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# The Cullman Tribune

SERVING CULLMAN – IN THE HEART OF DIXIE – SINCE 1874

VOL. 147• 50¢ PER COPY | SATURDAY, JUNE 13, 2020 | USPS 139-700 • NO. 119


– ENTERTAINMENT –

## READY FOR A GOOD TIME?

*Concertgoers packed vehicles at the Alan Jackson Small Town Drive-in concert Friday night in Cullman. Check CullmanTribune.com for more photos and the full story.*



MARTHA NEEDHAM/THE CULLMAN TRIBUNE

– HEALTH –

## ADPH: More than 800 COVID-19 cases reported both Thursday, Friday

» PAGE 5

– BUSINESS –

## Grab a burger and more at Whitlock's General Store and Cafe




MAGGIE DARNELL/THE CULLMAN TRIBUNE

*Whitlock's General Store and Cafe in Trimble has been in business since 1992.*

» PAGE 7

## For the love of Claire

### Local dad launches patient advocacy service



HEATHER BYARS

*Jeff Byars with his daughter Claire, 5, and son Chase, 1*

**Christy Perry**
christy@cullmantribune.com

**CULLMAN, Ala.** – After working in health care for more than a decade, Cullman County resident Jeff Byars thought he had a firm grasp of the system when his daughter Claire was diagnosed with cancer at 7 months old. He was shocked to » PAGE 7

BUSINESS

## Cafe Tula Taqueria opens in Hanceville

**Heather Mann**
heather@cullmantribune.com

**HANCEVILLE, Ala.** – Hanceville residents suffered the loss of a cozy family restaurant when Bulldogs Country Cook'n announced its permanent closure last month, but that space has been filled with another restaurant: Cafe Tula Taqueria. This family-owned business, which opened its doors last Saturday, prides itself on authentic, homemade Mexican dishes for breakfast, lunch and dinner.

The Tribune spoke to hostess Sara Villanueva to learn more about the business and the people who run it.

She said it's a family operation all the way from Texas.

"My husband's brother and his wife, so our sister-in-law, then, they came here from Texas," said Villanueva.

"They had a restaurant over there, then they decided to move back here and open up a place."

The in-laws are Francisco Martinez and Antonia Verdin, who lived in Oneonta before moving west in 2011.

As for their reason for returning, Villanueva said, "I think they got a little bit tired of the city life they had in Texas, so they came back to the country." » PAGE 3




HEATHER MANN/THE CULLMAN TRIBUNE

*Cafe Tula Taqueria opened in Hanceville Saturday, June 6, 2020.*

## COVID-19 BY THE NUMBERS

As of early Friday evening, from the Alabama Department of Public Health:

- Cumulative no. of cases in Alabama: 23,333
- Cumulative no. of deaths in Alabama: 764
- Cumulative no. of cases in Cullman County: 239
- Cumulative no. of deaths in Cullman County: 1
- Total tested in Alabama: 286,088
- Cases in the last 14 days in Alabama: 6,275
- Total tested in the last 14 days in Alabama: 86,581
- Cumulative no. of hospitalizations in Alabama: 2,202
- Presumed recoveries in Alabama (reported weekly): 13,508

Find the latest numbers at https://bit.ly/2VjCQbP.

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LOCAL GOVERNMENT

# Dodge City pays off CR 216 bridge project loan with back taxes from local business

## New bridge named Windle McDonald Memorial Bridge

**Maggie Darnell**
maggie@cullmantribune.com

**DODGE CITY, Ala.** – The Dodge City Town Council on Thursday night voted to pay off the balance of its loan for the County Road 216 Bridge Culvert Replacement Project, thanks to back sales tax collected from a local business.

Dodge City Mayor Tawana Canada reported that Town Clerk Vicki Ogletree recently discovered Jack's had not been charging the town's half-cent sales tax that went into effect in September 2017. The Town received a check for $50,919.48 for the estimated three years of back taxes from the Cullman County Sales Tax and Revenue Enforcement Department.

Canada elaborated, "Vicki went to Jack's one morning and bought something; it didn't come out like the tax should have.

"She gave correct change (she calculated with the tax included). Well, they gave her change back. She called (the) Cullman County Sales Tax (and Revenue Enforcement Department), and the Town received a check for $50,000 for three years back taxes that Jack's owed us, plus fines and everything, so we have her to thank for this."

Canada said Jack's now has its computer system updated to include the tax.

The council suspended the rules, then voted to use the money received from Jack's to pay off the remaining $41,999.84 balance of the Town's $150,000 five-year loan taken out for the County Road 216 Bridge Culvert Replacement Project in November 2019.

The new bridge on County Road 216 has been named the Windle McDonald Memorial Bridge.

Canada shared, "Windle was the only Dodge City resident to have died in a foreign war."

In other business, the council voted to donate $1,000 to Good Samaritan Health Clinic.

POLITICS

# Steve Cummings declares candidacy for Cullman City Council, place 4

**Wendy Sack**
wendy@cullmantribune.com

**CULLMAN, Ala.** – Steve Cummings on Thursday announced his candidacy for Cullman City Council, place 4. Cummings will face incumbent Clint Hollingsworth in the Municipal Election Aug. 25, 2020.

**From Cummings' announcement:**
Cummings is the former CEO of Cummings Sporting Goods. He has served on the City's Planning Commission since 2007, where he now serves as that committee's vice chair. He is a Certified Alabama Planning and Zoning Official.

Over the last 25 years, Cummings has served on several local boards, including the Chamber of Commerce Board, where he chaired the Small Business Committee for two years, and Cullman's United Way board.

Steve has served on the Cullman County Republican Executive Committee since 2010, where he now serves as chairman.

He currently works from home in the field of marketing and graphic design for a company in Huntsville.

"Government's answer to most problems is to throw tax dollars at it. Well, some problems can't be solved that way, but if the only tool you have is a hammer... every problem looks like a nail," said Cummings.

"I would bring a creative approach to the sometimes-rigid world of government. I just want to invest in the community I love. I'd be honored if the people of Cullman would allow me to serve for the next four years; after that, it'll be someone else's turn.

"With over 13,000 Cullman citizens, I'm sure there are others who'd love to serve as well. Maybe I'll start the trend."

Steve and his wife Debby have been married since 1988. They have two sons:



CONTRIBUTED

***Steve Cummings***

Cody and his wife Lisa live in Ohio, and Carson and his wife Katherine live in Texas and have two young boys, Kopis and Kal.

CRIME

# Arrests and incidents reported June 12

**Wendy Sack**
wendy@cullmantribune.com

**CULLMAN, Ala.** – Below are the arrests and incidents reported June 12, 2020. All persons are innocent until proven guilty.

**GJ** = grand jury; **FTA** = failure to appear

**CULLMAN COUNTY SHERIFF'S OFFICE**
No incidents or arrests reported.

**CULLMAN POLICE DEPARTMENT**
**INCIDENTS**
**June 10**
• fourth-degree theft of property; Wal-Mart; Olive St. SW; general merchandise; $124

**June 11**
• third-degree burglary; person; Cleveland Ave. SW; lawn equipment, miscellaneous
• second-degree theft of property; person; Katherine St. NW; pistol, miscellaneous; $200
• identity theft; person
• fourth-degree theft of property; Wal-Mart; Olive St. SW; steaks; $43
• first-degree theft of property; Phone Shop/Cullman Smoke and Vape; Cherokee Ave. SW; cash; $6,000

**ARRESTS**
**June 11**
**Gates, Brandon W., 26**
• theft of lost property

**Burbage, George R., 45**
• fourth-degree theft of property
• possession of drug paraphernalia

**Brizendine, Christopher N., 45**
• third-degree criminal trespassing
• fourth-degree theft of property (2 counts)
• third-degree theft of property

**Sims, Daniel J., 32**
• first-degree theft of property

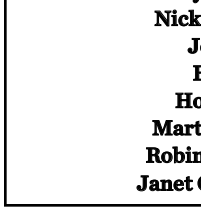
**Turney, Kimberly M., 45**
• FTA- speeding

**HANCEVILLE POLICE DEPARTMENT**
No incidents or arrests reported.

Find arrest reports online Monday-Friday at www.CullmanTribune.com.

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Publication Number USPS-139-700
Telephone: 256-739-1351 Fax: 1-256-739-4422
Humble Roots, LLC
Published Tuesday - Saturday at 219 2nd Avenue SE, Cullman, Alabama 35055 Entered as periodical material at the Cullman Post Office Periodical postage paid at Cullman, Alabama 35055
POSTMASTER: SEND ADDRESS CHANGE TO:
The Cullman Tribune
219 Second Avenue SE
Cullman, Alabama 35055
Email Address: robin@cullmantribune.com

ANNUALLY BASED RATES

Cullman.....$100.00
Outside Cullman.....$150.00

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Dustin Isom - Associate Publisher
Wendy Sack – Editor
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Sammy Confer-Youth/JVSports Editor
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# COMMUNITY CALENDAR

*Submit your calendar items or public notices to wendy@cullmantribune.com*

**ATTENTION SENIORS**
• Every Wednesday, the Cullman County Commission on Aging will be distributing food as part of the USDA's Farm to Families program. There are no restrictions and no eligibility requirements.
• Each box will contain 8 pieces of fresh fruit bagged, weighing approximately 4 pounds (such as apples or oranges); 5 pounds of precooked meat, packaged separately (chicken or pork); assorted fresh vegetables, bagged, weighing approximately 4 pounds (such as two potatoes, stalk of celery, two onions and two pounds of carrots); 12 ounces of cheese (such as American cheese); 1 pound of butter; and the equivalent of one half gallon of milk (such as 2 quarts or 8 half pints). All will be packed in a cardboard box measuring approximately 17" x 13-1/2" x 8".
• This is first come, first served until gone.
• Baileyton Senior Center- 10 a.m.
• Cold Springs Community Center- 10 a.m.
• Colony Educational Complex- 10 a.m.
• Dodge City Senior Center- 10 a.m.
• Fairview Senior Center- 10 a.m.
• Hanceville Civic Center- 10 a.m.
• Holly Pond's Guy Hunt Museum- 10 a.m.
• Jones Chapel Fire Department- 10 a.m.
• West Point Town Hall- 10 a.m.
• Commission on Aging Senior Center- 9 a.m.

**NOTICE: Cullman County Schools Break for a Plate Summer Feeding Program**
• Dates: Wednesdays- June 17, 24; July 1, 8, 15
• Times: 10 a.m.-noon
• Locations: Hanceville, Vinemont, Fairview and West Point High Schools
• Breakfast and lunch boxes will be available for pickup. We will continue with the drive-thru pickup plan to send six breakfast meals and six lunches per child. We hope to see you!

**NOTICE: Oak Level Baptist Church Decoration**
• There will be no services the second Sunday in June at Oak Level Baptist Church because of Decoration Day.
• Donations can be mailed to church treasurer C/O the church at 3711 County Road 730, Cullman, AL 35055.

**NOTICE: Davenport Reunion Cancellation**
The Davenport reunion has been canceled due to the current circumstances and the restrictions due to COVID-19. It was scheduled for Sunday, July 12, 2020. Please mark your calendar for July 2021. For more information, contact Evelyn Aaron at 256-352-2317 or Selma Barnett at 256-352-6670.

**NOTICE: 85th Annual Sandlin Reunion Canceled**
Due to the current day circumstances and the restrictions associated with COVID-19, we have decided to cancel the 85th Annual Sandlin Reunion this year (Saturday, Aug. 1, 2020). This message is going to email contacts only (no postcards) so please share with other Sandlins you know that we will not be gathering together this year. Also, it will be on Facebook "All Things Sandlin." We'll miss our time visiting together, and of course all the potluck dishes that are so wonderful, but even though we must cancel this year, we'll be back next year more excited to see one another. Please mark your calendar for the first Saturday in August which will be Saturday, Aug. 7, 2021. As usual, for next year, I will send email invitations or postcard invitations to those who do not have email addresses reminding you of the reunion date, time, location, etc.
Regretfully,
Patsy Medlock
Secretary -Sandlin Reunion
patsymedlock@bellsouth.net

**NOTICE: West Point Class of 1962 Class Reunion Canceled**
West Point Class of 1962 class reunion has been canceled for this year. For more information, call Linda Jordan at 256-747-6883.

**Mopars by the Lake**
• Saturday, June 13 from 8 a.m.-3 p.m. at Sportsman Lake Park
• This year, the show will allow cars that are not Mopar-powered to be shown, but owners will be asked for a donation in order to show the cars and they will not be eligible for any awards.
• There will be a raffle ($10 per ticket) for an HP Chromebook.
• Herb McCandless and the Dukes of Hazzard Museum will be at the show this year.
• Registration on the day of the show is $25. For more information, email Allison at brenda.allison@gmail.com or visit www.facebook.com/groups/616255698449046.

**Saints MC of Cullman County Annual Miracle League Ride**
• Saturday, June 13
• Registration 9:30-10:30 a.m. at the Cullman Elks Lodge, 1609 Brantley Ave., Cullman. Kick stands up at 11. Ride ends at Saints MC Clubhouse, 141 Doc Clemmons Road, Cullman. Several stops along the scenic route. 50/50 prize, raffle items/door prizes, food and fun.
• All proceeds go to support our Miracle League athletes.
• Contact any Saints MC of Cullman County member or Brandi Evans at 256-531-3171 for more info.

**Sons of Song at Cross Baptist Church**
Sunday, June 14, 10:30 a.m., 23654 U.S. Highway 31, Falkville, AL 35622

**Ride for Justice**
• Free motorcycle ride in honor of National Crime Victims' Rights Week 2020
• Saturday, June 20- Registration at 9 a.m. at Hawg Engineering, 230 U.S. Highway 278. Kickstands up at 11 a.m. Ending location: Daystar Church, 200 Daystar Dr.
• This is a free event!
• Pre-register by June 13 to receive PRIZES!
• State-mandated social distancing guidelines will be followed. Call 256-775-2600 for more info.

**Cullman County Bosom Buddies Foundation Mastectomy Bra and Prosthesis Sale Fundraiser**
• Saturday, June 20, 10 a.m.-noon at the Cullman VFW, 112 Veterans Dr. SW
• We will have new mastectomy bras, in various sizes, for a minimum donation of $10. New, in the box, prosthesis, in various sizes, for a minimum donation of $25. All proceeds benefit the Cullman County Bosom Buddies Foundation, Inc.

**Time Lab Vacation Bible School at Redeeming Grace Church**
• June 28 - July 1, from 6-8:30 p.m.
• Ages 2-12
• 7549 County Road 222, Cullman, AL 35057
• Pre-register at www.redeeminggracecullman.com.

# Funny Things from Yesterday: 2 snakes

**Robert N. Tidwell, Sr.**
robertntidwellsr@gmail.com



The first of this article happened in the summer when I was a youngster.

Dale and I were staying at Mama and Papa Tidwell's home. Freddie Lee, our summer friend, was with us. We went down to the little stream that flowed west between Logan School and downtown Logan.

We had seined in this this little stream before and had caught some little minnows that had a variety of different colors on them.

Some had blue color on them and we called them blue horse fish. I don't know if those little colored fish are still there or not. (If anyone should know, send me an email.)

We carried a little wagon to fill with water and put our catch in and a piece of window screen to seine with. Dale looked after the wagon and Freddie Lee and I did the seining.

We had caught a few of the little fish and had them in our wagon. We made another sweep, and this time we came up with a snake. The snake was about 6 inches from my hand.

Freddie Lee and I threw the screen as fast as we could and rushed out of the water. We were very fortunate that none of us were bitten.

We took off up the hill as fast as we could run.

Pulling the wagon sloshed out all the water and the little fish, also. And I can tell you we never again went down to that little stream.

The second part of the article was in a recent year.

Rudene and I had purchased some land on Silver Ridge just out from Johnson's Crossing.

We had not walked over the property, and Rudene was interested in seeing the lay of the land. It was summer and the right time for snakes to be out.

She kept wanting to go and I finally gave in. But I carried my favorite side arm. I don't get in the woods without one.

We got about 50 or 60 feet from the car and I had been looking at every stump and every log.

Then I saw a big rattle snake stretched out on a log. I stopped Rudene and eased out my side arm. I took careful aim, and POW! Shot him right in the head, and his body slowly slid off the log.

I turned back to Rudene and she wasn't there. I looked and she was already sitting in the car. She can really move fast when looking danger in the eyes. She had decided not to walk over the property.

## BILLY BOB'S STORIES AND STUFF

# Forty-five years is a long time

**Bill King**
Tribune
Contributor



The year was 1975. It took place on Flag-Day, Saturday, June 14th. That was forty-five years ago. Forty-five years is a long time to know someone. It's a long time to be close friends with anyone. She is my closest. These days, it's certainly a long time to be married to anyone, but in many ways, it seems like it's only been a few years. That is the date when Jean Willis and I exchanged vows, at Broadway Baptist Church, in Rainsville, Alabama. I wanted to get married on Friday, so we would have a long weekend for our honeymoon. Friday was the thirteenth. Jean said she was not superstitious, but she was not getting married on Friday-the-Thirteenth. She must have been onto something, because this has worked out quite well.

We didn't know it then, but we were little more than kids when we married.

Jean was eighteen and I was one month from being twenty. The odds were not in our favor. We had barely started our college educations.

We packed up and moved to Birmingham, for me to enroll at Samford University. We had little money and no jobs. We had no idea where we might get either. For the next twenty-years, we took turns going to school and eating peanut-butter sandwiches. We were completely on our own financially, so we could not afford to go to school at the same time. Jean worked at Samford, while I finished my degree there.

Then we moved to New Orleans so I could attend the seminary there.

Jean worked at Catholic Charities. A few years later, we moved to Rainbow City, Alabama, where I served as pastor of White Springs Baptist Church. Jean commuted to Jacksonville University to finish her bachelors.

The exact day she graduated, I received my acceptance letter into the doctoral-program at New Orleans Seminary.

Then we moved to Southaven, Mississippi, where I served at Gracewood Baptist Church. Jean taught school there and finished two advanced degrees in education at Delta State. Young people, it's not always easy, but it can be done.

We've seen some hard days. I've accused Jean of being like a cat with nine-lives.

She almost lost one in a really bad wreck in 1982.

She has survived two major, life-threatening surgeries since then, not to mention several smaller ones. A few years ago, she had pulmonary-embolisms in both lungs. She has seen me through cancer surgery and almost losing one eye. We've survived all that, building a house, and raising a teenager! That teenager turned into a wonderful woman, married a good man, and gave us one magnificent grandson.

For our honeymoon, we spent two-nights and three-days in fabulous Panama City Beach.

We would have gone further and stayed longer if there had been a few more funds. We saved enough money to buy groceries once we returned to Birmingham.

I think it was $35.00. This year we had that big trip planned to the west, but Ms. Corona changed those plans. We've decided to head back to the beach for two-nights and three-days.

No, not Panama City, but Dauphin Island. We many even slip over to Ocean Springs, Mississippi, for some barbecue at The Shed.

Maybe for our fiftieth, we can make that trip out west, or at least all the way down to Destin!

