

CULLMAN COUNTY COMMISSION MEETING
March 10, 2015

CALL TO ORDER AND WELCOME

Chairman Walker called the Commission Meeting to order at 10:01 a.m.

CALL OF ROLL TO ESTABLISH QUORUM

The County Clerk called the roll; present were Chairman Kenneth Walker, Commissioner Kerry Watson, Commissioner Garry Marchman and County Attorney Heath Meherg. The invocation was given by Doug Davenport. Cherrie Haney led the Pledge of Allegiance.

APPROVE MINUTES OF THE FEBRUARY 24, 2015 MEETING; APPROVE APPROPRIATIONS, EXPENDITURES, REQUISITIONS AND ALL JOURNAL ENTRIES TO BE POSTED.

Commissioner Marchman made the motion to approve the minutes from the February 24, 2015 Commission Meeting; approve appropriations, expenditures, payroll, requisitions and all journal entries to be posted. Commissioner Watson seconded the motion which passed on a unanimous voice vote.

APPROVE THE MINUTES OF THE FEBRUARY 25, 2015 EMERGENCY CALLED MEETING

Commissioner Marchman made a motion to approve the minutes of the February 25, 2015 Emergency Called Commission Meeting. Commissioner Watson seconded. The motion passed on a unanimous voice vote.

APPROVE THE MINUTES OF THE MARCH 2, 2015 EMERGENCY CALLED MEETING

Commissioner Marchman made a motion to approve the minutes of the March 2, 2015 Emergency Called Commission Meeting. Commissioner Watson seconded the motion which passed on a unanimous voice vote.

PUBLIC COMMENTS

There were no public comments.

NEW BUSINESS

Consider approval of additional payment to ACCA Workers' Compensation Fund for 2013-2014

Gary Teichmiller, County Administrator, stated worker's compensation premiums are paid in advance based on the previous year's information. Following the final audit, an adjusted premium amount is billed. The additional payment is \$11,373. Commissioner Marchman made a motion to approve payment to the ACCA Workers' Compensation Fund for the additional premium for 2013-2014. Commissioner Watson seconded. The motion passed on a unanimous voice vote.

Consider a proposal for settlement with Ryan Creek Acquisition

Heath Meherg, County Attorney, stated a proposal has been sent for the County's consideration which involves Ryan Creek getting the ramp at Big Bridge and the storage tank. There would be termination of the license agreement for the tank. The County would get the road. By accepting the proposal it will go against everything the County has argued in the case. He feels the County would be no worse if we let the case of to summary judgment. With summary judgment, there is always the possibility the matter will go on to trial. Commissioner Marchman stated he did not feel the County should give away the property. Commissioner Watson made a motion not to accept the settlement proposal from Ryan Creek Acquisition. Commissioner Marchman seconded. Upon a unanimous voice vote, the motion carried.

Consider proposal from Multi Modal Division of ALDOT regarding rail/highway grade crossings

John Lang, County Engineer, stated the railroad crossings on County Road 605 and County Road 607 have been deemed dangerous by ALDOT. There are federal funds available to cover the cost for marking these crossings; however, the County will become responsible, in perpetuity, for the maintenance. Attorney Meherg stated there are similar railroad crossing that are not included in the proposal. Chairman Walker stated the County does not have ability to accept additional non-funded maintenance requirements. Commissioner Marchman made a motion that no agreement be made with Multi Modal Division of ALDOT regarding rail/highway grade crossings. Commissioner Watson seconded and the motion passed on a unanimous voice vote.

Consider authorizing the Chairman to sign an agreement with CDG Engineering for engineering services for County Road 5

John Lang, County Engineer, stated funding to be used for the paving of County Road 5 is money left over from the CDBG projects for repair of roads damaged in the 2011 tornadoes. He recommended signing the agreement with CDG Engineering contingent on the County receiving written approval from ADECA that the remaining funds can be diverted to the County Road 5 project. Chairman Walker stated he has spoken with Wiregrass Construction, the company who did the original CDBG work, and they have agreed to honor the bid price that was put in place for the previous work; therefore, the County Road 5 project will not need to be rebid. Commissioner Watson made a motion to authorize the Chairman to sign the agreement with CDG Engineering contingent on receiving documents from ADECA. Commissioner Marchman seconded. The motion passed on a unanimous voice vote.

