he has spoken with the property owners. There were no other public comments. Commissioner Yarbrough made a motion to close the public hearing. Commissioner Hicks seconded. The motion passed on a unanimous voice vote.

Resolution 2014-01 – Vacating of County Road 828

Commissioner Yarbrough made a motion to approve the vacating of County Road 828. Commissioner Hicks second. Upon a unanimous voice vote, the motion carried.

Resolution 2014-02 – Set speed limit on County Road 1515 at 30 MPH

Jon Brunner, County Engineer, stated there was an accident in the area and the residents have requested a posted speed limit on County Road 1515. He recommended setting the speed limit at 30 MPH. Commissioner Hicks made a motion to set the speed limit on County Road 1515 at 30 MPH. Commissioner Yarbrough seconded the motion which passed on a unanimous voice vote.

Consider request to vacate Old Buck Pond Road from Highway 278 to County Road 735

Attorney Meherg stated the County has received a request from Mel Bailey for the vacating of Old Buck Pond Road. The road has not been used in a number of years. He currently has a prospective buyer for the property. Commissioner Hicks made a motion to proceed with the process for vacating Old Buck Pond Road from Highway 278 to County Road 735. Commissioner Yarbrough seconded the motion. Upon a unanimous voice vote, the motion carried.

Consider request to vacate unimproved County Road between County Road 1518 and County Road 1528

Mr. Meherg stated the County has received a request from Drennen Twilley to consider vacating an unimproved road between County Road 1518 and 1528. He stated the road has not been in use for probably thirty years and trees are growing up in the middle of the road. He recommended the County recognize the road as abandoned. Commissioner Hicks made a motion to approve the recommendation of the County Attorney and consider the road abandoned. Commissioner Yarbrough seconded. The motion passed on a unanimous voice vote.

Consider acceptance of County Road 1210 in West Wind Acres Subdivision, located in District 1 off Highway 157. This consideration will only apply to the part of the road located outside the town limits of West Point.

Jon Brunner, County Engineer, stated he has inspected the road and it meets county specifications. There is a section of the road which is in bad condition, but it lies within the town limits of the Town of West Point. Commissioner Yarbrough made a motion to accept the section of County Road 1210 which lies outside the town limits of West Point in West Wind Acres Subdivision. Commissioner Hicks seconded the motion which passed on a unanimous voice vote.

Designate bank depositories for County funds

Gary Teichmiller, County Administrator, stated the County is legally required to annually designate bank depositories for County funds. He recommended approval of all banks in the county which participate in the SAFE program. Commissioner Hicks made a motion to approve all banks in the SAFE program for depositories of County funds. Commissioner Yarbrough seconded. The motion passed on a unanimous voice vote.

Consider approval of an answer to be filed in response to the complaint for declaratory judgment and order allowing entry filed by Hugh C. Harris, Clifford Hoyt Harris, Janet Drummond Jean and Marcia Drummond Bailey

Attorney Meherg stated the County has been named in a lawsuit concerning a dispute over the status of a road in Misty Harbor. There is some disagreement as to whether the road is in the county's maintenance system. There is evidence the County has worked the road previously. Mr. Meherg stated it is his intention to file a response and allow the courts to make the determination if the road is a county road or private road. Commissioner Yarbrough made a motion to authorize the County Attorney to file a response with regard to the complaint for declaratory judgment. Commissioner Hicks seconded the motion which passed on unanimous voice vote.

Resolution 2014-03 – Authorize the Pre-application for Airport Improvement Grant with the FAA

David Parker from Goodwin Mills & Cawood explained the pre-application is for approximately \$4,000,000 for runway, taxiway and apron rehabilitation along with property acquisition and engineering work. The FAA grant is a 90/10 grant with the FAA paying 90% and the State of Alabama paying 5% leaving the County and City of Cullman to each pay 2.5% each. They do not anticipate receiving the full grant amount. Commissioner Hicks made a motion to approve the application for a grant for airport improvements. Commissioner Yarbrough seconded. The motion passed on a unanimous voice vote.

Resolution 2014-04 – Authorize the Pre-application with ALDOT for Apron Rehabilitation for the Airport

David Parker continued with an explanation of the application to ALDOT for apron rehabilitation. They do not anticipate receiving enough funding from the FAA for all projects; therefore an application for \$318,425 will be made for repairs north apron. This is a 50/50 grant with the County and the City of Cullman each contributing 25%. Commissioner Yarbrough made a motion to authorize the application to ALDOT for the grant for airport improvements. Commissioner Hicks seconded. The motion passed on a unanimous voice vote.

Resolution 2014-05 - Exemptions from Certain Safety Policies for Certain Departments

Attorney Meherg explained the County passed a safety policy in October of last year regulating the use of wireless devices by employees. This resolution will exempt EMA personnel and the Sheriff's Department from the policy due to the scope of their jobs requires the use of in car lap tops and other devices used in the daily scope of their jobs. Commissioner Hicks made a motion to adopt the resolution for partial exemption of EMA and Sheriff Department employees from the wireless communication policy. Commissioner Yarbrough seconded the motion which passed on unanimous voice vote.