Thank you, Jean Willis King, for putting up with me all these years. Our life has not always been easy, but it has been good. I am one blessed man.

We have had some great times and we have had some hard times. With God's help, He has seen us through it all. There is no one else I would spend my life with.

*Bill King can be reached at bkpreach@yahoo.com or 334-745-0588 (office).*

# Files from Yesteryear: 1904, 1937, 1954

**From the Files of 1904**

A lively group of Decaturites came to Vinemont on Saturday and spent the day hunting chestnuts.

Born to Mr. and Mrs. W.P. Foust on October 29 was a daughter.

Clint Humphrey entertained a number of young people at a Halloween party on Monday evening.

Fire destroyed Reverend W.D. Thompson's barn on October 28, with the loss of his entire lot of hay and other feed, a bale of cotton, a buggy and harness, a lot of chickens and 75 bushels of corn. The loss was $200 with no insurance.

R.D. St. John, brother of F.E. St. John and Mrs. J.J. Fowler, died at his Blount County home on October 29.

The Will and the Joe McClanahans, of Vinemont, have babies, both born last Thursday.

**From the Files of 1937**

**Marriages:**

• October 21 – Foster L. Bently, 22, to Genice Brown.

• October 22 – G.L. Jackson, 30, to Lillian Umphrey, 26.

• October 23 – Clyde Hyde, 30, to Lillie Dye, 28; J.L. Buckelew, 43, to Ada Braseale, 43; Cecil Thomas Bellew, 21, to Josephine Mable, 19; Voyd Taylor, 20, to Evelyn Blackwood, 21; B.L. Robertson, 26, to Lorene Champion, 30 and S.C. Camp, Junior, 20, to Juanita Gregg, 18.

• October 26 – Ruby Edward Poure, 21, to Mozelle Strong, 18.

**From the Files of 1954**

In the general election on Tuesday all the Democrats handily won over their Republican opponents.

Raymond Higdon for tax collector led the Democrat ticket and W. Frank Guthrie for sheriff led the Republican ticket in number of votes received.

Grady Moss, running unopposed as coroner, was second on the Democratic side and Tom Abernethy for Governor was second on the Republican side.

The county count, when 45 out of a total of 46 boxes were in, was:

For United States Senator: John Sparkman, 5,924 and J. Foy Guin, Junior, 1,604.

For Governor: J.E. Folsom, 6,032 and Tom Abernethy, 1,824.

For United States Congress: Carl Elliott, 5,725 and W.G. Engle, 1,539.

For Circuit Solicitor: George C. Johnson, 5,859 (unopposed).

For State Senator: Harlon G. Allen, 5,800 (unopposed).

For State House of Representatives: Bryce C. Davis, 5,800 and Earl McClung, 1,660.

For County Solicitor: Robert A. Sapp, 5,877 (unopposed).

For member County Board of Education: Herman Tillery, 5,631 and Kerlista Trimble, 1,555.

For Sheriff: W.C. Waldrop, 5,698 and W.F. Guthrie, 2,135.

For Tax Collector: Raymond E. Higdon, 6,133 and S.K. Vann, 1,524.

For Tax Assessor: Graf Hart, 6,039 and H.O. Cordes, 1,599.

Cullman County polled more votes Tuesday than it did in the 1950 general election, when only 5,297 voters bothered to go to the polls. However, in 1952, 8,635 people voted in the general election.

# Taqueria (from Front)

Cafe Tula Taqueria's full menu can be found on its Facebook page, but Villanueva wants everyone to know the restaurant will serve breakfast from 7-11 a.m.

"Not a lot of Mexican restaurants do breakfast," she said, "so they want to promote the Mexican breakfast dishes like chorizo tacos and egg tacos."

She said the restaurant's flour tortillas and tortilla chips are made by hand, smiling,

"The taste is gonna be different from anything people have had up here."

According to Villanueva, Verdin has been in the restaurant business for quite a while.

"She was a cook for years and years before she ever even opened her first restaurant," she said, "so she's always been about food."

Plans were in the works for Cafe Tula Taqueria beginning in 2019, with negotiations being made between the family and the owners of Bulldogs Country Cook'n as the latter considered closing.

As for opening day, Villanueva said, "We've had a steady flow all day. We were definitely not prepared for so much, and one of our freezers went out so we didn't have everything that we could usually offer."

The owners of Bulldogs Country Cook'n also offered their support, announcing on their Facebook page: "We would like to thank all of our loyal customers for being a part of the Bulldog family, and welcome a new dining experience in our old location.

"They're officially open today for breakfast, lunch and dinner, serving up authentic Texas Mexican meals. Come check them out, and give them the same love and support we've enjoyed while serving you over the past couple of years."

The cafe is open from 7 a.m.-9 p.m. every day of the week and is located at 106 Commercial St. NE, Hanceville. Takeout orders can be placed by calling 256-636-0323.

Find out more at www.facebook.com/cafetulataqueria.

## POET'S CORNER

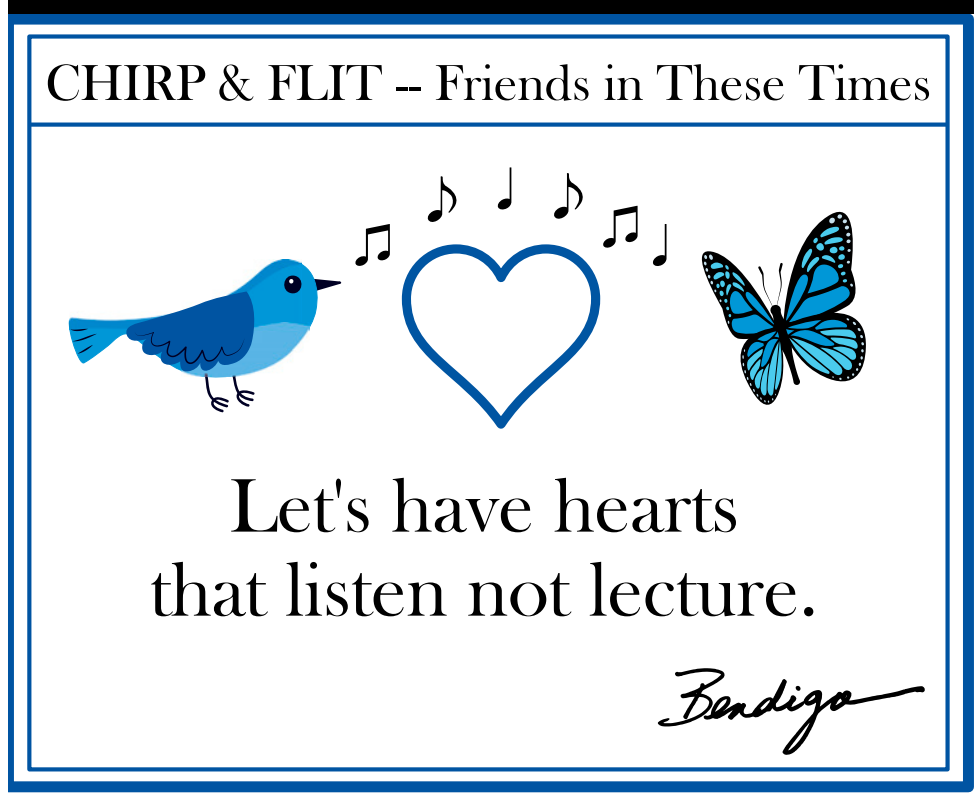
### *A House of Flesh and Bones*

**By: Randy C. Hale**

I live in a house of flesh
and bones surrounded
by the trees,
their oxygen giving breeze,
bugs and worms,
and butterflies,
sun and moon and stars.

I live in a house of
flesh and bones,
and long my spirit to escape
to search for
meaning to it all,
and someday soon,
to drop this cage,
let it cascade to earth
from which it came
and leave it all behind.

## COMIC – CHIRP & FLIT



# San Diego Padres select Levi Thomas in 2020 MLB Draft

**Andy Stubblefield**
Troy Athletics

**TROY, Ala.** – Junior Levi Thomas was selected by the San Diego Padres with the 109th pick in the fourth round of the 2020 MLB Draft, Thursday evening. Thomas becomes the sixth Trojan in program history to be selected in the top five rounds of the draft.

Thomas finished with a career 2.98 ERA and 185 strikeouts compared to just 53 walks, a ratio of 3.5:1. With a 12-3 record, his .800 win percentage is tied for the 10th-best mark in school history. He held opposing batters to an average of .209 in his 34 appearances as a Trojan.

Thomas, a native of Cullman, Ala., burst onto the national scene with an impressive 2020 season, despite making just four starts before the season was abruptly ended due to COVID-19.

The Collegiate Baseball All-American posted a miniscule ERA of 0.39, a top-15 mark in the country in 2020. Thomas amassed 42 strikeouts in 23.0 innings – the 10th-most nationally – while holding opposing batters to an average of .117.

His WHIP of 0.65 was the 17th-best in the nation this season.

Thomas earned back-to-back Sun Belt Pitcher of the week honors to open the season and was also named a Collegiate Baseball National Player of the Week after beginning the year with seven consecutive strikeouts en route to fanning a career-high 14 batters in five innings on Opening Night.

The righty turned more heads when he allowed no runs in 6.0 innings at No. 1 Florida.

Thomas didn't give up a run until his fourth start of the year against Michigan State at the Cox Diamond Invitational, an outing where he still struck out 11 batters in six innings.

Thomas joins Brandon Lockridge, Mike Felix, Jorge Soto, Nate Moore and David Bond as the school's only players selected in the top five rounds of the draft. Felix remains Troy's highest pick as he was chosen 48th overall – second round – by the Pittsburgh Pirates in 2006.

**Quotable**
**Head coach Mark Smartt**
"Levi earned the opportunity to play professionally through his hard work and commitment while here at Troy.

"From his first day on campus, he worked hard to improve in every way on and off the field.

"He has incredible make-up which will serve him well during his professional journey.

"I am confident that Levi will continue to work, grow and improve over the next few years and will make the Padres organization better.

"He will long be remembered at Troy for his outstanding performances on the mound and his impact in the locker room. We all wish him success as a pro!"

**Pitching coach Matt Hancock**
"I could not be happier or prouder for Levi Thomas. Levi is one of the hardest working players I have ever coached.

"Even more impressive are the qualities he possesses, as a person, off the field. Those qualities coupled with his talent level allowed him to become one of the top arms in the country this past year.

"Levi has represented Troy the right in his time here and will continue to do so as he enters his pro career.

"I look forward to following his success and wish him the best of luck."



TROY ATHLETICS
***Troy pitcher Levi Thomas was selected 106th overall by the San diego Padres in this year's MLB Draft.***

# Auburn's Bailey Horn drafted by White Sox on day 2

**George Nunnelley**
AU Athletics

**AUBURN, Ala.** – Auburn redshirt junior left-hander Bailey Horn was selected by the Chicago White Sox with the 11th pick of the fifth round (142nd overall) in the 2020 MLB Draft Thursday.

Coming on the heels of Tanner Burns being drafted in the first round last night, it marks the fourth time Auburn has had two pitchers drafted in the top five rounds, including the first time since 1997.

"It was a surreal feeling to get that call. I just can't explain it," Horn said of being drafted.

"I've had a lot of help to get where I am today, and I can't thank the people in my corner enough. Coach Thompson took a chance on me out of junior college, and I can't thank him enough for that. I'm excited for this next step in my career."

Horn made his way to Auburn from McLennan Community College prior to the 2019 season and played a pivotal role in Auburn's postseason run that culminated in Omaha, Nebraska, for the first time since 1997.

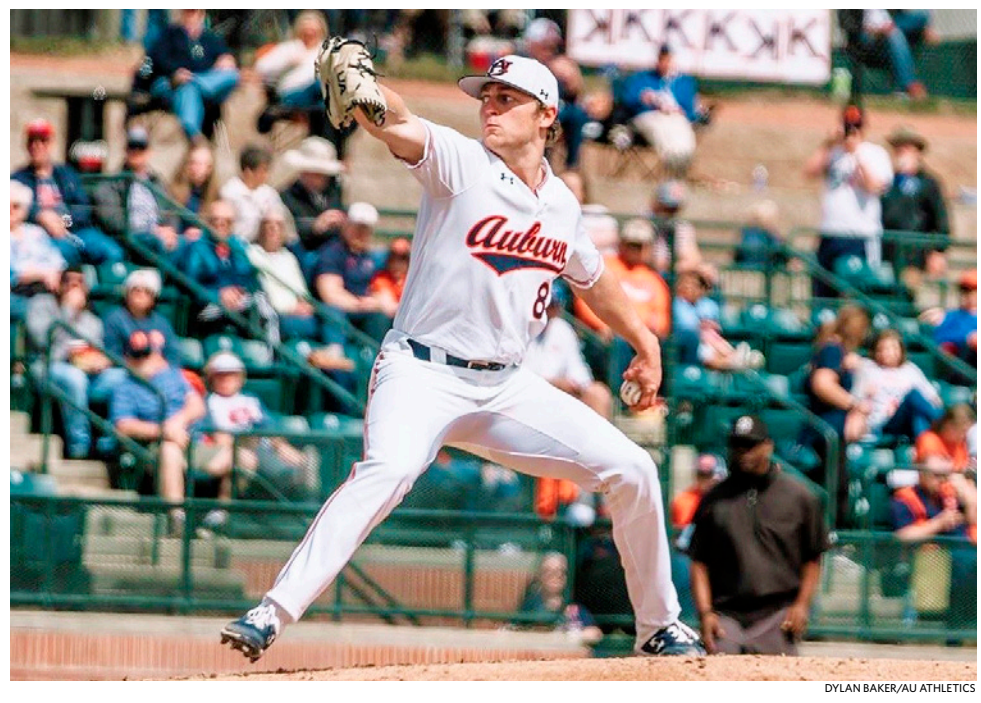
The Waco, Texas, native gutted out a rain delay and pitched 6.0 scoreless innings in the regional final vs. Georgia Tech en route to being named to the Atlanta Regional All-Tournament Team.

"He's missed some time at the collegiate level, but I think what he did in the postseason last year and how he started this year, even in the fall, from a professional baseball standpoint, they've see him," head coach Butch Thompson said.

"He kind of came out of nowhere. The sky's the limit. His best days are definitely ahead of him. There's just not a lot of guys walking Earth that are left-handed with the power he has and are that type of athlete."

Prior to the abrupt ending of the 2020 season, Horn was 3-1 with a 2.08 ERA and struck out 27 batters in 17.1 innings.

He turned in 11.0 scoreless innings with 18 strikeouts and two walks in his final two appearances of the season and struck out a career high 11 batters in his final appearance vs. Chicago State.



DYLAN BAKER/AU ATHLETICS
***Auburn pitcher Bailey Horn.***

# Alabama outfielder Tyler Gentry selected by Kansas City in round 3 of the 2020 MLB Draft

**Alex Thompson**
UA Athletics

**TUSCALOOSA, Ala.** – Alabama outfielder Tyler Gentry was the fourth pick of the third round (76th overall) in the 2020 MLB First-Year Player Draft, going to the Kansas City Royals.

Gentry becomes the second-highest drafted Crimson Tide outfielder in program history, trailing only Joe Vitiello who was selected in the first round of the 1991 draft.

He is also the highest Alabama player selected since Mikey White went in the second round of the 2015 MLB Draft.

**TYLER GENTRY**
**Outfielder, Junior**
- The Crimson Tide's every day right fielder for each of the past two seasons, starting 72 of his 73 games played
- Batted .335 with 18 doubles and 17 home runs while contributing 63 RBI and 56 runs scored for his career
- Notched three multi-home run games in two seasons, including a pair in 2020
- Led UA in nearly every offensive statistic in both 2019 and this past season
- Finished his 2020 campaign ranked in the top-five of multiple offensive categories among Southeastern Conference hitters, including on-base percentage (.554 | 2nd), batting average (.429 | 4th) and slugging percentage (.750 | 5th)
- Also ranked in the SEC's top-10 for RBI (21 | T6th), total bases (42 | T8th), hits (24 | T9th) and runs scored (19 | T10th) this season
- Paced UA in average (.310), hits (65), homers (13), RBI (42), slugging (.552) and total bases (116) as a sophomore
- Tied for seventh in home runs and ranked 14th in total bases among league bats during the 2019 regular season
- A standout in the classroom, he was named to the 2019 SEC Spring Academic Honor Roll

The 2020 MLB First-Year Player Draft began on Wednesday evening and will continue through Thursday night.

The two-day event can be seen live on ESPN and ESPN2. Fans can also follow along with each pick at MLB.com.

All players have remaining eligibility and are able to return to the University to continue their careers at Alabama if they elect to not sign a professional contract.

Get all the latest information on the team by following AlabamaBSB on Twitter and Instagram and on Facebook at Alabama Baseball.

General athletic news can be found at UA_Athletics on Twitter and Instagram and AlabamaAthletics on Facebook.



UA ATHLETICS
***Alabama outfielder Tyler Gentry.***

# 6 Alabama football players selected to Walter Camp 2020 Preseason All-America Team

**UA Athletics**
rolltide.com

**TUSCALOOSA, Ala.** – Alabama football had six total players named to the 2020 Walter Camp Preseason All-America teams, as announced by the Walter Camp Foundation on Thursday.

The six total selections were the most from any one school with the group consisting of a first-teamer and five second-team honorees.

Senior wide receiver DeVonta Smith was selected to outlet's first team offense.

The second team honorees for the Crimson Tide included seniors Najee Harris (running back) and Alex Leatherwood (offensive line) on the offensive side of the ball with juniors Dylan Moses (linebacker) and Patrick Surtain II (defensive back) representing the defense. Junior wideout/return specialist Jaylen Waddle was also named as a second-team honoree as a kickoff returner.

The Walter Camp Foundation is one of five outlets used to determine consensus All-American status, along with the Associated Press, the Football Writers Association of America, the American Football Coaches Association and The Sporting News.

Get all the latest information on the team by following @AlabamaFTBL on Twitter and Facebook and AlabamaFBL on Instagram. General athletic news can also be found at UA_Athletics on Twitter and Instagram and AlabamaAthletics on Facebook.



MARTHA NEEDHAM/THE CULLMAN TRIBUNE
***Alabama wide out Devonta Smith***

# COVID-19 (from Front)

**ADPH, Wendy Sack**
Contributors

**MONTGOMERY, Ala.** – The Alabama Department of Public Health (ADPH) on Friday cautioned the public that the risk of contracting the novel coronavirus COVID-19 remains. More than 800 cases were reported both Thursday, June 11 (848) and Friday, June 12 (859).

Cullman Regional on Friday reported nine COVID-19 patients, with four on ventilators. In its report last week, there were six COVID-19 patients, with one on a ventilator.

As of Friday evening, the ADPH reported the total number of cases in Cullman County as 239, with more than half of those, 125, reported in the last two weeks.

"With ongoing community transmission, it is safer to be at home. More than 750 Alabama residents have died from the novel coronavirus COVID-19, more than 2,000 have been hospitalized with the virus, and about 22,000 have had confirmed positive cases," said the ADPH.

