

**CULLMAN COUNTY COMMISSION MEETING**  
**September 28, 2010**

**CALL TO ORDER AND WELCOME**

Chairman James Graves called the Commission Meeting to order at 10:00 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 Doug Williams, Commissioner Wayne Willingham, and County Attorney Dan Willingham. The invocation was given by Dan Willingham. Daryl Hicks led the Pledge of Allegiance.

**APPROVE MINUTES OF THE SEPTEMBER 14, 2010 MINUTES, APPROVE APPROPRIATIONS, EXPENDITURES, REQUISITIONS, TRAVEL EXPENSES; AND APPROVE ALL JOURNAL ENTRIES TO BE POSTED.**

Commissioner Willingham made the motion to approve the September 14, 2010 minutes, approve appropriations, expenditures, requisitions, travel expenses and approve all journal entries to be posted. Commissioner Williams seconded the motion, and upon a voice vote, the motion carried unanimously.

**PUBLIC COMMENTS**

**Ronnie Jean**, a resident of County Road 295, stated the road was to be paved by the developer, David Goodwin. He has a surety bond that has been extended twice. Currently the school bus will not come down the road due to its condition. The residents of County Road 295 are requesting the surety not be extended and either Mr. Goodwin pave the road or the County call the bond and facilitate the paving. Attorney Willingham stated he would meet with Mr. Jean and the county engineer after the Commission Meeting to determine what needs to be done. Chairman Graves directed the item to be put on the agenda for the next meeting.

**Fulton Mauter**, requested information on the budget of the two road departments and asked who paid the legal bills of the Water Department. Chairman Graves stated as far as he knows the Water Department paid the legal bills, however the state examiners are currently conducting an audit of the water department. When the audit is complete, it will be made public knowledge.

**NEW BUSINESS**

**Authorize the Chairman to sign the agreement with The Hartford Insurance Co. for employee life and AD&D coverage**

Gary Teichmiller, County Administrator, stated the County pays for \$15,000 life insurance per employee with the option available for the employee to purchase additional coverage or dependent coverage. This year The Hartford Insurance Co. provided the best quote, approximately \$20,000, for the coverage effective October 1, and he recommended signing the agreement. Commissioner Williams made a motion to authorize the Chairman to sign the agreement with The Hartford Insurance Co. for employee life and AD&D insurance. Commissioner Willingham seconded the motion which passed on a unanimous voice vote.

**Authorize the Chairman to sign the renewal of excess loss coverage with BCS Insurance Company**

Mr. Teichmiller explained since the County is self-insured for the employee medical coverage, it is necessary to carry catastrophic coverage for expenses that exceed \$100,000 on an employee in the fiscal year. Previously the cap has been \$75,000, however Blue Cross has recommended raising the limit which will save the County approximately \$80,000 in premiums. Commissioner Willingham made a motion to authorize the Chairman to sign the renewal of excess loss coverage with BCS Insurance Company. Commissioner Williams seconded. Upon a unanimous voice vote, the motion passed.

**Adopt the 2010-2011 funding rates for employee health coverage recommended by Blue Cross**

Mr. Teichmiller stated after looking at what the County paid out on employee claims, Blue Cross has recommended the County increase the funding for employee health coverage. The current cost for the County self-insurance program is approximately \$5 million. Chairman Graves asked if there is any indication what the new health care mandates from the federal government will do to the County's cost. Mr. Teichmiller stated the long range costs are unclear; however this year's costs were up between \$30,000 and \$40,000 due to additional insurance requirements. The full effects will not be known until 2014. Commissioner Williams made a motion to adopt the funding rate recommended by Blue Cross. Commissioner Willingham seconded. The motion passed on a unanimous voice vote.

**Consider donation request of \$6,000.00 to the Oktoberfest 2010 Committee**

Commissioner Willingham made a motion to donate \$3,000.00 to the Oktoberfest Committee due to budgetary restraints. Commissioner Williams asked if the funds came out of the tourism fund. Chairman Graves stated the donation does come from tourism and therefore would not affect the general fund; previous donations were \$5,000.00. Commissioner Williams suggested keeping level funding of the donation. Commissioner Willingham amended his motion to a \$5,000.00 donation. Commissioner Williams seconded the motion which carried on a unanimous voice vote.

**Consider donation request of \$2,000.00 to the Cullman Community Concert Association**

Commissioner Williams made a motion to donate \$2,000.00 to the Cullman Community Concert Association from the tourism fund. Commissioner Willingham seconded the motion which passed on a unanimous voice vote.