Authorize the Chairman to sign the Community Development Funds Project Cooperative Agreement for \$25,000 grant for cleaning of pond at Clarkson Covered Bridge

Matt Kinsland from the Economic Development Office stated the County has received a \$25,000 grant from the Resource Conservation and Development Council (RC&D) to be used for cleaning the pond at Clarkson Bridge. Approximately 12 feet of silt will be removed from the pond by the County Road Department. Commissioner Hicks made a motion to authorize the Chairman to sign the agreement. Commissioner Yarbrough seconded. Upon a unanimous voice vote, the motion passed.

Authorize the Chairman and EMA Director to sign the EMPG Agreement for FY-2013

Phyllis Little, EMA Director, stated the federal reimbursement for the EMPG agreement for FY-2013 is \$50,244, up slightly from last year. Commissioner Yarbrough made a motion authorizing the Chairman and EMA Director to sign the agreement. Commissioner Hicks seconded. The motion passed on a unanimous voice vote.

Ratify the signing of a contract with St. Bernard Abbey for facility usage for ACCA sponsored event

Chairman Walker stated the County will host a meeting for the elected officials and legislative delegations from Cullman, Lawrence and Winston counties on Friday, November 15th at "The Barn" at St. Bernard Abbey. Commissioner Hicks made a motion to ratify the signing of the contract for the event. Commissioner Yarbrough seconded. Upon a unanimous voice vote, the motion passed.

Consider approve of \$6,500 expenditure for repair to courthouse elevator by Otis Elevator Co.

Commissioner Yarbrough made a motion to approve the expenditure of \$6,500 for repairs to the courthouse elevator by Otis Elevator Co. Commissioner Hicks seconded. The motion passed on a unanimous voice vote.

Chairman Walker to re-appoint Tom Beason to the Solid Waste Authority Board for a four (4) year term to expire 11-20-2017

Commissioner Hicks made a motion to re-appoint Tom Beason to the Solid Waste Authority Board for a four (4) year term to expire 11-20-2017. Commissioner Yarbrough seconded the motion which passed on a unanimous voice vote.

Consider approval of FY-2014 camping rates for all Cullman County Parks

Doug Davenport, Park Manager, stated the rates for camping at the parks have not been raised in two years. He has reviewed rates charges by other parks in adjoining counties. The recommended rates are still lower than other area facilities. (*Rate schedule attached*) Commissioner Yarbrough made a motion to approve the camping rates for FY-2014. Commissioner Hicks seconded. The motion passed on a unanimous voice vote.

Consider request from the Grandview Community Center for \$500 for polling maintenance and operational support

Commissioner Yarbrough made a motion to approve \$500 for polling maintenance and operational support for the Grandview Community Center. Commissioner Hicks seconded the motion which passed on a unanimous voice vote.

Consider request from Beat 8 for \$500 for polling maintenance and operational support

Commissioner Yarbrough made a motion to approve \$500 for polling maintenance and operational support for Beat 8. Commissioner Hicks seconded the motion. Upon a unanimous voice vote, the motion passed.

Consider request from the Simcoe Community Center for \$500 for polling maintenance and operational support

Commissioner Hicks made a motion to approve \$500 for polling maintenance and operational support for the Simcoe Community Center. Commissioner Yarbrough seconded. The motion carried on a unanimous voice vote.

Ratify the following personnel actions:

Sharae "Noel" Bailey	Juvenile Detention
Sarah Nicole Miller	Juvenile Detention
Katie Edwards	Smith Lake
Travis Kress	Soil and Water
Stephanie Chambers	Revenue
Nina Winfrey	CARTS
Rebecca Taylor	CARTS
Kerry Schafer	Garage
Curtis Vinson	Garage
Zach Johnson	Garage
Craig Adamson	Garage
Charles Dansby	CARTS
Randall Austin Black	Sheriff's Dept
George Suggs	Road Dept
Wesley Waldrop	Road Dept

Commissioner Yarbrough made a motion to ratify the personnel actions. Commissioner Hicks seconded. The motion passed on a unanimous voice vote.

ANNOUNCEMENT:

The Governor has approved the following additional days as "holidays" for November and December 2013; the day after Thanksgiving and the day before Christmas: November 28 & 29; December 24 & 25.

WORK SESSION

The Commission will hold a Work Session on Tuesday, November 26, 2013 at 8:30 a.m. in the commission conference room.

NEXT REGULAR COMMISSION MEETING NOVEMBER 26, 2013

Chairman Walker announced the next commission meeting will be Tuesday, November 26, 2013, 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 Walker adjourned the meeting at 10:14 a.m.

/s/ _____
Kenneth Walker,
Chairman

/s/ _____
Darrell Hicks,
Associate Commissioner

/s/ _____
Stanley Yarbrough,
Associate Commissioner