State Health Officer Dr. Scott Harris said, "COVID-19 spreads quickly, and your actions affect others. More than ever since the pandemic began, we need people to social distance, wear face coverings in public, and practice good respiratory hygiene."

**Measures needed to reduce the transmission of COVID-19 are as follows:**

- Cover coughs and sneezes, do not touch your face, and wash hands often.
- Avoid close contact with people who are sick, even inside your home.
- Maintain a distance of at least 6 feet from others not in your household.
- Use cloth face coverings when in public.
- Clean and disinfect frequently used items and touched surfaces often.

**Any person can contract COVID-19, but certain people are more at risk including:**

- People who are close contacts of someone known to have COVID-19, for example healthcare workers, or household members.
- Persons over 65 years of age and those with serious health conditions -- heart disease, diabetes, lung disease, HIV, any condition that affects the immune system, persons with body mass index over 40, persons with liver disease, persons who live in long-term care.

Alabama has experienced outbreaks at the workplace, long-term care facilities, and as a result of large gatherings, such as those occurring during the Memorial Day holiday. Although an estimated 13,500 Alabamians are presumed to have recovered from COVID-19, too many people have experienced short- and long-term complications. ADPH reminds the public that their own behavior is crucial to stay healthy and to protect their family and community.

**Friday evening COVID-19 update from the Alabama Department of Public Health**

- Total confirmed cases in AL: 23,333 (+859 since yesterday)
- Probable cases in AL: 377
- Total confirmed deaths in AL: 764 (+14 since yesterday)
- Probable deaths in AL: 5
- Total confirmed cases in Cullman Co.: 239 (+19 since yesterday)
- Probable cases in Cullman Co.: 8
- Total confirmed deaths in Cullman Co.: 1 (+0 since yesterday)
- Probable deaths in Cullman Co.: 0
- Total tested in Cullman Co.: 4,394
- Total tested in the last 14 days in Cullman Co.: 1,525
- Cases in the last 14 days in Cullman Co.: 125
- Total tested in Alabama: 286,008
- Cases in the last 14 days in Alabama: 6,275
- Total tested in the last 14 days in Alabama: 86,581
- Cumulative no. of hospitalizations in Alabama: 2,202
- Presumed recoveries in Alabama (reported weekly): 13,508

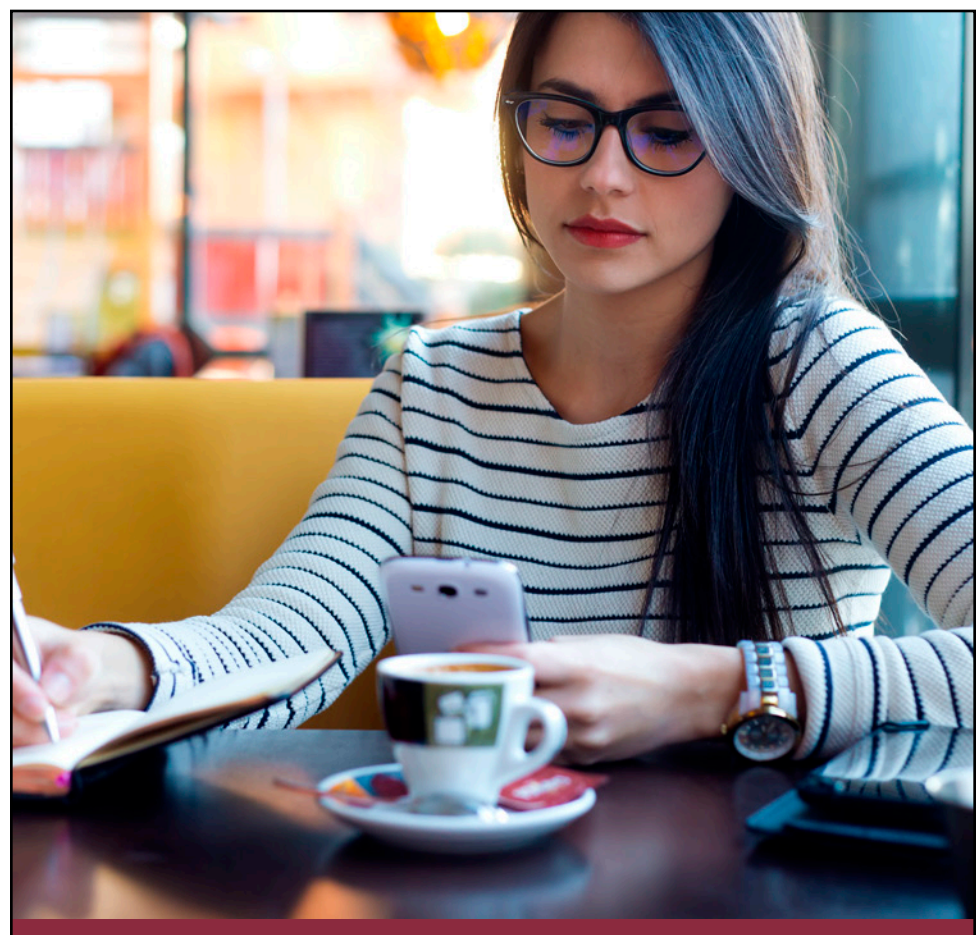
See more details at https://bit.ly/2VjCQbP. For more information, go to alabamapublichealth.gov.













JOB FAIR

Payroll Services, LLC

will be having a Job Fair

**Saturday June 20th, 2020**

**7am-12pm**

1704 2nd AVE SW Cullman AL 35055

We will be taking applications for the following positions and companies.

***Buettner Brother- Lumber, Insulation & Truss Department**

***City of Cullman – Road and Water Department**

***Rusken Packaging- Production**

***West Rock- Production and Assembly**

# Sports

**6:00 a.m. ESPN2 Red Bull Homestretch** (Taped)
**7:00 a.m. ESPN2 Fishing** The DEWALT Bassmaster Elite at Lake Eufaula. (Live)
**FSEE College Football** TCU at Kansas State.
**8:20 a.m. FS1 Bundesliga Soccer** Fortuna Düsseldorf vs Borussia Dortmund. (Live)
**10:00 a.m. FSEE College Football** Kansas at Iowa State.
**11:00 a.m. ESPN2 Fishing** The DEWALT Bassmaster Elite at Lake Eufaula. (Live)
**11:30 a.m. FS1 Bundesliga Soccer** FC Bayern Munich vs Borussia Mönchengladbach. (Live)
**12:00 p.m. GOLF PGA Tour Golf** Charles Schwab Challenge, Third Round. (Live)
**1:30 p.m. FS1 Horse Racing** America's Day at the Races. (Live)
**2:00 p.m. WIAT PGA Tour Golf** Charles Schwab Challenge, Third Round. (Live)
**FSEE Horse Racing** America's Day at the Races. (Live)
**2:30 p.m. WBRC NASCAR Xfinity Racing Series** NASCAR Xfinity Series Race at Homestead-1. (Live)
**5:00 p.m. WBRC PBA Bowling** Summer Clash. (Same-day Tape)
**6:00 p.m. GOLF PGA Tour Golf** Charles Schwab Challenge, Third Round.
**6:30 p.m. FS1 NASCAR Gander RV & Outdoors Truck Series** NASCAR Gander RV & Outdoors Truck Series Race At Homestead. (Live)
**8:00 p.m. ESPN Boxing** (Taped)
**10:00 p.m. FS1 AFL Premiership Football** Greater Western Sydney Giants vs North Melbourne Kangaroos. (Live)

# Movies

**9:23 a.m. FREE "Big"** ★★★½ (1988) Tom Hanks. A wishing machine turns a boy into a 35-year-old man with a fun job and a girlfriend.
**10:00 a.m. SHOW "Mean Girls"** ★★★ (2004) Lindsay Lohan Attending high school for the first time, a teenager becomes friends with three popular but manipulative students.
**10:15 a.m. TMC "Charlie's Angels"** ★★★ (2000) Cameron Diaz Three private detectives try to rescue a kidnapped computer pro whose voice-ID software would threaten global security.
**11:00 a.m. TCM "The Petrified Forest"** ★★★½ (1936) Leslie Howard. An intellectual and others are held hostage by a gangster at an Arizona gas station/diner.
**11:33 a.m. FREE "Puss in Boots"** ★★★ (2011) Voices of Antonio Banderas. Animated. The notorious cat has the adventure of nine lifetimes when he joins forces with Humpty Dumpty and Kitty Softpaws to steal the goose that lays the golden eggs.
**11:45 a.m. SHOW "Unforgiven"** ★★★★ (1992) Clint Eastwood An old gunslinger, his ex-partner and a quick-draw kid go bounty hunting in a town called Big Whiskey.
**12:07 p.m. TNT "Star Wars: Revenge of the Sith"** ★★★ (2005) Ewan McGregor. Seduced by the dark side, Anakin Skywalker turns against his mentor, Obi-Wan Kenobi and becomes Darth Vader.
**12:25 p.m. MAX "The Old Man & the Gun"** ★★★ (2018) Robert Redford At the age of 70, Forrest Tucker makes an audacious escape from San Quentin, conducting an unprecedented string of heists that confound authorities and enchant the public.
**12:30 p.m. TCM "Gun Crazy"** ★★★ (1950) Peggy Cummins. A gun fanatic and a sideshow sharpshooter team up for romance and a crime spree.
**HBO "Midnight Special"** ★★★ (2016) Michael Shannon The government and a group of religious extremists pursue a man and his son, a young boy who possesses special powers.
**1:30 p.m. CMTV "The Italian Job"** ★★★ (2003) Mark Wahlberg. A master thief and his crew plan to steal back a fortune in gold bullion after they lose it to a double-crossing gang member.
**1:40 p.m. FREE "Lilo & Stitch"** ★★★ (2002) Voices of Daveigh Chase. Animated. A lonely girl adopts a dog which is really a mischievous alien hiding from intergalactic hunters.

## SATURDAY EVENING

MOVIES

JUNE 13, 2020

| | | 5 PM | 5:30 | 6 PM | 6:30 | 7 PM | 7:30 | 8 PM | 8:30 | 9 PM | 9:30 | 10 PM | 10:30 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| WABM-MyTV | 2 | Mike & Molly | Mike & Molly | Ring of Honor Wrestling | | "Ace Wonder" (2011, Adventure) Gator Moore, Derek Moreland. A child sleuth stumbles upon a real case of murder. | | | | World's-Weath | World's-Weath | The Immortals | The Short List |
| WBIQ-PBS | 4 | This Old House | PBS NewsHour Weekend | The Lawrence Welk Show A salute to vacation songs. | | Classic Gospel Gospel performances. | | Alabama Gospel Roots | | Keeping Up Appearances | As Time Goes By | Austin City Limits Indie rockers Vampire Weekend perform. | |
| WVTM-NBC | 5 | WVTM 13 News at 5p | NBC Nightly News - Holt | WVTM 13 News at 6p (N) | Soledad O'Brien | Dateline NBC | | Dateline NBC | | Saturday Night Live (N) | | WVTM 13 News at 10p | (:29) Saturday Night Live |
| WBRC-FOX | 7 | PBA Bowling Summer Clash. Eight PBA stars compete in the popular one-ball elimination format. (N Same-day Tape) | | | | Gordon Ramsay's 24 Hours to Hell and Back | | LEGO Masters Creative builds of everyday objects. | | WBRC FOX6 News at 9pm | WBRC FOX6 News | WBRC FOX6 News at 10pm | Ultimate Tag |
| WIAT-CBS | 8 | BeFlexible: drug free | CBS Weekend News (N) | CBS42 News 6pm (N) | Paid Program | NCIS: New Orleans Hannah gets suspended. | | 48 Hours | | 48 Hours (N) | | CBS42 News 10pm (N) | (:35) Jeopardy! |
| WTTO-CW | 9 | Modern Family | Modern Family "Royal Visit" | The Big Bang Theory | The Big Bang Theory | The Goldbergs | The Goldbergs | Family Guy "Bigfat" | Family Guy "Total Recall" | Two and a Half Men | Two and a Half Men | The Andy Griffith Show | Alabama Upstarts |
| WPXH-ION | 11 | Law & Order: Special Victims Unit "Closet" | | Law & Order: Special Victims Unit "Trade" | | Law & Order: Special Victims Unit "Cold" | | Law & Order: Special Victims Unit "Trials" | | Law & Order: Special Victims Unit "Confession" | | Law & Order: Special Victims Unit "Swing" | |
| WABM2-ABC | 12 | Paid Program | ABC World News | ABC 33/40 News at 6PM | Wheel of Fortune | The Last Dance | | (:01) The Last Dance | | (:02) The Rookie A call at auditions of American Idol. | | ABC 33/40 News at 10PM | (:35) America This Week (N) |
| A&E | 42 | (4:00) Live PD "Live PD -- 06.05.20" | | | | Live PD: Rewind "Live PD: Rewind 336" (N) | | Live PD "Live PD -- 06.13.20" (N) (Live) | | | | | |
| AMC | 53 | ★★ "Snitch" (2013, Crime Drama) Dwayne Johnson, Barry Pepper, Jon Bernthal. A man infiltrates a drug cartel to save his son from prison. | | | | | ★★ "The Day After Tomorrow" (2004, Action) Dennis Quaid, Jake Gyllenhaal, Ian Holm. Global warming leads to worldwide natural disasters. | | | | | Line of Duty | |
| ANPL | 47 | The Zoo Abandoned puma cubs arrive at the zoo. | | The Zoo: Bronx Tales "Porcupine Blind Date" (N) | | The Zoo "Penguins in Love" (N) | | (:01) Saved By The Barn Pigs are moving into their palace. | | (:01) Dr. Jeff: Rocky Mountain Vet "Pandemic Emergency" (N) | | (:01) Dr. Jeff: Rocky Mountain Vet "Unlucky Break" | |
| BET | 55 | (4:30) ★ "A Madea Christmas" (2013) Tyler Perry, Kathy Najimy. Madea dishes out her own brand of Christmas spirit. | | | | ★★ "The Best Man Holiday" (2013, Comedy-Drama) Morris Chestnut, Taye Diggs, Regina Hall. Longtime friends reunite over the Christmas holidays. | | | | | | | ★★★ "About Last Night" |
| BRAVO | 58 | ★★ "Office Space" (1999) Ron Livingston, Jennifer Aniston. A white-collar worker rebels against corporate drudgery. | | | | ★★ "It's Complicated" (2009, Romance-Comedy) Meryl Streep, Steve Martin, Alec Baldwin. A divorcee is caught between her ex and an architect. | | | | | ★★ "It's Complicated" (2009, Romance-Comedy) Meryl Streep, Steve Martin. | | |
| CMTV | 61 | (4:00) ★★★ "The Lincoln Lawyer" (2011, Crime Drama) Matthew McConaughey, Marisa Tomei, Ryan Phillippe. | | | | ★★★ "The Italian Job" (2003, Crime Drama) Mark Wahlberg, Charlize Theron, Edward Norton. A thief and his crew plan to steal back their gold. | | | | | ★★★ "The Lincoln Lawyer" (2011, Crime Drama) Matthew McConaughey, Marisa Tomei. | | |
| CNBC | 35 | Undercover Boss Build-A-Bear Workshop CEO. | | Undercover Boss Associa founder and CEO John Carona. | | Undercover Boss United Real Estate Group CEO Dan Duffy. | | Undercover Boss: Celebrity Edition "Jewel" | | Undercover Boss: Celebrity Edition "Bethany Mota" | | Undercover Boss Build-A-Bear Workshop CEO. | |
| CNN | 37 | CNN Newsroom With Ana Cabrera (N) | | The Situation Room With Wolf Blitzer (N) | | The Situation Room With Wolf Blitzer (N) | | The Situation Room With Wolf Blitzer (N) | | Coronavirus: Facts and Fears: A CNN Global Town Hall | | CNN Special Report | |
| COM | 56 | (4:30) ★ "Grown Ups 2" (2013, Comedy) Adam Sandler, Kevin James, Chris Rock. | | | (:45) ★ "Grown Ups 2" (2013, Comedy) Adam Sandler, Kevin James, Chris Rock. Lenny Feder and his family relocate back to his hometown. | | | | | South Park | South Park | South Park | South Park |
| DISN | 49 | (4:55) Jessie | (:20) Jessie "Toy Con" | (:10) Big City Greens | (:35) Big City Greens | Big City Greens | (:25) Amphibia | (7:50) The Owl House | (:40) Amphibia | (:05) Big City Greens | Big City Greens | (9:55) Big City Greens | (:20) Amphibia |
| DSC | 43 | Man vs. Wild The Chugach Mountains in Alaska. | | Man vs. Wild "Mount Kilauea" Hawaii's Kilauea volcano. | | Man vs. Wild "Sahara" Bear puts survival skills to the test. | | Man vs. Wild Bear puts survival skills to the test. | | Treasure Island with Bear Grylls (N) | | Man vs. Wild Survival guide for dangerous places. (Part 1 of 2) | |
| E! | 21 | (4:00) ★★ "Enough" (2002, Suspense) Jennifer Lopez, Billy Campbell, Juliette Lewis. | | | ★★ "The Wedding Planner" (2001, Romance-Comedy) Jennifer Lopez, Matthew McConaughey. An event organizer has eyes for her biggest client's beau. | | | | | ★★ "Sweet Home Alabama" (2002) Reese Witherspoon, Josh Lucas. A New York fashion designer has a secret in the South. | | | |
| ESPN | 29 | UFC Archival | | UFC Archival | | UFC Archival | | Boxing (Taped) | | | | SportsCenter (N) (Live) | |
| ESPN2 | 30 | The Last Dance | | The Last Dance | | Johnsonville ACL Cornhole Championships | | | | Johnsonville ACL Cornhole Championships | | | |
| FOOD | 45 | Diners, Drive-Ins and Dives | Diners, Drive-Ins and Dives | Diners, Drive-Ins and Dives | Diners, Drive-Ins and Dives | Diners, Drive-Ins and Dives | Diners, Drive-Ins and Dives | Diners, Drive-Ins and Dives | Diners, Drive-Ins and Dives | Diners, Drive-Ins and Dives | Diners, Drive-Ins and Dives | Diners, Drive-Ins and Dives | Diners, Drive-Ins and Dives |
| FREE | 48 | (3:40) ★★★★ "Finding Nemo" (2003, Children's) | | (:10) ★★★ "Finding Dory" (2016, Children's) Voices of Ellen DeGeneres, Albert Brooks, Ed O'Neill. | | | | (:15) ★★★ "Ratatouille" (2007, Children's) Voices of Patton Oswalt, Ian Holm, Lou Romano. Animated. A French rat enjoys good food and longs to become a chef. | | | | | |
| FS1 | 20 | Horse Race | Greatest Races: NASCAR From Feb. 5, 1995. | | NASCAR Gander RV & Outdoors Truck Series NASCAR Gander RV & Outdoors Truck Series Race At Homestead. (N) (Live) | | | | NASCAR Race Classic | NASCAR Race Classic | NASCAR Race Classic | AFL Premiership Football: Giants vs Kangaroos | |
| FSEE | 32 | Horse Race | Sports Stars of Tomorrow | MLS Soccer Eastern Conference Semifinal Leg 1. From Nov. 4, 2018. (N) | | | | 3 Wide Life | Sports Stars of Tomorrow | Fight Sports: Boxing | | | |
| FX | 28 | (4:00) ★★ "The Dark Tower" (2017, Fantasy) Idris Elba. | | ★★ "X-Men: Apocalypse" (2016, Action) James McAvoy, Michael Fassbender, Jennifer Lawrence. Professor X and Raven battle the immortal mutant Apocalypse. | | | | | | ★★ "Pacific Rim Uprising" (2018) John Boyega, Scott Eastwood. Young pilots unite to battle otherworldly monsters. | | | |
| GOLF | 82 | Golf Central (N) (Live) | | PGA Tour Golf Charles Schwab Challenge, Third Round. | | | | | | | | | PGA Tour Champions |
| HALL | 72 | (4:00) "Sun, Sand & Romance" (2017, Drama) Tricia Helfer. | | "Once Upon a Prince" (2018, Romance-Comedy) Megan Park, Jonathan Keltz. A young woman's beau is secretly a king. | | | | "Love in the Forecast" (2020) Christopher Russell. Premiere. Sparks fly between an aspiring meteorologist and a neighbor. | | | | "My One & Only" (2019) Pascale Hutton, Sam Page. | |
| HGTV | 46 | Love It or List It A family struggles with a small home. | | Love It or List It A larger home without losing the charm. | | Love It or List It A family has outgrown their home. | | Love It or List It A couple disagrees over their home. | | (:01) Love It or List It "Design Intervention" | | (:01) Love It or List It A couple disagrees on their home. | |
| HIST | 40 | Ancient Aliens Alien's help create new weapons. | | Ancient Aliens Ancient man's spectacular structures. | | Ancient Aliens Gigantic lines extend for miles. | | (:02) Ancient Aliens Time travelers mistaken for aliens. | | (:05) Ancient Aliens "Aliens & Superheroes" | | (:05) Ancient Aliens Extraterrestrial link to world rulers. | |
| LIFE | 23 | "The Bad Seed" (2018, Mystery) Mckenna Grace, Rob Lowe. A man begins to suspect that his daughter is a killer. | | | | "Their Killer Affair" (2017, Suspense) Melissa Archer. Premiere. Maxine suspects a killer may be someone close to her. | | | | (:03) "My Daughter's Psycho Friend" (2020) Taylor Blackwell. A student tries to frame a new girl at school for a death. | | | |
| MSNBC | 36 | MSNBC Live (N) | | MSNBC Live (N) | | All In With Chris Hayes | | The Rachel Maddow Show | | The Last Word With Lawrence O'Donnell | | The 11th Hour With Brian Williams | |
| NGC | 22 | Mysteries of the Holy Arks | | Secrets of Christ's Tomb: Explorer Special | | Gordon Ramsay: Uncharted "The Mighty Mekong of Laos" | | Gordon Ramsay: Uncharted Gordon travels to Morocco. (N) | | (:03) Gordon Ramsay: Uncharted (N) | | (:03) Gordon Ramsay: Uncharted "Alaska's Panhandle" | |
| PARMT | 57 | ★★ "Bad Boys" (1995, Action) Martin Lawrence, Will Smith, Tea Leoni. Two Miami cops attempt to recover stolen police evidence. | | | | | (:45) ★★ "Bad Boys II" (2003, Action) Martin Lawrence, Will Smith, Jordi Mollà. Two detectives battle a drug kingpin in Miami. | | | | | | |
| TBS | 25 | (4:00) ★★ "Next Friday" (2000) Ice Cube, Mike Epps. | | ★★ "Semi-Pro" (2008, Comedy) Will Ferrell, Woody Harrelson. A '70s-era musician buys a basketball league's worst team. | | | | The Big Bang Theory | The Big Bang Theory | The Big Bang Theory | The Big Bang Theory | Full Frontal | The Last O.G. "Warning" |
| TCM | 79 | (4:45) ★★ "The Poseidon Adventure" (1972) Gene Hackman. People on a ship capsized by a tidal wave try to survive. | | | | ★★★★ "Gunga Din" (1939, Adventure) Cary Grant, Douglas Fairbanks Jr. Kipling's tale of a water boy in colonial India. | | | | (:15) ★★★ "Kim" (1950, Children's) Errol Flynn, Dean Stockwell, Paul Lukas. Kipling's Irish orphan roams 1880s India. | | | |
| TLC | 24 | Taken at Birth The Hicks babies learn the DNA results. | | Long Lost Family "Born Together, Stay Together" | | Long Lost Family A man yearns to discover his roots. | | Long Lost Family A man searches for answers. | | Long Lost Family Lisa helps a man find answers. | | Long Lost Family Chris explores a woman's origins. | |
| TNT | 26 | (3:15) ★★★★ "Star Wars: A New Hope" (1977) Mark Hamill. | | ★★★★ "Star Wars: The Empire Strikes Back" (1980, Science Fiction) Mark Hamill, Harrison Ford, Carrie Fisher. Luke Skywalker, Han Solo and Princess Leia face Darth Vader's wrath. | | | | | | (8:47) ★★★ "Star Wars: Return of the Jedi" (1983, Science Fiction) Mark Hamill, Harrison Ford, Carrie Fisher. | | | |
| USA | 27 | (3:30) ★★★ "John Wick" | ★★★ "John Wick: Chapter 2" (2017, Action) Keanu Reeves, Common, Laurence Fishburne. Legendary hit man John Wick takes on deadly killers in Rome. | | | | | ★★★ "John Wick" (2014, Action) Keanu Reeves, Michael Nyqvist, Alfie Allen. | | | (:45) ★★★ "John Wick: Chapter 2" (2017, Action) Keanu Reeves, Common. | | |
| WE | 71 | Criminal Minds A killer keeps mementos of victims. | | Criminal Minds Missing teens become murder suspects. | | Criminal Minds A young boy disappears from his home. | | Criminal Minds "200" J.J. is abducted. | | Criminal Minds "Gabby" A 4-year-old girl goes missing. | | Criminal Minds "Persuasion" | |
| HBO | 518 | (4:30) ★★★ "Casino Royale" (2006) Daniel Craig. James Bond plays poker with a man who finances terrorists. 'PG-13' | | | | ★★ "The Good Liar" (2019) Helen Mirren. Premiere. A career con artist tries to swindle a well-to-do widow. 'R' | | | | (8:50) I Know This Much Is True "Episode 5" | | (9:50) I May Destroy You | "Bohemian Rhapsody" |
| MAX | 549 | (3:55) ★★ "Running Scared" (2006) Paul Walker. 'R' | | Trackers "Episode 2" Lemmer notices a car on his tail. | | (6:50) ★★ "Saw" (2004, Horror) Cary Elwes, Danny Glover. Premiere. 'R' | | | (:35) ★★ "Saw II" (2005, Horror) Donnie Wahlberg, Tobin Bell, Shawnee Smith. Premiere. 'R' | | | (:10) Trackers Lemmer notices a car on his tail. | |
| SHOW | 578 | Billions "The Nordic Model" Axe's plans are threatened. | | | | ★★★ "Casino" (1995, Crime Drama) Robert De Niro, Sharon Stone, Joe Pesci. A mob employee makes a play for power in 1970s Las Vegas. 'R' | | | | "Mob Town" (2019, Crime Drama) David Arquette, Jennifer Esposito. Premiere. 'R' | | ★★ "Mr. Brooks" (2007) | |
| TMC | 598 | (4:00) ★★ "Indecent Proposal" (1993) Robert Redford. | | | | ★ "Push" (2009, Suspense) Chris Evans, Dakota Fanning. Rogue psychics battle a covert government agency. 'PG-13' | | "Rabid" (2019, Horror) Laura Vandervoort, Stephen McHattie. A medical procedure causes a woman to crave human blood. 'NR' | | | | ★★★ "Zombie" (1979, Horror) Tisa Farrow. 'R' | |