**Consider granting an extension of surety on Smith Lake RV Resort subdivision located in District 2 off County Road 202**

Keith Creel, Assistant Engineer, stated the subdivision was approved in October 2009 with a surety of \$198,000 for the completion of the project. The roads will remain private and gated; however, roads will be built to the County's specifications. The surety is an assignment of a restricted line of credit from a bank. Mr. Creel stated he has spoken with the bank and there is not a deadline on the surety as far as the bank's participation, but it states the work is to be completed before winter of 2010. Mr. Creel has asked the bank for a letter of acknowledgement that they are aware of the developer's request for an extension. He recommended granting the extension contingent on receipt of the letter from the bank. Commissioner Willingham made a motion to grant the extension of the surety on Smith Lake RV Resort contingent on receipt of the letter from the bank. Commissioner Williams seconded the motion which passed on a unanimous voice vote.

**Resolution 2010-65 – Energy Grant Allocation**

Gary Teichmiller stated the energy grant the County received through the Department of Energy (DOE) requires funds to be

committed by October 1. The DOE has not informed the County which project will receive final approval, the modified mechanical project or the replacement of the windows of the courthouse. Chairman Graves stated the resolution is to commit the \$250,000 grant money to the project which the DOE approves. Commissioner Willingham made a motion to adopt the resolution for the energy grant allocation. Commissioner Williams seconded and the motion passed on a unanimous voice vote.

**Bid No. 1056 – Light bar/siren controller and console package for the Sheriff’s Department**

Chairman Graves stated the Sheriff’s Department has received grant money from the Department of Justice. Mr. Teichmiller stated the bid is to be awarded to Sharp Communications. Commissioner Williams made a motion to award the bid for light bar/siren controller and console package to Sharp Communications. Commissioner Willingham seconded the motion. Upon a unanimous voice vote the motion passed.

**Notice of Exercise of Option by Cullman Environmental, Inc. to extend waste disposal service agreement for 10 years**

Chairman Graves stated Cullman Environmental, Inc. has notified the County they are exercising their option to extend their waste disposal service agreement for an additional ten (10) years.

The next NARCOG meeting will be October 27, 2010 at the Decatur office of NARCOG.

The Chairman invited the public to join Mayor Melba Patton at the new ball fields in Vinemont following the Commission Meeting.

The Chairman asked for a motion to adjourn the meeting. Commissioner Williams made a motion to recess the meeting stating, “the budget is not finalized which by statute is to be done by October 1.” Commissioner Willingham seconded the motion.

Chairman Graves stated the budget for FY 2011 is not ready. The expenses exceed revenues by approximately \$580,000 and by law a balanced budget must be presented. He will be discussing the budget with the Sheriff, Revenue Commissioner and Probate Judge to see where possible reductions can be made including possible personnel cuts; if not an across the board cut may be necessary. He agreed the budget is to be passed by the end of September, however he could not recommend a budget at this time. He stated he has already spoken with the state auditors and made them aware the County will not be in compliance with state law requiring a budget be adopted by October 1st . The auditors have advised him this will result in a finding at the next audit.

Chairman Graves stated gasoline revenues are down for 2010. Therefore, the revenue projection for 2011 has been lowered causing a greater deficit for the road departments. With revenues down in the general fund, this fund will not be able to subsidize the road departments as it has in previous years.

Chairman Graves suggested the budget approval be put on hold till the next Commission Meeting on October 12th. Commissioner Williams stated he would be out of town and that meeting will need to be rescheduled.

County Attorney Willingham stated if there is no meeting before the end of the month the County will be working without a budget and there would need to be some type of resolution the authorize the continuation of services.

Commissioner Williams rescinded his motion to recess the meeting with Commissioner Willingham second.

After extended discussion, it was determined the County Attorney would draw up a resolution that would authorize the payment of payroll and routine typical recurring expenses. (**Resolution 2010-66**). Commissioner Willingham made a motion to approve the resolution. Commissioner Williams seconded the motion which passed on a unanimous voice vote. It was determined the next Commission Meeting will be held at 10:00 a.m. on October 7, 2010 which will take the place of the meeting that was scheduled for October 12, 2010.

**NEXT REGULAR COMMISSION MEETING THURSDAY, OCTOBER 7, 2010**

Chairman Graves announced the next commission meeting will be, Thursday, October 7, 2010, at 10:00 a.m. in the Commission Office Conference Room.

**ADJOURN THE MEETING**

Commissioner Willingham made a motion to adjourn the meeting. Commissioner Williams seconded. Chairman Graves adjourned the meeting at 10:40 a.m.

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James D. Graves, Chairman

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J. Douglas Williams  
Associate Commissioner

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Wayne Willingham  
Associate Commissioner