

SPECIAL CALLED CULLMAN COUNTY COMMISSION MEETING - AUGUST 10, 1989

A special called meeting was held on August 10, 1989, at 10:00 a.m. local time in the Commission Board room. All commissioners were in attendance. The news media were notified and were present.

Chairman Gamble called the meeting to order and stated the purpose was to adopt the bond issue for the Water Dept. He stated that after the meeting was set up, he learned that Don Beville of Central Bank and Robert Walston of Cabaniss, Johnston, Gardner, Dumas & O'Neal could not attend the meeting. The adoption of the bond issue will be held on Monday, August 21, 1989.

TRANSFER FUNDS ACCT #EDA-CY-D-PF-82/83-603

The Cullman County Agricultural Board had requested the Commission to transfer the fund balance of \$4,162.48 to them. Mr. Gamble contacted the state examiners for the legality and found we could honor their request.

Chairman Gamble recommended the transfer. Upon a move by Mr. Bates and the second by Mr. Cornelius, the recommendation carried.

SEVEN MEMBER E-911 BOARD APPOINTED

Chairman Gamble recommended to adopt the following to serve on the E-911 Board. The recommendation carried upon the move by Mr. Cornelius and the second by Mr. Bates.

<u>NAME</u>	<u>APPOINTED BY</u>	<u>TERM EXPIRES</u>
George Ponder III	Chairman Gamble	9/1/93
Jack Hopper	Mr. Bates	9/1/93
Dr. E. G. Plunkett	Mr. Bates	9/1/92
Marty McDonald	Mr. Cornelius	9/1/92
Clarice Schafer	City of Cullman	9/1/92
Allen McAnally	Chairman Gamble	9/1/91
Shirley Witcher	Mr. Cornelius	9/1/91

PAYMENT APPROVED TO GOODWYN, MILLS & CAWOOD, INC.

A payment of \$15,365.00 to Goodwyn, Mills & Cawood, Inc., for architectural work on the courthouse was approved for payment from the Public Building Fund. The payment was recommended by Chairman Gamble. Upon a move by Mr. Bates and the second by Mr. Cornelius, the recommendation carried.

BIDS TO BE ADVERTISED

Chairman Gamble recommended to send out bids on cleaning, gasoline, diesel and asphalt emulsion to be opened on August 28, 1989. The recommendation carried upon a move by Mr. Cornelius and second by Mr. Bates.

STATE CODE ADOPTED FOR CULLMAN COUNTY ANIMAL SHELTER - STATE CODE OF ALABAMA TITLE 3

The code was adopted to be used by the Cullman County Animal Shelter upon a move by Mr. Bates and the second by Mr. Cornelius. Copy page 78.

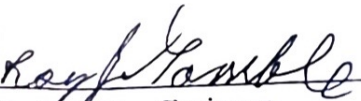
REQUEST TO VACATE RIGHT-OF-WAY

Commence at the Northeast corner of the Northeast Quarter to the Northwest Quarter of Section 26, Township 9 South, Range 2 West in Cullman County, Alabama; thence west along the north line of the said quarter section to the south right-of-way Alabama Highway No. 69.

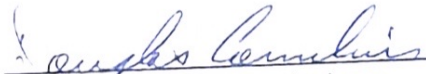
Chairman Gamble recommended to vacate the above described right-of-way due to the best interest of the public. The recommendation carried upon a move by Mr. Bates and the second by Mr. Cornelius. Copy page 79.

ADJOURNMENT

Upon a move duly made and carried, the meeting adjourned.



Roy J. Gamble, Chairman



Douglas Cornelius, Commissioner



Charlie Bates, Commissioner

RESOLUTION NO.:2014-13

CLARIFICATION OF 10 AUGUST 1989 COMMISSION MEETING MINUTES

BE IT RESOLVED, by the County Commission of Cullman, Alabama as follows:

WHEREAS, on or about 10 August 1989, the Cullman County Commission, through a special called Commission Meeting, hereby attached as Exhibit "A," adopted "State Code of Alabama Title 3"; and

WHEREAS, the Cullman County Commission adopted the above-mentioned Title for enforcement by the Cullman County Animal Shelter; and

WHEREAS, a question has been raised, as to the enforcement of Title 3 by the Cullman County Animal Shelter; and

WHEREAS, Ala. Code §3-1-16 (1975), states that "The county commission of the respective counties of this state may employ a suitable person or persons who shall be charged specially with the duty of enforcing all laws for the prevention of cruelty to animals, and to fix compensation of such officer or officers, which shall be paid in the same manner as other salaries of county employees are paid, and such officer or officers, upon making the oath as required to be taken by deputy sheriffs, shall be vested with all powers now vested by law in deputy sheriffs."