**1:45 p.m. TMC "Serpico"** ★★★½ (1973) Al Pacino Based on the true story of Frank Serpico, who sacrificed his career to expose widespread corruption in the NYPD.
**2:00 p.m. AMC "Face/Off"** ★★★ (1997) John Travolta. An FBI agent and a violent terrorist switch identities.
**TBS "Friday"** ★★★ (1995) Ice Cube. A South Central Los Angeles resident hangs out on his front porch with a pal who owes money to a drug dealer.
**2:15 p.m. TCM "North by Northwest"** ★★★★ (1959) Cary Grant. Mistaken identity spurs a foreign spy to pursue an innocent New Yorker, all the way to Mount Rushmore.
**2:25 p.m. HBO "Downton Abbey"** ★★★ (2019) Hugh Bonneville The beloved Crawleys and their intrepid staff prepare for the most important moment of their lives. A royal visit from the king and queen of England soon unleashes scandal, romance and intrigue — leaving the future of Downton hanging in the balance.
**3:15 p.m. TNT "Star Wars: A New Hope"** ★★★★ (1977) Mark Hamill. Robots and other allies help a youth and a space jockey rescue a rebel princess and battle dark forces bent on intergalactic rule.
**3:30 p.m. USA "John Wick"** ★★★ (2014) Keanu Reeves. New York City becomes the bullet-riddled playground of a former assassin as he hunts down the Russian mobsters who destroyed everything he held dear.
**3:40 p.m. FREE "Finding Nemo"** ★★★★ (2003) Voices of Albert Brooks. Animated. A clown fish embarks on a journey to find his son after losing him in the Great Barrier Reef.
**4:00 p.m. CMTV "The Lincoln Lawyer"** ★★★ (2011) Matthew McConaughey. A lawyer who operates out of the back of his Lincoln Continental lands the case of a lifetime when he defends a Beverly Hills playboy accused of attempted murder.
**4:30 p.m. HBO "Casino Royale"** ★★★ (2006) Daniel Craig After receiving a license to kill, British agent James Bond enters a high-stakes poker game with Le Chiffre, a man who finances terrorist groups.
**5:30 p.m. USA "John Wick: Chapter 2"** ★★★ (2017) Keanu Reeves. Legendary hit man John Wick comes out of retirement when a former associate plots to seize control of an international assassins' guild. Bound by a blood oath to help him, Wick travels to Rome to square off against the world's deadliest killers.
**6:00 p.m. TNT "Star Wars: The Empire Strikes Back"** ★★★★ (1980) Mark Hamill. Yoda teaches Luke Skywalker to be a Jedi knight, and Han Solo woos Princess Leia, as Darth Vader returns to threaten the rebel forces trying to save the galaxy.
**SHOW "Casino"** ★★★½ (1995) Robert De Niro A New York bookie and his pal turn a Las Vegas casino into an empire, then one's money-hungry wife helps bring it down.
**6:10 p.m. FREE "Finding Dory"** ★★★½ (2016) Voices of Ellen DeGeneres. Animated. With help from Nemo and Marlin, Dory the forgetful fish embarks on an epic adventure to find her mother and father.
**7:00 p.m. CMTV "The Italian Job"** ★★★ (2003) Mark Wahlberg. A master thief and his crew plan to steal back a fortune in gold bullion after they lose it to a double-crossing gang member.
**TCM "Gunga Din"** ★★★★ (1939) Cary Grant. British soldiers and their water carrier face Thuggee cultists at the Khyber Pass in 1890s India.
**8:00 p.m. USA "John Wick"** ★★★ (2014) Keanu Reeves. New York City becomes the bullet-riddled playground of a former assassin as he hunts down the Russian mobsters who destroyed everything he held dear.
**8:15 p.m. FREE "Ratatouille"** ★★★½ (2007) Voices of Patton Oswalt. Animated. A Parisian rat who enjoys fine food lives beneath a famous restaurant and longs to be a great chef.
**8:47 p.m. TNT "Star Wars: Return of the Jedi"** ★★★½ (1983) Mark Hamill. Luke Skywalker, now an experienced Jedi knight, tries to discover Darth Vader's identity.
**9:15 p.m. TCM "Kim"** ★★★ (1950) Errol Flynn. Kipling's Irish orphan roams 1880s India with a Tibetan priest and a horse thief spying for the British.
**9:30 p.m. CMTV "The Lincoln Lawyer"** ★★★ (2011) Matthew McConaughey. A lawyer who operates out of the back of his Lincoln Continental lands the case of a lifetime when he defends a Beverly Hills playboy accused of attempted murder.
**9:45 p.m. USA "John Wick: Chapter 2"** ★★★ (2017) Keanu Reeves. Legendary hit man John Wick comes out of retirement when a former associate plots to seize control of an international assassins' guild. Bound by a blood oath to help him, Wick travels to Rome to square off against the world's deadliest killers.
**10:00 p.m. TMC "Zombie"** ★★★ (1979) Tisa Farrow A New York reporter follows a woman to an island where a doctor faces an epidemic of the undead.
**10:20 p.m. HBO "Bohemian Rhapsody"** ★★★½ (2018) Rami Malek Singer Freddie Mercury defies stereotypes and convention to become one of history's most beloved entertainers. After leaving Queen to pursue a solo career, Mercury reunites with the band for one of the greatest performances in rock 'n' roll history.
**10:30 p.m. BET "About Last Night"** ★★★ (2014) Kevin Hart. Four Los Angeles singles experience undeniable chemistry and pair off to follow their attraction to its logical conclusion. Afterward, each new couple tries to make love last in the real world.
**10:55 p.m. FREE "Shrek"** ★★★½ (2001) Voices of Mike Myers. Animated. In order to save his home, a monster with a donkey makes a deal with a mean lord to rescue a beautiful princess.

# Best Bets

**6:10 p.m. on FREE**
**Movie: Finding Dory**

In this sweet 2016 sequel to the 2003 animated blockbuster "Finding Nemo," Ellen DeGeneres reprises her beloved voice performance as the title character, a plucky little fish with profound short-term memory problems. Moviegoers clearly remembered how much they loved the original movie, though, since they flocked to this follow-up, which racked up the highest global gross of any 2016 animated release and became the third highest-grossing Pixar film ever. The voice cast also includes Albert Brooks, Kaitlin Olson, Ty Burrell, Diane Keaton and Ed O'Neill.

**7 p.m. on LIFE**
**Movie: Their Killer Affair**

Detective Maxine "Max" Payton (Melissa Archer) is assigned to investigate the murder of a client of Adeline Lilly, a website dedicated to matching partners who are either married or in a relationship, yet looking to have a discreet affair. Max notices a small charm left on the corpse, a clue that takes on more dramatic significance after more dead bodies pile up, each with a similar charm left behind. Alyshia Ochse, Brandon Beemer and Lauralee Bell also star in this 2020 thriller.

**7 p.m. on HBO**
**Movie: The Good Liar**

Two British master thespians, Helen Mirren and Ian McKellen, elevate Bill Condon's twisty 2019 crime thriller adapted from a novel by Nicholas Searle. McKellen stars as aging con artist Roy Courtnay, who has carved a lucrative career out of his knack for persuading the rich to grant him financial access to their fortunes. His latest mark is wealthy widow Betty Mcleish (Mirren), a widow and former history professor at Oxford. Roy is about to discover Betty is a lot more complicated than she looks, however. Russell Tovey also stars.

**8 p.m. on HALL**
**Movie: Love in the Forecast**

TV weather reporter Leah Waddell (Cindy Busby) is frustrated that she can't get either her bosses or viewers to take her seriously as a meteorologist, and since her dating life is just as unsatisfying, she promises herself she'll table romantic matters for a year and focus entirely on her job. Naturally, as soon as she does this, suddenly it's raining men in Leah's life, including Mark (Christopher Russell), a handsome farmer who is her new neighbor.

**8:01 p.m. on ANPL**
**Saved By The Barn**

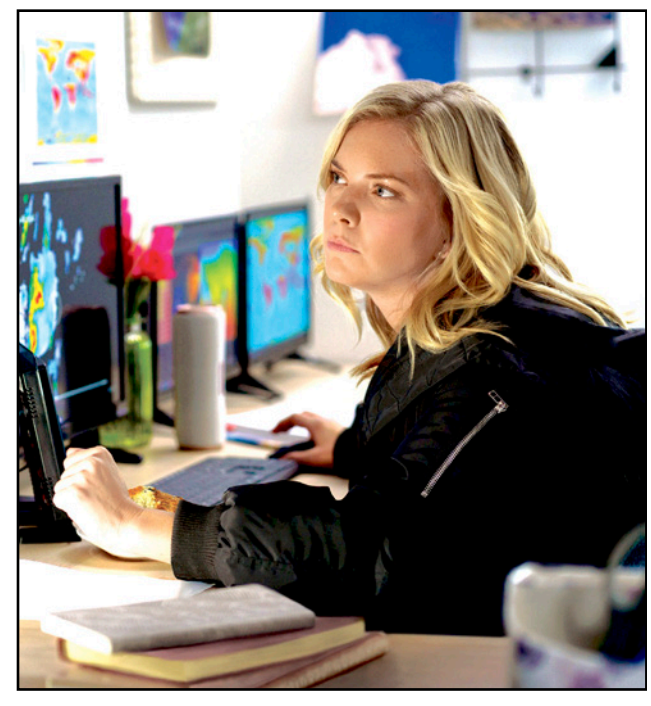
Construction has taken a full year, but the Barn Sanctuary's "pig palace" is finally complete, so it's time for Dan McKernan's fine swine to move into their new accommodations in the new episode "Reuniting the Herd." The turkeys also are gifted with musical instruments, while, on a far more bittersweet note, the staff holds a memorial service in honor of Andy the cow, after the beloved bovine passes away.

**9 p.m. on SHOW**
**Movie: Mob Town**

Danny A. Abeckaser's 2019 mob drama is based on an actual 1957 incident, when roughly 100 members of the mafia, from all across the United States, were summoned by mob kingpin Vito Genovese (Robert Davi) to the remote upstate New York estate of Joe Barbara (played by Abeckaser). The gathering was prompted by Genovese's wish to establish himself as the boss of bosses of the Luciano crime family. David Arquette, Jennifer Esposito, P.J. Byrne and Jamie-Lynn Sigler ("The Sopranos") also star.

**9 p.m. on TRVL**
**Terror in the Woods**

A double bill of chilling tales called "It Came From Hell and Ozark Bigfoot" opens with two brothers enjoying a fun fishing trip at a Texas lake, but their outing morphs into a night of sheer terror when they encounter a monster in the darkness. Then, a band of Bigfoot hunters who are camping in the Ozark ssuddenly have the chilling realization that they have turned into the quarry for something out there.



Cindy Busby stars in "Love in the Forecast" on Hallmark Channel.

# Whitlock's (from Front)

**Maggie Darnell**
maggie@cullmantribune.com

*The Tribune is highlighting small businesses around Cullman County during the COVID-19 pandemic. Know of one we should feature? Email maggie@cullmantribune.com.*

**TRIMBLE, Ala.** – Since 1992, Bruce and Beatrice Whitlock have offered a variety of services to the Trimble area at Whitlock's General Store and Cafe, "known for family values, great food and hospitality."