Consider agreement with the United States Geological Survey (USGS) for LiDAR project

Barry Willingham, Revenue Commissioner, stated the LiDAR project is aerial laser mapping. Several counties adjacent to Cullman County are also participating in the mapping project. Once the topographical maps are generated, variances in elevation of a little as six inches can be determined. This should be very beneficial in road construction, determination of flood plains and for any type of governmental or private construction projects. The total cost of the project is approximately \$4 million. Each county involved will have a \$50,000 match. Mr. Meherg stated he has some concerns about Provision 7 which states the County will be responsible for 5% of the total contracted project cost. He has spoken with the USGS and has been reassured the total cost to the County will be \$50,000. Commissioner Marchman made a

motion to authorize the signing of an agreement with the USGS for the LiDAR mapping project. Commissioner Watson seconded and the motion passed on a unanimous voice vote.

Authorize the Revenue Commissioner to sign an agreement with Breeze Group LLC and the Revenue Commission

Revenue Commissioner Barry Willingham stated the Revenue Commission has mobile app services with Breeze Group. This agreement will extend services to include credit card processing with a lower processing fee than is currently being charged. Commissioner Watson made a motion to authorize the signing of an agreement with the Breeze Group, LLC. Commissioner Marchman seconded the motion which passed on a unanimous voice vote.

Consider the City of Hanceville's request to install a radio antenna on the water tank at Stouts Mountain

Chairman Walker stated the Commission has received a request from the City of Hanceville to install a radio antenna on the water tank at Stouts Mountain. The Water Department feels this will not be a problem provided the radio frequency does not interfere with other equipment already on the tank. The County Attorney will draw up an agreement to send to the City of Hanceville for their consideration. The agreement will need to come back before the Commission for approval. Commissioner Marchman made a motion to have the agreement drawn up for review by all parties involved. Commissioner Watson seconded. The motion passed on a unanimous voice vote.

Consider the acceptance of a grant from Yamaha for trail improvements at the OHV Park in the amount of \$9906.60

Doug Davenport, Park Director, stated this is a two part grant from Yamaha. The only requirement of the grant is a sign be posted on the trails indicating they were built through a grant from Yamaha. Commissioner Watson made a motion to accept the grant from Yamaha for trail improvements at the OHV Park in the amount of \$9906.60. Commissioner Marchman seconded and the motion passed on a unanimous voice vote.

Consider the purchase of 2015 Rear-loading Freightliner Durapack 5000 Refuse Truck from the NJPA Purchasing Cooperative through Ingram Equipment Co. – Cost \$164,820.20

Gary Teichmiller, County Administrator, stated a bid was not required since the truck is being purchased off an approved cooperative bid list. Commissioner Marchman made a motion to approve the purchase a 2015 rear-loading Freightliner Durapack 5000 refuse truck from the NJPA Purchasing Cooperative through Ingram Equipment Co. at a cost of \$164,820.20. Commissioner Watson seconded the motion. Upon a unanimous voice, the motion passed.

Consider authorization of the purchase of seven (7) 25 passenger buses for CARTS – County Match \$86,605.51

Joyce Echols, Director of CARTS, stated the purchase of these seven buses will finish the fleet replacement program. ALDOT has already approved the purchase with a total cost of \$404,397.55. The County's match is \$86,605.51. This is slightly more than the 20% match because optional flashing lights are to be installed on each bus with the County covering the cost. Commissioner Watson made a motion to approve the purchase of seven (7) 25 passenger buses for CARTS. Commissioner Marchman seconded the motion which passed on a unanimous voice vote.