WHEREAS, the Cullman County Commission determined that it is in the best interest of the County and the public to clarify that the adoption of Title 3 of the Code of Alabama (1975) is to be used the Cullman County Animal Control; and

NOW THEREFORE, BE IT RESOLVED, in a regular meeting duly assembled on this the 28th day of January 2014, that the Cullman County Commission hereby employs the Cullman County Animal Control with the duty of enforcing all laws for the prevention of cruelty to animals as provided by Title 3 of the Code of Alabama (1975), upon making the oath as

CULLMAN COUNTY COMMISSION MEETING
January 28, 2014

CALL TO ORDER AND WELCOME

Chairman Kenneth Walker called the Commission Meeting to order at 10:03 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 Keith Creel. Ashley Graves led the Pledge of Allegiance.

APPROVE MINUTES OF THE JANUARY 14, 2014 MEETING; APPROVE APPROPRIATIONS, EXPENDITURES, REQUISITIONS AND ALL JOURNAL ENTRIES TO BE POSTED.

Commissioner Yarbrough made the motion to approve the minutes from the January 14, 2014 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

It was announced the Probate Office will be closing at 11:00 due to snowy road conditions.

NEW BUSINESS

Authorize the Chairman to sign the professional services contract with Kevin Hawk for the promotion of Smith Lake Park

Chairman Walker stated the County parks have been doing well over the past year and the Commission feels Mr. Hawk will be able to bring some statewide and well as national exposure to the parks. Commissioner Yarbrough made a motion to authorize the Chairman to sign the professional service contract with Kevin Hawk for promotion of Smith Lake Park as well as the other parks. Commissioner Hicks seconded. The motion passed on a unanimous voice vote.

Commission to appoint Mayor Kenneth Nail, as President of the CCMCA, to the NARCOG Board

Commissioner Hicks made a motion to appoint Mayor Kenneth Nail, President of the Cullman County Mayor and Commission Association (CCMCA), to serve on the NARCOG Board. Commissioner Yarbrough seconded the motion which passed on a unanimous voice vote.

Resolution 2014-13 – Clarification of wording from the August 10, 1989 Commission Meeting concerning Animal Shelter/Control

Attorney Meherg stated in a 1989 Commission Meeting the State Code of Alabama Title 3 was adopted by the Commission to be used by the "Cullman County Animal Shelter". Recently it has become an issue in the courts where defendants has used this to say animal control officers do not the authority to enforce the code. The resolution is for the inclusion of Animal Control in Cullman County for the enforcement of the law. Commissioner Yarbrough made a motion to

approve the resolution to clarify the wording from the August 10, 1989 meeting. Commissioner Hicks seconded. Upon a unanimous voice vote, the motion passed.

Authorize the purchase of a John Deere 6105D Cab Tractor off the State Bid List through Snead Ag

Jon Brunner, County Engineer, stated the purchase of the tractor is for the replacement of a piece of equipment that has been surplused and listed on Govdeals. Commissioner Hicks made a motion to authorize the purchase of a John Deere 6105D Cab Tractor off the State Bid List through Snead Ag. Commissioner Yarbrough seconded. The motion passed on a unanimous voice vote.

Authorize the signing of a contract with Berney Office Solutions for maintenance/toner agreement for Revenue and Reappraisal network printing

Revenue Commission Barry Willingham stated the new contract for the maintenance and toner for his department will save approximately \$3,000 annually. Commissioner Hicks made a motion authorizing the signing of a contract with Berney Office Solutions for a maintenance/toner agreement for Revenue and Reappraisal network printing. Commissioner Yarbrough seconded the motion. Upon a unanimous voice vote the motion carried.

Consider authorizing travel for the EMA Director to participate in the Mississippi State Department of Health's Mass Fatality Exercise in Jackson, MS on February 25-28

Phyllis Little, EMA Director, stated she has been invited to participate as a controller and evaluator in the Mississippi State Department of Health's Mass Fatality Exercise to be held in Jackson, MS on February 25-28, 2014. Commissioner Yarbrough made a motion to approve the travel request. Commissioner Hicks seconded the motion which passed on a unanimous voice vote.

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

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

Consider a request from the Grandview Community Center, a polling location, for \$500 to assist with the purchase of additional heating equipment

Commissioner Yarbrough made a motion to approve a request from the Grandview Community Center, a polling location, for \$500 to assist with the purchase of additional heating equipment. Commissioner Hicks seconded. The motion passed with a unanimous voice vote.

Consider approval of proposed plat for Broadway-Berlin Road Subdivision located in District 4 on Hwy 278 and Co. Rd. 747

Keith Creel, Engineering Assistant, stated the plat is part of a 22 acre parcel. The 1.25 acre out-take meets the County guidelines for a minor subdivision. This will be used for commercial purposes. Commissioner Hicks made a motion to approve the proposed plat for Broadway-

required to be taken by deputy sheriffs.

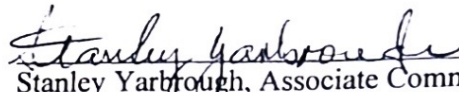
Dated this the 28th day of January, 2014.

ATTEST:


Clerk of County Commission


Kenneth Walker, Chairman


Darrell Hicks, Associate Commissioner


Stanley Yarbrough, Associate Commissioner