If you've visited Smith Lake in Cullman County, chances are you've stopped by Whitlock's for gas, essentials, supplies or one of its locally-famous burgers.

"We've been in this building for about 22 years," said Bruce Whitlock. "We built it. We originally owned a little building on the corner; we were there for five years, then that building got in bad shape and we took it down and built our current building. We'd never been in the cafe or food business until we opened this (cafe) up. I had worked in retail, but I never owned a business before this."

Whitlock said the cafe is not doing inside dining at the moment, only take-out, but the store has been beefed up.

"Right now, we don't have (inside) dining, but typically we do. We have a wide range on our menu: hamburgers, hot dogs, chicken fingers, hamburger steaks, Philly steaks, just all kinds of sandwiches. And then in our store, we offer gas, tobacco products, hardware, plumbing, just your regular convenience store-type stuff. We've just done an update in the store. We spent several thousand dollars putting new hardware in. The word's getting out and it's doing really well!"

Business-wise, Whitlock's has been unfazed by COVID-19.

"It hasn't impacted us very much, with being on the entrance to Smith Lake and close to Smith Lake Park," said Whitlock. "A lot of people are fishing; people are still going to the lake with their families. We're seeing a whole lot more family activity with parents carrying their kids fishing and everything. So really, it hasn't impacted us very much at all. Our takeout business is very much really good. Obviously, it's hurt our restaurant some, not significantly though. We did not have to close down; we continued doing takeout ordering. In the beginning, we had two tables out in front (of the café) and the health department told us we could not do that and so we brought them in. Then after the governor opened things back up, we carried the two tables back out there so people can sit out there."

He said he and his staff are following enhanced health guidelines to make sure everyone is safe, sharing, "Our server wears a face mask. We're constantly cleaning door handles, counters. We're doing what we can, what we're supposed to do. Same thing with next door at the general store, we're cleaning door handles and the counter, all the cooler doors and handles."

Whitlock's General Store and Cafe is located at 6446 County Road 222, Cullman, AL 35057 and is open every day from 5 a.m. until 9 p.m., except for Sundays, when it closes at 8 p.m.

Find out more at www.facebook.com/whitlockstoreandcafe or www.whitlockstoreandcafe.com.

# Claire (from Front)

find out how difficult it was to navigate, describing himself as "lost."

Now, he is a board-certified patient advocate and launching his new private patient advocacy service, Sun Back Moon, LLC.

Byars' daughter Claire would mix up the words when told how she was loved from the sun to the moon and back. Instead, she would simply say, "Sun back moon" to convey the sentiment.

Now, her sweet words are the name of Byars' new patient advocacy service.

"There's a lot that a patient advocate can do," said Byars.

"This is a service that's been around for many, many years, but it just hasn't been as prevalent here in the South.

"There's only a few of us in the state of Alabama that are board-certified patient advocates."

Byars said he realized that as lost as he was during his daughter's illness, people without a background in the medical field had to need help.

"It's a broad spectrum of who all this can benefit. Whether it be for an individual person who just needs some assistance helping guide them through a complex medical situation or a family that has a loved one with a complex medical situation and they might not be able to pull away from work every time to go to the doctor with them.

"That is something I can provide," he explained.

"I do a lot of coordination of care between the client's care team and all of their specialists.

"That's one of the things we learned with my daughter: when you get into something that is really complex and you get outside the scope of just going to your primary care physician for an annual checkup, you can start pulling a lot of different physicians and a lot of different procedures and tests into play.

"Trying to coordinate all that can be tiresome at best and very difficult to do."

Insurance navigation is another service Sun Back Moon will offer.

Byars said, "A lot of times bills from various things, whether it's for a surgery, imaging or a visit with the doctor, you start getting bills in. 'Do I owe this or do I not owe this?' because sometimes they will cross paths and send you a bill before insurance settles up with it. Trying to sort through that, I can help you with that."

Additionally, Sun Back Moon will assist patients with finding second (or more) opinions

"Many times when you are dealing with that yourself or for a family member, oftentimes, you don't have the time to take away from them to do the research and find out where's the place to be for this particular illness," said Byars, who explained that often people won't seek out a second, or more, opinions.

In his daughter's case, he said, "It was not the first, second, third, fourth or fifth opinion that was correct.

"It was the sixth opinion that was correct. Number six was the winner and it changed her complete outcome totally and I'm not even convinced she would be with us today if we didn't get that correct diagnosis."

Some hospitals have begun offering patient advocates, but Byars stressed he is an independent patient advocate focused on doing what is best for his clients.

"I am there to make sure they can get the best care that they can get, whatever that entails," he said."

"For example, sometimes you may have to fire a doctor. That's one thing people don't typically do. They think, 'Oh, this is my doctor and I have to do what he says.' They practice medicine.

"They don't always have the best opinion and they don't always have the right opinion.

"Sometimes they do and sometimes they don't and sometimes there are personality conflicts.

"You may fit well with another provider. It's amazing to me.

"People will spend more time researching a microwave oven and figuring out what to buy than they do health care. That's something I can help with."

Byars said he can also manage GoFundMe accounts or other contribution accounts for individuals or families receiving donations to help with costs.

"I can tell you first hand from that," he recalled.

"We had an account set up for my daughter by a friend of a friend.

"He supposedly had a lot of connections and was going to help get us some money.

"He is sitting in prison in Oregon right now for wire fraud and money laundering...I can help take that burden and worry off the family."

Other services Byars will offer include nursing home negotiations, providing consultant services for providers focusing on the impact to their patients and serving as a mediator between physicians and patients.

Byars' services are not limited to those receiving care locally.

He has advocated and will continue to advocate for patients who are receiving care outside of the Cullman area.

Byars is anticipating having the Sun Back Moon, LLC website (https://sunbackmoon.com) up in the next couple of weeks, but for now, anyone interested in his services can send an email to jeffwbyars@gmail.com.

Byars is board-certified patient advocate through the national Patient Advocate Certification Board and a member of the Alliance for Professional Health Advocates.

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# Obituary Announcements June 13

**Sue Durham Gilland** was born Aug. 3, 1943 and passed away June 11, 2020 and is under the care of Moss Service Funeral Home.

**Mrs. Gladys "Bonnie" Speakman**, 73, of Falkville, Alabama passed away Thursday, June 11, 2020. Bonnie was born June 12, 1946 in Alabama to Willam Leroy and Ollie Jane Brock. Bonnie is survived by mother Ollie Jane Brock; sons Chris (Tammy) Taylor, Rodger (Eydie) Black, Paul (Holly) Black, and Donald Black; sisters Donna (Van) Tucker and Charlotte (Clyde) Kelly; grandchildren Kelsie Black, Bradley Mosley, Cheslee Black, Luke Jordan, and Wes Jordan; and great-grandchildren Brayden Jordan and Wyatt Jordan. Bonnie was preceded in death by her husband Ken Speakman; father William Leroy Brock; sister Cathy Ann Colvert; brothers Roy Brock and Billy Joe Brock. A visitation for Bonnie will be held Sunday, June 14, 2020 from 6-8 p.m. at Moss-Service Funeral Home. A celebration of life funeral service will occur Monday, June 15, 2020 at 2 p.m., with interment to follow at Flint Creek Cemetery.Fond memories and expressions of sympathy may be shared at www.mossservicefh.com for her family.

**Magan Brittney Ford Ramirez** of Holly Pond was called home to be with the Lord Saturday, June 6, 2020 at the age of 31. Magan was born April 10, 1989 in Gadsden, Alabama to Anita Calhoun Monk and Greg Ford. She married Christian Ramirez in 2019. Magan was loving, kindhearted, and had a smile that would light up a room. She enjoyed attending church with her family and singing. Her interests included drawing, painting, playing video games, watching movies, and spending time with family and friends. She loved animals and especially her beloved cat, Punkyn. Magan is survived by her husband Christian Ramirez of Holly Pond; mother Anita Calhoun Monk of Cullman; father Greg (Kim) Ford of Arab; sister Hadyn (Josh) Head of Arab; grandparents Robert and Martha Calhoun of Cullman, Myron Ford of Anniston, and Sonnie Yevick of Jacksonville; and her beloved uncles, aunts, and cousins. She was preceded in death by her grandmothers Pat Yevick and Lorraine Harbin and stepfather Steve Monk. Memorial Service was at 2 p.m. Friday, June 12, 2020 at Pattillo Street Church of God with Bishop Tim Herron officiating. Honorary Pallbearers will be Greg Calhoun, Jonathan Calhoun, Josh Head, Zach Duhon, PJ Kritner, and Derek Greer.

**Betty Sue Patterson**, 80, of Addison entered into rest Thursday, June 11, 2020 at Cullman Regional Medical Center. Betty was born May 28, 1940 in Jasper, Alabama. She was a member of Houston Congregational Christian Church for the last six years. She enjoyed gardening and cooking, but most of all, she loved her family, especially her grandchildren. A graveside service will be held Monday, June 15, 2020 at 2 p.m. at Fairview Baptist Church Cemetery in Addison. Brother Bobby Smith will officiate. Betty is survived by her daughter Sherry Harper and her husband Wayne; son Terry Patterson and his wife Karen; grandchildren Shana Harper, Haley Harper and Nathan Patterson; great-grandson Raylan Gobble; one great-granddaughter on the way; special niece Linda Gilliland; and a host of other nieces, nephews, other family and friends. She was preceded in death by her husband Lee Mark Patterson; parents Archie and Lora Pratt Gilliland; brothers Bobby, Leborn, and Lee Ray Gilliland; sister Fannie Mae Burleson; sisters-in-law Dean Gilliland, Eleanor Gilliland and Jean Gilliland; brother-in-law Cletus Burleson; and niece Anita Gilliland.

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RECREATION

# Cullman Parks, Recreation and Sports Tourism to host NASP social distancing archery tournament June 15-30

**W.C. Mann**
craig@cullmantribune.com



W.C. MANN/THE CULLMAN TRIBUNE

*CPRST archery director Anthony Parker at the agency's indoor archery center.*

**CULLMAN, Ala.** – Cullman Parks, Recreation and Sports Tourism (CPRST) reopens its archery program with a "socially distant" National Archery in Schools Program (NASP) tournament for elementary, middle and high school students starting Monday, June 15 at the agency's indoor range located at 1913 2nd Ave. SW (U.S. Highway 31). This is the first archery event held by CPRST since the COVID-19 shutdown.

Archers will be scored as individuals, not by teams, so all students are welcome. First, second and third place will be awarded in each school level division.

The tournament is sponsored by Van's Sporting Goods, and first place winners in each division will receive $25 gift cards to the store.

All participants will be eligible for a drawing for one of three (one for each school level) NASP archery targets to be given away by Vans, as well.

CPRST's Kelly Pulliam told The Tribune, "We decided to do the social distancing tournament because a lot of the school archery shoots were canceled. Whenever schools let out and dismissed, they were just getting into their archery tournaments, so most all those were canceled.

"Kids didn't get to finish their season, at all.

"So (CPRST archery director) Anthony (Parker) thought this would be a great way for the archers to have something to do."

Tournament flights will take place on Mondays each hour from 3 p.m. to 6 p.m., and Tuesdays through Fridays at 1 p.m. and 2 p.m. Call 256-734-9157 to reserve a flight time.

Tournament winners will be announced on July 1.

The CPRST Indoor Archery Center is open for recreational shooting Tuesdays through Fridays from 3 p.m. until 7 p.m. for $5 per hour.

Said Pulliam, "We're just trying to get the word out that we're still open. Come shoot!"

**At a glance**

- CPRST NASP social distancing archery tournament
- June 15-30 at the CPRST Indoor Archery Center, 1913 2nd Ave. SW, Cullman
- Mondays 3 p.m., 4 p.m., 5 p.m. and 6 p.m. flights
- Tuesdays through Fridays 1 p.m. and 2 p.m. flights
- Call 256-734-9157 to reserve a flight time







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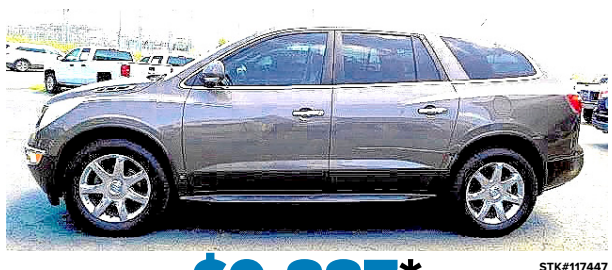
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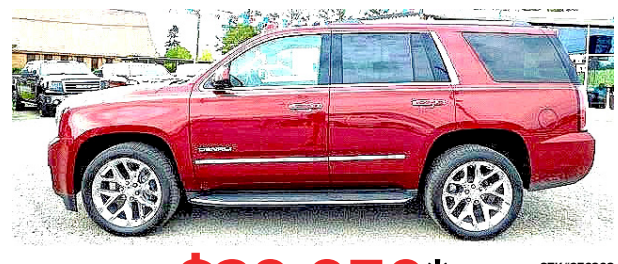
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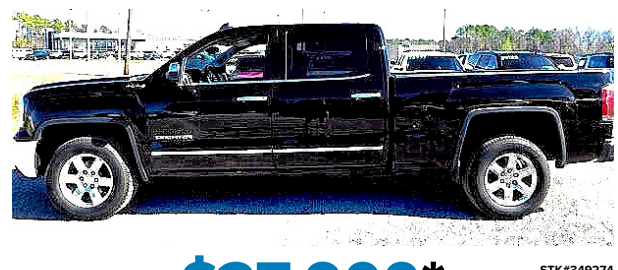
$9,887* STK#117447

2016 GMC YUKON
4WD 4dr Denali



$29,950* STK#276368

2016 GMC SIERRA 1500
Crew Cab Standard Box 4-Wheel Drive SLT



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**ORDINANCE NO. 2020 – 18**

**TO AMEND ORDINANCE NO. 2015-32 TO PROVIDE FURTHER FOR THE REGULATION OF THE SALE AND DISTRIBUTION OF ALCOHOLIC BEVERAGES WITHIN THE CITY OF CULLMAN, ALABAMA, PROVIDING LICENSING PROCEDURES AND ESTABLISHING PUNISHMENT FOR VIOLATIONS**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CULLMAN, ALABAMA, AS FOLLOWS:

**Section 1. Purpose.** The purpose of this Ordinance is to modify or amend Section 6 of Ordinance No. 2015-32.

**Section 2. Definitions.**

1. Section 6 of Ordinance No. 2015-32, is hereby deleted in its entirety.
2. The following paragraph is hereby substituted in place of the above deleted paragraph.
   *No manufacturing shall provide for the public any type of recreational facilities, including but not limited to darts, billiards, pool, shuffleboard, or any other type recreation activity, except in a designated recreation area approved by the Police Chief or other designated City of Cullman representative.*

**Section 3. Severability Clause.** Each and every provision of this Ordinance is hereby declared to be an independent provision and the holding of any provision hereof to be void or invalid for any reason shall not affect any other provision hereof, and it is hereby declared that the other provisions of this Ordinance would have been enacted regardless of any provisions which might have been invalid.

**Section 4. Effective Date.** This ordinance shall be effective following its passage, approval, and publication as required by law.

ADOPTED BY THE CITY COUNCIL this the 16th day of March, 2020. /s/ Jenny G. Folsom - President of the City Council
ATTEST: /s/Wesley M. Moore - City Clerk
APPROVED BY THE MAYOR this the 16th day of March, 2020. /s/Woody Jacobs - Mayor

**ORDINANCE NO. 2020 – 20**

**TO ANNEX CERTAIN PROPERTIES INTO THE CITY LIMITS OF THE CITY OF CULLMAN, ALABAMA**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CULLMAN, ALABAMA, AS FOLLOWS:

SECTION 1. The City Council of the City of Cullman finds that Whitney Todd Rice and Jessica Peinhardt Rice have petitioned the City under the provisions of Section 11-42-21 of the Code of Alabama, 1975, as amended, that the following described property, which property is owned by the petitioner, be annexed into the City of Cullman: PPIN: 60815. PARCEL: 09-05-22-0-001-028.029.

Legal Description: Lot #6 of Lake George Estates, 2nd Addition, as recorded in Plat B277B in the Office of the Judge of Probate, Cullman County, Alabama. Subject to Right of Way Easement to South Central Bell as recorded in Deed Book 338, Page 909. Subject to the Restrictions and By-Laws of Lake George Estates, Additions II & III, as recorded in Miscellaneous Book 14S, Page 435. Subject to a 10' U&O Easement along all interior lot lines as set out by the plat of Lake George Estates, 2nd Addition, said easement being granted to Cullman Electric Cooperative by plat recorded in Plat B277B. Subject to 40' minimum building line on front line and 15' on interior or side street lines and 40' on rear lot line as set out by the Restrictions and By-Laws of Lake George Estates as recorded in Miscellaneous Book 145, Page 435. FOR SOURCE OF TITLE, SEE DEED BOOK 567, PAGE 758.

SECTION 2. That the Council has before it a map showing the relationship of the property proposed to be annexed to the corporate limits of the City of Cullman, and that said map is on file in the office of the City Clerk along with an acknowledgment by the property owners that they want it to be annexed into the City of Cullman.

SECTION 3. That the City of Cullman does hereby annex as a part of its corporate limits the above described tracts or parcels of land as R-1 RESIDENTIAL DISTRICT.

SECTION 4. That a copy of this ordinance after its adoption, which ordinance includes a description of the property annexed to the City of Cullman, be filed in the office of the Judge of Probate of Cullman County, Alabama, the county in which the municipality is located.

SECTION 5. That this ordinance shall take effect upon its passage and publication as required by law.

ADOPTED BY THE CITY COUNCIL this the 16th day of March, 2020. /s/ Jenny G. Folsom - President of the City Council
ATTEST: /s/Wesley M. Moore - City Clerk
APPROVED BY THE MAYOR this the 16th day of March, 2020. /s/Woody Jacobs - Mayor

**ORDINANCE NO. 2020 – 21**

**TO ANNEX CERTAIN PROPERTIES INTO THE CITY LIMITS OF THE CITY OF CULLMAN, ALABAMA**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CULLMAN, ALABAMA, AS FOLLOWS:

SECTION 1. The City Council of the City of Cullman finds that Gregory S. Windham has petitioned the City under the provisions of Section 11-42-21 of the Code of Alabama, 1975, as amended, that the following described property, which property is owned by the petitioner, be annexed into the City of Cullman:

LEGAL DESCRIPTION: A part of the southwest quarter of the northeast quarter, a part of the southeast quarter of the northwest quarter and a part of the northeast quarter of the southwest quarter all in Section 6, Township 10 South, Range 3 West, Cullman County, Alabama and being more particularly described as follows: Being at the southwest corner of the southwest quarter of the northeast quarter of said section 6 and run south 88 degrees 14 minutes 24 seconds east (bearing based on AL. State Plane, west zone NAD 83, Grid) and run along the accepted south line, a distance of 885.17 feet; thence north 36 degrees 53 minutes 07 seconds west, a distance of 56.63 feet to the point of curvature of a curve to the left, having a central angle of 50 degrees 49 minutes 17 seconds, a radius of 285.00 feet, a chord bearing of north 62 degrees 17 minutes 45 seconds west and a chord length of 244.59 feet; thence run along the arc of said curve an arc distance of 252.80 feet; thence north 11 degrees 51 minutes 56 seconds west, a distance of 250.27 feet; thence south 78 degrees 08 minutes 04 seconds west, a distance of 663.84 feet; thence south 00 degrees 13 minutes 00 seconds east, a distance of 374.99 feet; thence south 50 degrees 36 minutes 27 seconds west, a distance of 176.77 feet; thence south 02 degrees 33 minutes 04 seconds west, a distance of 182.93 feet; thence south 19 degrees 21 minutes 15 seconds east, a distance of 125.19 feet; thence south 51 degrees 06 minutes 38 seconds east, a distance of 199.41 feet to a point on the east line of the northeast quarter of the southwest quarter; hence north 01 degrees 09 minutes 07 seconds east, a distance of 673.12 feet to the point of beginning. Containing 7.73 acres, more or less.