Consider authorization of the purchase of nine (9) mobile data computers, thirty (30) 2-way radios and one (1) copier for CARTS – County Match \$10, 138

Ms. Echols stated the equipment is being purchased with an 80/20 grant from ALDOT. The additional nine mobile data computers will put a computer on each bus in the fleet. A number of the 2-way radios are in need of replacement along with the office copier. Commissioner Marchman made a motion to authorize the purchase of equipment for CARTS with a matching cost of \$10,138. Commissioner Watson seconded. The motion carried on a unanimous voice vote.

Consider the purchase of a 2015 Yamaha Viking for the OHV Park from S&W Power Sports with a 50/50 grant – \$6,499.50 match

Doug Davenport, Park Director, stated this is the second part of the grant from Yamaha. In addition to the 50/50 grant from Yamaha for the 2015 Viking, S&W Power Sports is installing a winch and top at no charge, valued at over \$2,500. Commissioner Watson made a motion to approve the purchase of the equipment from S&W Power Sports. Commissioner Marchman seconded and the motion passed on a unanimous voice vote.

Consider purchase of right-of-way property from Tim Compton for Water Department

Heath Meherg, County Attorney, stated the right-of-way is to be purchased for the replacement of waterline on Hwy 278. The approximate half acre was appraised for \$4,000 and that is the selling price. Commissioner Marchman made a motion to approve the purchase of right-of-way property from Tim Compton for Water Department project. Commissioner Watson seconded. The motion passed on a unanimous voice vote.

Consider purchase of right-of-way property from Kenny Culpepper for Water Department

Heath Meherg, County Attorney, stated two pieces of property from Mr. Culpepper are under consideration. The first is a 40'X40' plot that will be used for the locating of a pump station. This property appraised for \$2,500 and the Water Department will purchase it for that price. The second right-of-way property along Hwy 278 appraised for \$2,000. Mr. Culpepper does not want payment for the right-of-way, but has asked that his fence be relocated off the right-of-way where the work is to be done. The County has agreed to this. Commissioner Marchman made a motion to approve the purchase of right-of-way property from Kenny Culpepper and the relocation of fencing for the Hwy 278 waterline project. Commissioner Watson seconded the motion which passed on a unanimous voice vote.

Bid No. 1188 – Railroad Tank Cars

John Lang, County Engineer, stated the County recycles used railroad tank cars for culvert work particularly in the parks. The low bidder was Smith Diversified and recommended awarding the bid. Commissioner Marchman made a motion to award the bid for used railroad tank cars to Smith Diversified Sales. Commissioner Watson seconded. Upon a unanimous voice vote, the motion passed.

Resolution 2015-20 - Replacing Confederate Memorial Day with Good Friday as a County Holiday

Revenue Commissioner Barry Willingham addressed the Commission concerning the change in the county's holiday schedule. He stated the public thinks county offices are closed on Good Friday and complain about the Confederate Memorial Day holiday because it is an obscure holiday and the public does not realize the county is closed. He feels like the change would be beneficial. Commissioner Watson made a motion to adopt the resolution replacing Confederate Memorial Day with Good Friday as a county holiday. Commissioner Marchman seconded. The motion passed on a unanimous voice vote.

WORK SESSION

The Commission will hold a Work Session on Tuesday, March 24, 2015, at 8:30 a.m. in the commission conference room.

NEXT REGULAR COMMISSION MEETING MARCH 24, 2015

Chairman Walker announced the next commission meeting will be Tuesday, March 24, 2015 at 10:00 a.m. in the commission meeting room.

ADJOURN THE MEETING

Commissioner Marchman made a motion to adjourn the meeting. Commissioner Watson seconded the motion and the meeting was adjourned at 10:25 a.m.

/s/ _____
Kenneth Walker,
Chairman

/s/ _____
Kerry Watson,
Associate Commissioner

/s/ _____
Garry Marchman,
Associate Commissioner