SECTION 2. That the Council has before it a map showing the relationship of the property proposed to be annexed to the corporate limits of the City of Cullman, and that said map is on file in the office of the City Clerk along with an acknowledgment by the property owners that they want it to be annexed into the City of Cullman.

SECTION 3. That the City of Cullman does hereby annex as a part of its corporate limits the above described tracts or parcels of land as R-2 RESIDENTIAL DISTRICT.

SECTION 4. That a copy of this ordinance after its adoption, which ordinance includes a description of the property annexed to the City of Cullman, be filed in the office of the Judge of Probate of Cullman County, Alabama, the county in which the municipality is located.

SECTION 5. That this ordinance shall take effect upon its passage and publication as required by law.

ADOPTED BY THE CITY COUNCIL this the 16th day of March, 2020. /s/ Jenny G. Folsom - President of the City Council
ATTEST: /s/Wesley M. Moore - City Clerk
APPROVED BY THE MAYOR this the 16th day of March, 2020. /s/Woody Jacobs - Mayor

**ORDINANCE NO. 2020 – 22**

**TO ANNEX CERTAIN PROPERTIES INTO THE CITY LIMITS OF THE CITY OF CULLMAN, ALABAMA**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CULLMAN, ALABAMA, AS FOLLOWS:

SECTION 1. The City Council of the City of Cullman finds that H & M Land Company, LLC and Cullman Christian School have petitioned the City under the provisions of Section 11-42-21 of the Code of Alabama, 1975, as amended, that the following described property, which property is owned by the petitioner, be annexed into the City of Cullman:

Legal Description: A tract or parcel of land containing 45.00 acres of land, more or less and being a part of Lot 2 of Schaeffel Estate Subdivision as recorded in Map Book 2004, Page 21 in the Office of the Judge of Probate, Cullman County, Alabama and being more particularly described as follows: Begin at a found capped corner marking the Southeast Corner of Lot 2 of said Schaeffel Estates, having an Alabama State Plane, West Zone, NAD 83. Coordinate value of N. 1497769.21', E. 2170822.61', and run North 88 degrees 47 minutes 54 seconds West, along the Lot 2, a distance of 2,627.64 feet to a set rebar on the West line of said Lot 2; thence North 00 degrees 07 minutes 12 seconds East, along the West line, a distance of 83.66 feet to a found 1 inch pipe marking the locally accepted Southwest corner of the Northwest Quarter of the Northeast Quarter of Section 3, Township 11 South, Range 3 West, Cullman County, Alabama; thence North 00 degrees 36 minutes 39 seconds East, along the West line, a distance of 1,317.02 feet to set a rebar marking the Northwest corner of the Northwest Quarter of the Northeast corner of said Section 3; thence South 88 degrees 50 minutes 08 seconds East, along the North line, a distance of 914.82 feet to a found capped corner (Conn-17831); thence South 00 degrees 30 minutes 14 seconds West, a distance of 1,006.04 feet to a found capped corner (Conn-17831); thence South 88 degrees 48 minutes 10

seconds East, a distance of 1,712.67 feet to a found capped corner (Conn-17831) on the westerly right-of-way line of Cullman County Road No. 490; thence South 00 degrees 45 minutes 30 seconds West, along said right-of-way line, a distance of 395.37 feet to the point of the beginning.
SECTION 2. That the Council has before it a map showing the relationship of the property proposed to be annexed to the corporate limits of the City of Cullman, and that said map is on file in the office of the City Clerk along with an acknowledgment by the property owners that they want it to be annexed into the City of Cullman.
SECTION 3. That the City of Cullman does hereby annex as a part of its corporate limits the above described tracts or parcels of land as R-2 RESIDENTIAL DISTRICT.
SECTION 4. That a copy of this ordinance after its adoption, which ordinance includes a description of the property annexed to the City of Cullman, be filed in the office of the Judge of Probate of Cullman County, Alabama, the county in which the municipality is located.
SECTION 5. That this ordinance shall take effect upon its passage and publication as required by law.
ADOPTED BY THE CITY COUNCIL this the 16th day of March, 2020. /s/ Jenny G. Folsom - President of the City Council
ATTEST: /s/Wesley M. Moore - City Clerk
APPROVED BY THE MAYOR this the 16th day of March, 2020. /s/Woody Jacobs - Mayor

**ORDINANCE NO. 2020 - 23**
**AN ORDINANCE TO AUTHORIZE THE EXECUTION AND DELIVERY OF A THIRD SUPPLEMENTAL WATER SUPPLY AGREEMENT WITH THE UTILITIES BOARD OF THE CITY OF CULLMAN RESPECTING THE SERIES 2020 BOND OF THE BOARD**

**BE IT ORDAINED** by the City Council of the City of Cullman, Alabama, a municipal corporation under the laws of the State of Alabama (the "City"), as follows:
**Section 1. Findings**. The Council does hereby find and declare that the following facts are true and correct:
a) The City owns and operates a water distribution system (the "Distribution System") and The Utilities Board of the City of Cullman, a public corporation under the laws of the State of Alabama (the "Board"), owns and operates a water supply system (the "Supply System"); and
b) The Board is presently supplying to the City from the Supply System the City's requirements of filtered water for municipal purposes and for resale through the Distribution System pursuant to a Water Supply Agreement between the Board and the City dated as of June 1, 2011, as heretofore amended and supplemented by (i) an Amendment to Water Supply Agreement between the Board and the City dated December 8, 2014, (ii) a Supplemental Water Supply Agreement between the Board and the City dated March 12, 2015, and (iii) a Second Supplemental Water Supply Agreement dated October 1, 2017, between the Board and the City (collectively, the "Existing Agreement"); and
c) The Board and the City have determined that it is necessary, desirable and in the public interest that the Board acquire and construct certain capital improvements to the Supply System to provide additional water supply to the City to meet the needs of the City and customers of the City's Distribution System; and
d) In order for the Board to provide funds to pay the costs of such improvements, it will be necessary for the Board to issue its $6,010,000 Water Revenue Bond, Series 2020-DWSRF-DL, dated April 1, 2020 (the "Series 2020 Bond"), and the City hereby requests that the Board issue the Series 2020 Bond for such purpose; and
e) The Board and the City recognize that certain amendments to the Existing Agreement are necessary in order to enable the Board to issue the Series 2020 Bond, and the Board and the City have determined to enter into the Third Supplemental Water Supply Agreement for such purpose; and
f) The Council deems it necessary, desirable and in the public interest that the City authorize, execute and deliver the Third Supplemental Water Supply Agreement.
**Section 2. Authorization of Third Supplemental Water Supply Agreement**. The Council does hereby authorize and direct the Mayor of the City to execute and deliver, in the name and on behalf of the City, a Third Supplemental Water Supply Agreement with the Board dated April 1, 2020 (the "Third Supplemental Water Supply Agreement"), in substantially the form presented to the meeting at which this ordinance is adopted, with such changes as the said Mayor shall approve. The City Clerk is hereby authorized and directed to affix the seal of the City to the said Third Supplemental Water Supply Agreement and to attest the same. The Council hereby further ratifies and affirms the Existing Agreement, as supplemented and amended by the Third Supplemental Water Supply Agreement herein authorized.
**Section 3. General Authorization**. The Mayor and the City Clerk are each hereby further authorized and directed to execute, seal, attest and deliver such other agreements, instruments, notices, directions, orders, certificates or other documents as shall be necessary or desirable in order to consummate the transactions herein authorized.
**Section 4. Severability Provisions**. The various provisions of this ordinance are hereby declared to be severable. In the event any provision hereof shall be held invalid by a court of competent jurisdiction, such invalidity shall not affect any other portion of this ordinance.
ADOPTED BY THE CITY COUNCIL this the 16th day of March, 2020. /s/ Jenny G. Folsom - President of the City Council
ATTEST: /s/Wesley M. Moore - City Clerk
APPROVED BY THE MAYOR this the 16th day of March, 2020. /s/Woody Jacobs - Mayor

**ORDINANCE NO. 2020 - 19**
**FLOOD DAMAGE PREVENTION ORDINANCE**

**ARTICLE 1 Statutory Authorization, Findings of Fact, Purpose, and Objectives**
**SECTION A STATUTORY AUTHORIZATION**
The Legislature of the State of Alabama has in Title 11, Chapter 19, Sections 1-24, Chapter 45, Sections 1-11, Chapter 52, Sections 1-84, and Title 41, Chapter 9, Section 166 of the Code of Alabama, 1975, authorized local government units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the City Council, of the City Cullman, Alabama, does ordain as follows:
**SECTION B FINDINGS OF FACT**
1) The flood hazard areas of the City of Cullman, Alabama, are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood relief and protection, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
2) These flood losses are caused by the occupancy in flood hazard areas of uses vulnerable to floods, which are inadequately elevated, flood proofed, or otherwise unprotected from flood damages, and by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities.
**SECTION C STATEMENT OF PURPOSE**
It is the purpose of this ordinance to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:
1) require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
2) restrict or prohibit uses which are dangerous to health, safety and property due to water or erosion hazards, or which increase flood heights, velocities, or erosion;
3) control filling, grading, dredging and other development which may increase flood damage or erosion;
4) prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands; and
5) control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters.
**SECTION D OBJECTIVES**
The objectives of this ordinance are:
1) to protect human life and health;
2) to minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
3) to help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize flood blight areas,
4) to minimize expenditure of public money for costly flood control projects;
5) to minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;

6) to minimize prolonged business interruptions, and
7) to ensure that potential home buyers are notified that property is in a flood area.

**ARTICLE 2 GENERAL PROVISIONS**

**SECTION A LANDS TO WHICH THIS ORDINANCE APPLIES**

This ordinance shall apply to all Areas of Special Flood Hazard within the jurisdiction of the City of Cullman, Alabama.

**SECTION B BASIS FOR AREA OF SPECIAL FLOOD HAZARD**

The Areas of Special Flood Hazard identified by the Federal Emergency Management Agency in its **Flood Insurance Study (FIS), dated May 24, 2011**, with accompanying maps and other supporting data **and any revision thereto**, are adopted by reference and declared a part of this ordinance. For those land areas acquired by a municipality through annexation, the current effective FIS and data for Cullman County, Alabama are hereby adopted by reference. Areas of Special Flood Hazard may also include those areas known to have flooded historically or defined through standard engineering analysis by governmental agencies or private parties but not yet incorporated in the FIS.

When Preliminary Flood Insurance Studies and Flood Insurance Rate Maps have been provided by FEMA to the City of Cullman:

1) Prior to the issuance of a Letter of Final Determination (LFD) by FEMA, the use of the preliminary flood hazard data shall only be required where no base flood elevations and/or floodway areas exist or where the preliminary base flood elevations or floodway area exceed the base flood elevations and/or floodway widths in the effective flood hazard data provided by FEMA. Such preliminary data may be subject to revision through valid appeals.

2) Upon the issuance of a Letter of Final Determination (LFD) by FEMA, the revised flood hazard data shall be used and replace all previously effective flood hazard data provided by FEMA for the purposes of administrating these regulations.

Where adopted regulatory standards conflict, the more stringent base flood elevation shall prevail. Preliminary FIS data may be subject to change by a valid appeal.

**SECTION C: ESTABLISHMENT OF A FLOODPLAIN DEVELOPMENT PERMIT**

A Development Permit shall be required in conformance with the provisions of this ordinance PRIOR to the commencement of any development activities in identified areas of special flood hazard and community flood hazard areas within the community.

**SECTION D. COMPLIANCE**

No structure or land shall hereafter be located, extended, converted or altered without full compliance with the terms of this ordinance and other applicable regulations.

**SECTION E. ABROGATION AND GREATER RESTRICTIONS**

This ordinance is not intended to repeal, abrogate, or impair any existing ordinance, easements, covenants, or deed restrictions. However, where this ordinance and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

**SECTION F. INTERPRETATION**

In the interpretation and application of this ordinance all provisions shall be: (1) considered as minimum requirements; (2) liberally construed in favor of the governing body, and (3) deemed neither to limit nor repeal any other powers granted under state statutes.

**SECTION G. WARNING AND DISCLAIMER OF LIABILITY**

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur; flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the Areas of Special Flood Hazard or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the City of Cullman or by any officer or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

**SECTION H. PENALTIES FOR VIOLATION**

1) Notice of Violation. If the community determines that an applicant or other responsible person has failed to comply with the terms and conditions of a permit, or the provisions of this ordinance, it shall issue a written notice of violation, by certified return receipt mail, to such applicant or other responsible person. Where the person is engaged in activity covered by this ordinance without having first secured a permit, the notice shall be served on the owner or the responsible person in charge of the activity being conducted on the site. The notice of violation shall contain:

The name and address of the owner or the applicant or the responsible person;

a) The address or other description of the site upon which the violation is occurring;
b) A statement specifying the nature of the violation;
c) A description of the remedial measures necessary to bring the action or inaction into compliance with the permit or this ordinance and the date for the completion of such remedial action;
d) A statement of the penalty or penalties that may be assessed against the person to whom the notice of violation is directed, and;
e) A statement that the determination of violation may be appealed to the community by filing a written notice of appeal within thirty days after the notice of violation (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24-hour notice shall be sufficient).

2) Additional Enforcement Actions. If the remedial measures described in the Notice of Violation have not been completed by the date set forth for such completion in the Notice of Violation, any one or more of the following enforcement actions may be enacted against the person to whom the Notice of Violation was directed. Before taking any of the following actions or imposing any of the following penalties, the City of Cullman, Alabama, shall first notify the applicant or other responsible person in writing of its intended action. The City of Cullman, Alabama, shall provide reasonable opportunity, of not less than ten days (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24-hour notice shall be sufficient) to cure such violation. In the event the applicant or other responsible person fails to cure such violation after such notice and cure period, the City of Cullman, Alabama, may take or impose any one or more of the following enforcement actions or penalties:

a) Stop Work Order: The community may issue a stop work order, which shall be served on the applicant or other responsible person. The stop work order shall remain in effect -until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violation or violations described therein, provided the stop work order may be withdrawn or modified to enable the applicant or other responsible person to take the necessary remedial measures to cure such violation or violations.

b) Withhold Certificate of Occupancy: The community may refuse to issue a certificate of occupancy for the building or other improvements and/or repairs conducted or being conducted on the site until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violation or violations described therein.

c) Suspension, revocation, or modifications of permit: The community may suspend, revoke, or modify the permit authorizing the development project. A suspended, revoked, or modified permit may be reinstated after the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein, provided such permit may be reinstated (upon such conditions as the community may deem necessary) to enable the applicant or other responsible person to take the necessary remedial measures to cure such violations.

d) Civil penalties: Violation of the provisions of this ordinance or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined in a minimum sum of $50.00 up to a maximum of $500.00 or imprisoned for a term not to exceed six months, or both such fine and imprisonment, and in addition, shall pay all costs and expenses involved in the case: Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the City of Cullman, Alabama, from taking such other lawful actions as is necessary to prevent or remedy any violation.

e) Section 1316 Declaration: Section 1316 of the National Flood Insurance Act authorizes FEMA to deny flood insurance to a property declared by the State, County, or Municipal government to be in violation of the local floodplain management ordinance. A Section 1316 declaration shall be used when all other legal means to remedy a violation have been exhausted and the structure is noncompliant. Once invoked, the property's flood insurance coverage will be terminated and no new or renewal policy can be issued; no flood insurance claim can be paid on any policy on the property, and disaster assistance will be denied.

The declaration must be in writing (letter or citation), from the community to the property owner and the applicable FEMA Regional Office, and must contain the following items:

i The name(s) of the property owner(s) and address or legal description of the property sufficient to confirm its identity and location;
ii A clear and unequivocal declaration that the property is in violation of a cited State or local law, regulation or ordinance;
iii A clear statement that the public body making the declaration has authority to do so and a citation to that authority;
iv Evidence that the property owner has been provided notice of the violation and the prospective denial of insurance; and
v A clear statement that the declaration is being submitted pursuant to section 1316 of the National Flood Insurance Act of 1968, as amended.

If a structure that has received a Section 1316 declaration is made compliant with the community's floodplain management ordinance, then the Section 1316 declaration can be rescinded by the community and flood insurance eligibility restored.

3) Administrative appeal; judicial review. Any person receiving a Notice of Violation may appeal the determination of the community, including but not limited to the issuance of a stop work order, the assessment of an administratively-imposed monetary penalty, the suspension, revocation, modification, or grant with condition of a permit by the community upon finding that the holder is in violation of permit conditions, or that the holder is in violation of any applicable ordinance or any of the community's rules and regulations, or the issuance of a notice of bond forfeiture. The Notice of Appeal must be in writing and must be received within ten days from the date of the Notice of Violation. A hearing on the appeal shall take place within thirty days from the date of receipt of the Notice of Appeal by the Floodplain Administrator.

4) All appeals shall be heard and decided by the community's designated Appeal Board, which shall be the Zoning Board of Adjustment and Appeals, or their designees. The Appeal Board shall have the power to affirm, modify, or reject the original penalty, including the right to increase or decrease the amount of any monetary penalty and the right to add or delete remedial actions required for correction of the violation and compliance with the community's flood damage prevention ordinance, and any other applicable local, state, or federal requirements. The decision of the Appeal Board shall be final.

5) A judicial review can be requested by any person aggrieved by a decision or order of the community, after exhausting his/her administrative remedies. They shall have the right to appeal de novo to the Municipal Court of the City of Cullman, Alabama.

**SECTION I. SAVINGS CLAUSE**

If any section, subsection, sentence, clause, phrase, or word of this ordinance is for any reason held to be noncompliant with 44 Code of Federal Regulation 59-78, such decision shall not affect the validity of the remaining portions of this ordinance.

**ARTICLE 3 ADMINISTRATION**

**SECTION A DESIGNATION OF FLOODPLAIN ADMINISTRATOR**

The City Engineer is hereby appointed to administer and implement the provisions of this ordinance.

**SECTION B PERMIT PROCEDURES**

Application for a Development Permit shall be made to the Floodplain Administrator on forms furnished by the community prior to any development activities, and may include, but not be limited to, the following: Plans in duplicate drawn to scale showing the elevations of the area in question and the nature, location, dimensions, of existing or proposed structures, fill placement, storage of materials or equipment, and drainage facilities. Specifically, the following procedures and information are required for all projects in the Special Flood Hazard Areas within the jurisdiction of the City of Cullman, Alabama:

1) Application Stage

Plot plans are to include:

a) The Base Flood Elevation (BFE) where provided as set forth in Article 2, Section B; Article 4, Section C; or Article 5, Section D;

b) Boundary of the Special Flood Hazard Area and floodway(s) as delineated on the FIRM or other flood map as determined in Article 2, Section B;

c) Flood zone designation of the proposed development area as determined on the FIRM or other flood map as determined in Article 2, Section B;

d) Elevation in relation to mean sea level (or highest adjacent grade) of the regulatory lowest floor level, including basement, of all proposed structures;

e) Elevation in relation to mean sea level to which any non-residential structure will be flood proofed;

f) Design certification from a registered professional engineer or architect that any proposed non-residential flood-proofed structure will meet the flood-proofing criteria of Article 4, Sections B(2) and E(2);

g) A Foundation Plan, drawn to scale, that shall include details of the proposed foundation system to ensure all provisions of this ordinance are met. These details include, but are not limited to, the proposed method of elevation (i.e., fill, solid foundation perimeter wall, solid backfilled foundation, open foundation on columns/posts/piers/piles/shear walls) and description of any flood openings required in accordance with Article 4, Sections B(1), B(3), D(7), and E(1) when solid foundation perimeter walls are used.

h) Usage details of any enclosed areas below the lowest floor shall be described.

i) Plans and/or details for the protection of public utilities and facilities such as sewer, gas, electrical, and water systems to be located and constructed to minimize flood damage.

j) Description of the extent to which any watercourse will be altered or relocated as a result of a proposed development including current and proposed locations of the watercourse. An engineering report shall be provided on the effects of the proposed project on the flood-carrying capacity of the watercourse and the effects to properties located both upstream and downstream. The affected properties shall be depicted on a map or on the plot plan.

k) Certification of the plot plan by a licensed professional engineer or surveyor in the State of Alabama is required.

2) Construction Stage

For all new construction and substantial improvements, the permit holder shall provide to the Floodplain Administrator an as-built certification of the regulatory floor elevation or flood-proofing level using appropriate FEMA elevation or flood proofing certificate immediately after the lowest floor or flood proofing is completed.

a) When flood proofing is utilized for non-residential structures, said certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same.

b) **Any work undertaken prior to submission of these certifications shall be at the permit holder's risk.**

c) The Floodplain Administrator shall review the above referenced certification data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further progressive work being allowed to proceed. Failure to submit certification or failure to make said corrections required hereby, shall be cause to issue a stop-work order for the project.

d) The Floodplain Administrator shall make periodic inspections of projects during construction throughout the Special Flood Hazard Areas within the jurisdiction of the community to ensure that the work is being done according to the provisions of the local ordinance and the terms of the permit. Members of his or her inspections/engineering department shall have a right, upon presentation of proper credentials, to enter on any premises within the territorial jurisdiction of the department at any reasonable hour for the purposes of inspection or other enforcement action.

e) The Floodplain Administrator may revoke and require the return of the floodplain development permit by notifying the permit holder in writing stating the reason(s) for the revocation. Permits shall be revoked for any substantial departure from the approved application, plans, and specifications; for refusal or failure to comply with the requirements of State or local laws; or for false statements or misrepresentations made in securing the permit. Any floodplain development permit mistakenly issued in violation of an applicable State or local law may also be revoked.

f) In any lot or lots/areas that will be or have been removed from the special flood hazard area utilizing a Letter of Map Revision Based on Fill (LOMR-F), the top of fill level must meet the community's freeboard elevation at that location. If the top of fill level is below the freeboard elevation, all new structures, additions to existing buildings or substantial improvement must meet the required community freeboard elevation.

3) Finished Construction

Upon completion of construction, a FEMA elevation certificate (FEMA Form 81-31), which depicts all finished construction elevations, is required to be submitted to the Floodplain Administrator prior to issuance of a Certificate of Occupancy.

a) If the project includes a flood proofing measure, a FEMA flood proofing certificate is required to be submitted by the permit holder to the Floodplain Administrator.

b) The Floodplain Administrator shall review the certificate(s) data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to Certificate of Compliance/Occupancy issuance.

c) In some instances, another certification may be required to certify corrected as-built construction. Failure to submit the certification or failure to make required corrections shall be cause to withhold the issuance of a Certificate of Compliance/Occupancy.

d) Documentation regarding completion and compliance with the requirements stated in the permit application and with Article 3, Section B(1) of this ordinance shall be provided to the local Floodplain Administrator at the completion of construction or records shall be maintained throughout the Construction Stage by inspectors for the Floodplain Administrator. Failure to provide the required documentation shall be cause to withhold the issuance of a Certificate of Compliance/Occupancy.

e) All records that pertain to the administration of this ordinance shall be maintained and made available for public inspection, recognizing that such information may be subject to the Privacy Act of 1974, as amended.

**SECTION C DUTIES AND RESPONSIBILITIES OF THE ADMINISTRATOR**

Duties of the Floodplain Administrator shall include, but shall not be limited to:

(1) Review all development permits to assure that the permit requirements of this ordinance have been satisfied; and assure that development sites are reasonably safe from flooding.

(2) Review copies of all necessary permits from governmental agencies from which approval is required by Federal or State law, including section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334. Maintain such permits permanently with floodplain development permit file.

(3) When Base Flood Elevation data or floodway data have not been provided in accordance with Article 2, Section B then the Floodplain Administrator shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, State, or other sources in order to administer the provisions of Article 4.

(4) Verify and record the actual elevation in relation to mean sea level (or highest adjacent grade) of the regulatory floor level, including basement, of all new construction or substantially improved structures in accordance with Article 3, Section B.

(5) Verify and record the actual elevation, in relation to mean sea level to which any new or substantially improved structures have been flood-proofed, in accordance with Article 4, Sections B(2) and E(2).

(6) When flood proofing is utilized for a structure, the Floodplain Administrator shall obtain certification of design criteria from a registered professional engineer or architect in accordance with Article 3, Section B(1)(c) and Article 4, Section B(2) or E(2).

(7) Notify adjacent communities and the Alabama Department of Natural Resources prior to any alteration or relocation of a watercourse and submit evidence of such notification to the Federal Emergency Management Agency (FEMA), and the Alabama Department of Economic and Community Affairs/Office of Water Resources/NFIP State Coordinator's Office.

(8) For any altered or relocated watercourse, submit engineering data/analysis within six (6) months to FEMA and State to ensure accuracy of community flood maps through the Letter of Map Revision process. Assure flood carrying capacity of any altered or relocated watercourse is maintained.

(9) Where interpretation is needed as to the exact location of boundaries of the Areas of Special Flood Hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Floodplain Administrator shall make the necessary interpretation. Any person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this Ordinance.

(10) All records pertaining to the provisions of this ordinance shall be maintained in the office of the Floodplain Administrator and shall be open for public inspection.

(11) In addition, the Floodplain Administrator and his or her designated staff is hereby authorized and directed to enforce the provisions of this ordinance. The Administrator is further authorized to render interpretations of this ordinance, which are consistent with its spirit and purpose.

(a) Right of Entry

i Whenever necessary to make an inspection to enforce any of the provisions of this ordinance, or whenever the Administrator has reasonable cause to believe that there exists in any building or upon any premises any condition or ordinance violation which makes such building, structure or premises unsafe, dangerous or hazardous, the Administrator may enter such building, structure or premises at all reasonable times to inspect the same or perform any duty imposed upon the Administrator by this ordinance.

ii If such building or premises are occupied, the Administrator shall first present proper credentials and request entry. If such building, structure, or premises are unoccupied, he shall first make a reasonable effort to locate the owner or other persons having charge or control of such building or premises.

iii If entry is refused, the Administrator shall have recourse to every remedy provided by law to secure entry.

iv When the Administrator shall have first obtained a proper inspection warrant or other remedy provided by law to secure entry, no owner or occupant or any other persons having charge, care or control of any building, structure, or premises shall fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the Administrator for the purpose of inspection and examination pursuant to this ordinance.

(b) Stop Work Orders

i. Upon notice from the Administrator, work on any building, structure or premises that is being performed contrary to the provisions of this ordinance shall immediately cease.

ii. Such notice shall be in writing and shall be given to the owner of the property, or to his or her agent, or to the person doing the work, and shall state the conditions under which work may be resumed.

(c) Revocation of Permits

i. The Administrator may revoke a permit or approval, issued under the provisions of this ordinance, in case there has been any false statement or misrepresentation as to the material fact in the application or plans on which the permit or approval was based.

ii. The Administrator may revoke a permit upon determination that the construction, erection, alteration, repair, moving, demolition, installation, or replacement of the structure for which the permit was issued is in violation of, or not in conformity with, the provisions of this ordinance.

**ARTICLE 4 PROVISIONS FOR FLOOD HAZARD REDUCTION**

**SECTION A GENERAL STANDARDS**

In ALL Areas of Special Flood Hazard the following provisions are required:

(1) Require copies of all necessary permits from governmental agencies from which approval is required by Federal or State law, including section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334. Maintain such permits be on file.

(2) New construction and substantial improvements of existing structures shall be anchored to prevent flotation, collapse and lateral movement of the structure.

(3) New construction and substantial improvements of existing structures shall be constructed with materials and utility equipment resistant to flood damage.

(4) New construction and substantial improvements of existing structures shall be constructed by methods and practices that minimize flood damage:

(a) All subdivision proposals shall be consistent with the need to minimize flood damage;

(b) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;

(c) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards.

(5) All heating and air conditioning equipment and components, all electrical, ventilation, plumbing, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

(6) Manufactured homes shall be anchored to prevent flotation, collapse, and lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable State requirements for resisting wind forces.

(7) New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.

(8) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.

(9) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.

(10) Any alteration, repair, reconstruction or improvement to a structure which is not compliant with the provisions of this ordinance, shall be undertaken only if the non- conformity is not furthered, extended or replaced.

(11) Proposed new construction and substantial improvements that are partially located in an area of special flood hazard shall have the entire structure meet the standards for new construction.

(12) Proposed new construction and substantial improvements that are located in multiple flood hazard risk zones or in a flood hazard risk zone with multiple base flood elevations shall have the entire structure meet the standards for the most hazardous flood hazard risk zone and the highest base flood elevation.

**SECTION B SPECIFIC STANDARDS**

In ALL Areas of Special Flood Hazard designated as A1-30, AE, AH, A (with engineered or estimated base flood elevation), the following provisions are required:

(1) Residential and Non-residential Structures - Where base flood elevation data is available, new construction and substantial improvement of any structure or manufactured home shall have the lowest floor, including basement, elevated no lower than one foot above the base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of flood waters shall be provided in accordance with standards of Article 4, Section B(3).

(2) Non-Residential Structures - New construction and substantial improvement of any non-residential structure located in A1-30, AE, or AH zones, may be flood proofed in lieu of elevation. The structure, together with attendant utility and sanitary facilities, must be designed to be water tight to one (1) foot above the base flood elevation, with walls substantially impermeable to the passage of water, and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the official as set forth above and in Article 3, Section C(6).

(3) Enclosures for Elevated Buildings - All new construction and substantial improvements of existing structures that include any fully enclosed area below the base flood elevation, located below the lowest floor formed by the foundation and other exterior walls shall be designed so as to be an unfinished or flood resistant enclosure. The enclosure shall be designed to equalize hydrostatic flood forces on exterior walls by allowing for the automatic entry and exit of flood waters.

(a) Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:

(i) Provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding (if a structure has more than one enclosed area below the base flood elevation, each shall have openings on exterior walls);

(ii) The bottom of all openings shall be no higher than one foot above grade; and

(iii) Openings may be equipped with screens, louvers, valves and other coverings and devices provided they permit the automatic flow of floodwater in both directions.

(b) So as not to violate the "Lowest Floor" criteria of this ordinance, the unfinished or flood resistant enclosure shall only be used for parking of vehicles, limited storage of maintenance equipment used in connection with the premises, or entry to the elevated area.

(c) The interior portion of such enclosed area shall not be partitioned or finished into separate rooms. All interior walls, ceilings and floors below the base flood elevation shall be unfinished and/or constructed of flood resistant materials.

(d) Mechanical, electrical or plumbing devices shall not be installed below the Base Flood Elevation. The interior portion of such enclosed area(s) shall be void of utilities except for essential lighting and power as required.

(e) Property owners shall agree, certify, and declare to the following conditions and restrictions placed on the affected property as a condition for granting a permit. A binding agreement, referred to as a Non-conversion Agreement, is required to be executed and recorded with the Deed. It shall obligate the Owner to the following terms and conditions:

(i) That the enclosed area(s) shall remain fully compliant with all parts of the section Enclosures for Elevated Buildings of this Ordinance unless otherwise modified to be fully compliant with the applicable sections of the Flood Damage Prevention Ordinance in effect at the time of conversion.

(ii) A duly appointed representative of the City of Cullman, Alabama, is authorized to enter the property for the purpose of inspecting the exterior and interior of the enclosed area to verify compliance with the Agreement and Permit.

(iii) The community may take any appropriate legal action to correct any violation pertaining to the Agreement and the subject Permit.

(4) Standards for Manufactured Homes and Recreational Vehicles - Where base flood elevation data are available:

(a) All manufactured homes placed and substantially improved on:

(i) individual lots or parcels,

(ii) in new or substantially improved manufactured home parks or subdivisions,

(iii) in expansions to existing manufactured home parks or subdivisions, or

(iv) on a site in an existing manufactured home park or subdivision where a manufactured home has incurred "substantial damage" as the result of a flood, must have the lowest floor including basement elevated no lower than one foot above the base flood elevation.

(b) Manufactured homes placed and substantially improved in an existing manufactured home park or subdivision may be elevated so that either:

(i) the lowest floor of the manufactured home is elevated no lower than one foot above the level of the base flood elevation, or

(ii) where no Base Flood Elevation exists, the manufactured home chassis and supporting equipment is supported by reinforced piers or other foundation elements of at least equivalent strength and a maximum of 60 inches (five feet) above grade and must meet the standards of Article 4, Section D(5).

(c) All Manufactured homes must be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.

(d) All recreational vehicles placed on sites must either:

(i) be on the site for fewer than 180 consecutive days, fully licensed and ready for highway use if it is licensed, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached structures or additions; or

(ii) the recreational vehicle must meet all the requirements for "New Construction," including the anchoring and elevation requirements of Article 4, Section B, provisions (3)(a) and (3)(c).

(5) Require, until a regulatory floodway is designated, that no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the City of Cullman, Alabama, FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than **one foot** at any point within the community.

(6) Accessory Structures (also referred to as appurtenant structures) – This provision generally applies to new and substantially improved accessory structures. When an accessory structure complies with all other provisions of this ordinance (including floodway encroachment), represents a minimal investment (less than $1,000), and meets the requirements outlined below, these structures may be wet flood proofed and do not have to be elevated or dry flood proofed.

Accessory structures include, but are not limited to, residential structures such as detached garages, storage sheds for garden tools or woodworking, gazebos, picnic pavilions, boathouses, small pole barns, and similar buildings. The following provisions apply to accessory structures built below the base flood elevation:

(a) A permit shall be required prior to construction or installation.

(b) Must be low value (less than $1000) and not be used for human habitation.

(c) Use must be restricted to parking of personal vehicles or limited storage (low-cost items that cannot be conveniently stored in the principal structure).

(d) Must be designed with an unfinished interior and constructed with flood damage-resistant materials below the BFE.

(e) Must be adequately anchored to prevent flotation, collapse, or lateral movement.

(f) Must have adequate flood openings as described in Article 4, Section A (5) and be designed to otherwise have low flood damage potential.

(g) Shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters.

(h) Any mechanical and other utility equipment in the structure must be elevated to or above the BFE or must be flood proofed.

(i) Under limited circumstances communities may issue variances to permit construction of wet flood proofed accessory structures. Communities should not grant variances to entire subdivisions for accessory structures, especially detached garages. Variances should only be reviewed and issued on an individual or case-by-case basis and be based on the unique characteristics of the site.

**SECTION C FLOODWAYS**

Located within Areas of Special Flood Hazard established in Article 2, Section B, are areas designated as floodway. A floodway may be an extremely hazardous area due to velocity of floodwaters, debris or erosion potential. In addition, the area must remain free of encroachment in order to allow for the discharge of the base flood without increased flood heights. Therefore, the following provisions shall apply:

(1) The community shall select and adopt a regulatory floodway based on the principle that the area chosen for the regulatory floodway must be designed to carry the waters of the base flood, without increasing the water surface elevation of that flood more than one foot at any point;

(2) Encroachments are prohibited, including fill, new construction, substantial improvements or other development within the adopted regulatory floodway. Development may be permitted however, provided it is demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the encroachment shall not result in any increase in flood levels or floodway widths during a base flood discharge. A registered professional engineer must provide supporting technical data and certification thereof;

(3) A community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that the community first applies for a conditional letter of map revision (CLOMR) and floodway revision, fulfills the requirements for such revisions as established under the provisions of § 65.12, and receives the approval of FEMA;

(4) **ONLY** if Article 4, Section C, provisions (1) through (3) are satisfied, then any new construction or substantial improvement shall comply with all other applicable flood hazard reduction provisions of Article 4.

**SECTION D BUILDING STANDARDS FOR STREAMS WITHOUT ESTABLISHED BASE FLOOD ELEVATIONS (APPROXIMATE A-ZONES)**

Located within the Areas of Special Flood Hazard established in Article 2, Section B, where streams exist but no base flood data have been provided (Approximate A-Zones), the following provisions apply:

(1) Base flood elevation data shall be provided for subdivision proposals and all other proposed development, including manufactured home parks and subdivisions, greater than fifty (50) lots or five (5) acres, whichever is the lesser.

(2) When base flood elevation data or floodway data have not been provided in accordance with Article 2, Section B then the Floodplain Administrator shall obtain, review, and reasonably utilize any scientific or historic Base Flood Elevation and floodway data available from a Federal, State, or other source, in order to administer the provisions of Article 4. ONLY if data are not available from these sources, then Article 4, Section D, provisions (5) and (6) shall apply:

(3) No encroachments, including structures or fill material, shall be located within an area equal to the width of the stream or twenty-five feet, whichever is greater, measured from the top of the stream bank, unless certification by a registered professional engineer is provided demonstrating that such encroachment shall not result in any increase in flood levels during the occurrence of the base flood discharge.

(4) All development in Zone A must meet the requirements of Article 4, Section A and Section B(1) through B(4).

(5) In special flood hazard areas without base flood elevation data, new construction and substantial improvements of existing structures shall have the lowest floor (for the lowest enclosed area; including basement) elevated no less than three (3) feet above the highest adjacent grade.

(6) In the absence of a base flood elevation, a manufactured home must also meet the elevation requirements of Article 4, Section B(4)(b)(ii) in that the structure must be elevated to a maximum of 60 inches (5 feet).

(7) Openings sufficient to facilitate automatic equalization of flood water hydrostatic forces on exterior walls shall be provided in accordance with standards of Article 4, Section B(3)(a). The Floodplain Administrator shall certify the lowest floor elevation level and the record shall become a permanent part of the permit file.

(8) Fill within the area of special flood hazard shall result in no net loss of natural floodplain storage. The volume of loss of floodwater storage due to filling in the special flood hazard area shall be offset by providing an equal volume of flood storage by excavation or other compensatory measures at or adjacent to the development site. Any excavation or other measures taken for compensatory storage shall be properly designed to provide protection against erosion or overgrowth of vegetation in order to preserve the storage volume. Proper maintenance measures shall also be undertaken to ensure the intended storage volume remains in perpetuity.

**SECTION E STANDARDS FOR AREAS OF SHALLOW FLOODING (AO ZONES)**

Areas of Special Flood Hazard established in Article 2, Section B may include designated "AO" shallow flooding areas. These areas have base flood depths of one to three feet (1'-3') above ground, with no clearly defined channel. The following provisions apply:

(1) All new construction and substantial improvements of residential and nonresidential structures shall have the lowest floor, including basement, elevated above the highest adjacent grade at least as high as the depth number specified on the Flood Insurance Rate Map (FIRM) plus one foot of freeboard. **If no depth number is specified, the lowest floor, including basement, shall be elevated at least three (3) feet above the highest adjacent grade.** Openings sufficient to facilitate the unimpeded movements of flood waters shall be provided in accordance with standards of Article 4, Section B(3), “Enclosures for Elevated Buildings”.
The Floodplain Administrator shall certify the lowest floor elevation level and the record shall become a permanent part of the permit file.

(2) New construction and the substantial improvement of a non-residential structure may be flood-proofed in lieu of elevation. **The structure, together with attendant utility and sanitary facilities, must be designed to be water tight to the specified flood level in Article 4, Section E(1) or three (3) feet (if no depth number is specified), above highest adjacent grade,** with walls substantially impermeable to the passage of water, and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the official as set forth above and as required in Article 3, Section B(1)(c) and (2).

(3) Drainage paths shall be provided to guide floodwater around and away from any proposed structure.

**SECTION F STANDARDS FOR SUBDIVISIONS [added 2/15/2018]**

(1) All subdivision proposals shall be consistent with the need to minimize flood damage.

(2) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.

(3) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards, and;

(4) Base flood elevation data shall be provided for all new subdivision proposals and other proposed development (including manufactured home parks and subdivisions), which is greater than fifty lots or five acres; whichever is the lesser.

(5) All subdivision and other development proposals which involves the disturbance of land shall include a storm water management plan which is designed to limit peak runoff from the site to predevelopment levels for the fifty-year rainfall event. These plans shall be designed to limit adverse impacts to downstream channels and floodplains. Single residential lots involving less than one acre of land disturbance are not subject to this regulation.

(6) All preliminary plans for platted subdivisions shall identify the flood hazard area and the elevation of the base flood.

(7) All final subdivision plats will provide the boundary of the special flood hazard area, the floodway boundary, and the base flood elevations.

(8) In platted subdivisions, all proposed lots or parcels that will be future building sites shall have a minimum buildable area outside the natural (non-filled) 1% chance annual floodplain. The buildable area shall be, at a minimum, large enough to accommodate any primary structure and associated structures such as sheds, barns, swimming pools, detached garages, on-site sewage disposal systems, and water supply wells, where applicable.

**SECTION G. CRITICAL FACILITIES**

Construction of new and substantially improved critical facilities shall be located outside the limits of the special flood hazard area (one percent annual chance floodplain). Construction of new critical facilities shall be permissible within the SFHA only if no feasible alternative site is available and access to the facilities remains available during a 0.2 percent chance flood.

(1) Critical facilities constructed within the SFHA shall have the lowest floor elevated three feet above the base flood elevation at the site (or to the 0.2 percent chance flood elevation whichever is greater).

(2) Flood proofing and sealing measures must be implemented to ensure that any and all on-site toxic substances will not be displaced by or released into floodwaters.

(3) Multiple access routes, elevated to or above the 0.2 percent flood elevation, shall be provided to all critical facilities to the maximum extent possible.

(4) Critical facilities must be protected to or above the 0.2 percent chance flood and must remain operable during such an event.
a. The community's flood response plan must list facilities considered critical in a flood.
b. Other facilities in low risk flood zones that may also be needed to support flood response efforts must be included on the critical facility list.

(5) The use of any structure shall not be changed to a critical facility, where such a change in use will render the new critical facility out of conformance with this section.

**ARTICLE 5**
**VARIANCE PROCEDURES**

**SECTION A. DESIGNATION OF VARIANCE AND APPEALS BOARD**

The Zoning Board of Adjustments and Appeals as established by the City Council of the City of Cullman, Alabama, shall hear and decide requests for appeals or variance from the requirements of this ordinance.

**SECTION B. DUTIES OF BOARD**

The Board shall hear and decide appeals when it is alleged an error in any requirement, decision, or determination is made by the Floodplain Administrator in the enforcement or administration of this ordinance. Any person aggrieved by the decision of the Board may appeal such decision to the Municipal Court of the City of Cullman, as provided in the State of Alabama.

**SECTION C. VARIANCE PROCEDURES**

In reviewing requests for variance, the Zoning Board of Adjustments and Appeals shall consider all technical evaluations, relevant factors, and standards specified in other sections of this ordinance, and:

(1) Variances may be issued for development necessary for the conduct of a functionally dependent use, provided the criteria of this Article are met, no reasonable alternative exists, the development is protected by methods that minimize flood damage during the base flood, and it creates no additional threats to public safety.
(2) Variances shall not be issued within any designated floodway if ANY increase in flood levels during the base flood discharge would result.
(3) The evaluation must be based on the characteristics unique to that property and not be shared by adjacent parcels. The characteristics must pertain to the land itself, not to the structure, its inhabitants, or its owners.
(4) Variances should never be granted for multiple lots, phases of subdivisions, or entire subdivisions.
(5) The danger of life and property due to flooding or erosion damage including materials that may be swept onto other lands to the injury of others.
(6) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner and the community.
(7) The safety of access to the property during flood conditions for daily traffic and emergency vehicles.
(8) The importance of the services provided by the proposed facility to the community.
(9) The necessity of the facility to be at a waterfront location, where applicable.
(10) The compatibility of the proposed use with existing and anticipated development based on the community's comprehensive plan for that area.
(11) The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site.
(12) The costs associated with providing governmental services to the development during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and community infrastructure such as streets, bridges, and culverts.

Upon consideration of factors listed above, and the purpose of this ordinance, the Board may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.

**SECTION D. VARIANCES FOR HISTORIC STRUCTURES**

Variances may be issued for the repair or rehabilitation of Historic Structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a Historic Structure and the variance is the minimum to preserve the historic character and design of the structure.

**SECTION E. CONDITIONS FOR VARIANCES**

The provisions of this Ordinance are minimum standards for flood loss reduction, therefore any deviation from the standards must be weighed carefully. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

(1) A variance may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size, contiguous to and surrounded by lots with existing structures constructed below the base flood level, in conformance with the procedures of Sections E(3), E(4), F(1) and F(2) of this Article.
(2) In the instance of a Historic Structure, a determination is required that the variance is the minimum necessary so as not to destroy the historic character and design of the building.
(3) A variance shall be issued ONLY when there is:
(a) A finding of good and sufficient cause;
(b) A determination that failure to grant the variance would result in exceptional hardship; and
(c) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
(4) A variance shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
(5) Variances shall not be issued "after the fact."

**SECTION F. VARIANCE NOTIFICATION AND RECORDS**

(1) Any applicant to whom a variance is granted shall be given written notice over the signature of a community official that specifies the difference between the base flood elevation and the elevation of the proposed lowest floor and stating that the issuance of such a variance could:
a. result in rate increases in the hundreds and possibly thousands of dollars annually depending on structure and site-specific conditions; and
b. increase the risk to life and property resulting from construction below the base flood level.

(2) The Floodplain Administrator shall maintain a record of all variance actions and appeal actions, including justification for their issuance. Report any variances to the Federal Emergency Management Agency Region 4 and the Alabama Department of Economic and Community Affairs/Office of Water Resources upon request.

(3) A copy of the notice shall be recorded by the Floodplain Administrator in the Office of the Judge of Probate in Cullman County and shall be recorded in a manner so that it appears in the chain of title of the affected parcel of land.

**ARTICLE 6 DEFINITIONS**

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

**A Zone** means the Area of Special Flood Hazard without base flood elevations determined.

**Accessory Structure (also referred to as appurtenant structures)** means a structure which is located on the same parcel of property as a principal structure to be insured and the use of which is incidental to the use of the principal structure. They should constitute a minimal initial investment, may not be used for human habitation, and be designed to have minimal flood damage potential. These structures are used solely for parking (two-car detached garages or smaller) or limited storage (small, low cost storage sheds). They are included under the general definition of structure and are consequently subject to all floodplain management regulations pertaining to structures.

**Addition (to an existing building)** means any improvement that increases the square footage of a structure. These include lateral additions added to the front, side, or rear of a structure, vertical additions added on top of a structure, and enclosures added underneath a structure. NFIP regulations for new construction apply to any addition that is considered a perimeter expansion or enclosure beneath a structure. If it is considered to be a substantial improvement (more than 50% of market value) to a structure, the existing structure will also need to be treated as new construction.

Depending on the flood zone and details of the project, the existing building may not have to be elevated. The determining factors are the common wall and what improvements are made to the existing structure. If the common wall is demolished as part of the project, then the entire structure must be elevated. If only a doorway is knocked through it and only minimal finishing is done, then only the addition has to be elevated.

**AE Zone** means the Area of Special Flood Hazard with base flood elevations determined.

**AH Zone** means an area of one percent chance of shallow flooding where depths are between one to three feet (usually shallow ponding), with base flood elevations shown.
**AO Zone** means an area of one percent chance of shallow flooding where depths are between one to three feet (usually sheet flow on sloping terrain), with depth numbers shown.
**Appeal** means a request for a review of the Floodplain Administrator's interpretation of any provision of this ordinance.
**AR/AE, AR/AH, AR/AO, and AR/A Zones** means a flood zone that results from the decertification of a previously accredited flood protection system or levee that is in the process of being restored to provide a one percent chance or greater level of flood protection. After restoration is complete, these areas will still experience residual flooding from other flooding sources.
**A99 Zone** means that part of the special flood hazard area inundated by the one percent annual chance flood to be protected from the one percent chance flood by a Federal flood protection system or levee under construction, no base flood elevations are determined.
**Area of shallow flooding** means a designated AO or AH Zone on a community's Flood Insurance Rate Map (FIRM) with base flood depths from one to three feet, and/or where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.
**Area of special flood hazard** (also see "Special flood hazard area") means the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. In the absence of official designation by the Federal Emergency Management Agency, Areas of Special Flood Hazard shall be those designated by the local community and referenced in Article 2, Section B.
**Base flood** means the flood having a one percent chance of being equaled or exceeded in any given year (also referred to as the "one percent chance flood").
**Base flood elevation** means the computed elevation to which floodwater is anticipated to rise during the base flood. It is also the elevation of surface water resulting from a flood that has a 1% chance of equaling or exceeding that level in any given year. Base Flood Elevations are shown in the FIS and on the Flood Insurance Rate Map (FIRM) for zones AE, AH, A1–A30, AR, AR/A, AR/AE, AR/A1– A30, AR/AH, AR/AO, V1–V30 and VE.
**Basement** means any portion of a building having its floor sub grade (below ground level) on all sides.
**Building** (also see **Structure**) means (1) A structure with 2 or more outside rigid walls and a fully secured roof, that is affixed to a permanent site; or (2) a manufactured home (a "manufactured home," also known as a mobile home, is a structure built on a permanent chassis, transported to its site in 1 or more sections, and affixed to a permanent foundation); or (3) a travel trailer without wheels, built on a chassis and affixed to a permanent foundation, that is regulated under the community's floodplain management and building ordinances or laws.
**Community** means a political entity and/or its authorized agents or representatives that have the authority to adopt and enforce floodplain ordinances for the area under its jurisdiction.
**Community Rating System (CRS)** means a program developed by the Federal Insurance Administration to provide incentives for those communities in the Regular Program that have gone beyond the minimum floodplain management requirements to develop extra measures to provide protection from flooding.
**Critical facility** (aka, critical action) means facilities for which the effects of even a slight chance of flooding would be too great. The minimum floodplain of concern for critical facilities is the 0.2 percent chance flood level. Critical facilities include, but are not limited to facilities critical to the health and safety of the public such as: emergency operations centers, designated public shelters, schools, nursing homes, hospitals, police, fire and emergency response installations, vital data storage centers, power generation and water and other utilities (including related infrastructure such as principal points of utility systems) and installations which produce, use or store hazardous materials or hazardous waste (as defined under the Clean Water Act and other Federal statutes and regulations).
**D Zone** means an area in which the flood hazard is undetermined.
**Dam** means any artificial barrier, including appurtenant works, constructed to impound or divert water, waste water, liquid borne materials, or solids that may flow if saturated. All structures necessary to maintain the water level in an impoundment or to divert a stream from its course will be considered a dam.
**Development** means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation, drilling operations, or storage of equipment or materials.
**Elevated building** means a non-basement building which has its lowest elevated floor raised above ground level by foundation walls, pilings, posts, columns, piers, or shear walls.
**Elevation Certificate** means a FEMA form used as a certified statement that verifies a building's elevation information.
**Encroachment** means the advance or infringement of uses, plant growth, fill, excavation, buildings, structures or development into a floodplain, which may impede or alter the flow capacity of a floodplain.
**Existing Construction** means any structure for which the "start of construction" commenced before January 1, 1977 or before January 1, 1975, for FIRMs effective before that date. Existing construction may also be referred to as existing structures.
**Existing Manufactured Home Park or Subdivision** means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum the installation of utilities, the construction of streets, and final site grading or the pouring of concrete pads) is completed before January 1, 1977.
**Expansion to an existing manufactured home park or subdivision** means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed, including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads.
**Flood or flooding** means a general and temporary condition of partial or complete inundation of normally dry land areas from:
a) The overflow of inland or tidal waters; or
b) The unusual and rapid accumulation or runoff of surface waters from any source.
c) Mudslides which are proximately caused by flooding as described in part "b." of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.
d) The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in part "a." of this definition.
**Flood Hazard Boundary Map (FHBM)** means an official map of a community, issued by the Federal Insurance Administration, where the boundaries of areas of special flood hazard have been designated as Zone A.
**Flood Insurance Rate Map (FIRM)** means an official map of a community, on which the Federal Emergency Management Agency has delineated the areas of special flood hazard and/or risk premium zones applicable to the community.
**Flood Insurance Study/ Flood Elevation Study** means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide and/or flood-related erosion hazards.
**Floodplain** means any land area susceptible to being inundated by water from any source.
**Floodplain management** means the operation of an overall program of corrective and preventive measures for reducing flood damage and preserving and enhancing, where possible, natural resources in the floodplain, including but not limited to emergency preparedness plans, flood control works, floodplain management regulations, and open space plans.
**Floodplain management regulations** means this ordinance and other zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances, and other applications of police power which control development in flood-prone areas. This term describes federal, state, or local regulations in any combination thereof, which provide standards for preventing and reducing flood loss and damage.
**Flood proofing** means any combination of structural and nonstructural additions, changes or adjustments to structures, which reduce or eliminate risk of flood damage to real estate or improved real property, water and sanitation facilities or structures with their contents.
**Floodway (Regulatory Floodway)** means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.
**Floodway fringe** means that area of the special flood hazard area on either side of the regulatory floodway.
**Flood Protection Elevation** means the base flood elevation plus the community freeboard. In areas where no base flood elevations exist from any authoritative source, the flood protection elevation can be historical flood elevations or base flood elevations determined and/or approved by the floodplain administrator plus freeboard.
**Freeboard** means a factor of safety usually expressed in feet above the Base Flood Elevation (BFE) for purposes of floodplain management which tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed. Used to determine the level for a building's lowest floor elevation or level of flood proofing required to be in compliance with the community's floodplain management regulations.

**Functionally dependent facility** means a facility which cannot be used for its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facility that are necessary for the loading and unloading of cargo or passengers, and shipbuilding, and ship repair facilities. The term does not include long-term storage or related manufacturing facilities.

**Hardship** (as related to variances of this ordinance) means the exceptional difficulty that would result from a failure to grant the requested variance. The Cullman City Council requires that the variance is exceptional, unusual, and peculiar to the property involved. Mere economic or financial hardship alone is NOT exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one's neighbors likewise cannot, as a rule, qualify as an exceptional hardship. All of these problems can be resolved through other means without granting a variance, even if the alternative is more expensive, or requires the property owner to build elsewhere or put the parcel to a different use than originally intended.

**Highest adjacent grade** means the highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure.

**Historic Structure** means any structure that is;

a. Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register:

b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district:

c. Individually listed on a state inventory of historic places and determined as eligible by states with historic preservation programs which have been approved by the Secretary of the Interior; or

d. Individually listed on a local inventory of historic places and determined as eligible by communities with historic preservation programs that have been certified either:

i. By an approved state program as determined by the Secretary of the Interior, or

ii. Directly by the Secretary of the Interior in states without approved programs.

**Letter of Map Change (LOMC)** is an official FEMA determination, by letter, to amend or revise effective Flood Insurance Rate Maps, Flood Boundary and Floodway Maps, and Flood Insurance Studies. LOMC's are broken down into the following categories:

Letter of Map Amendment (LOMA)

An amendment based on technical data showing that a property was incorrectly included in a designated SFHA, was not elevated by fill (only by a natural grade elevation), and will not be inundated by the one percent chance flood. A LOMA amends the current effective FIRM and establishes that a specific property is not located in a SFHA.

Letter of Map Revision (LOMR)

A revision based on technical data that, usually due to manmade changes, shows changes to flood zones, flood elevations, floodplain and floodway delineations, and planimetric features. One common type of LOMR, a LOMR-F, is a determination concerning whether a structure or parcel has been elevated by fill above the BFE and is, therefore, excluded from the SFHA.

Conditional Letter of Map Revision (CLOMR)

A formal review and comment by FEMA as to whether a proposed project complies with the minimum NFIP floodplain management criteria. A CLOMR does not revise effective Flood Insurance Rate Maps, Flood Boundary and Floodway Maps, or Flood Insurance Studies.

**Levee** means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

**Levee System** means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

**Lowest adjacent grade** means the point of the ground level immediately next to a building. This may be the sidewalk, patio, deck support, or basement entryway immediately next to the structure after the completion of construction. It does not include earth that is placed for aesthetic or landscape reasons around a foundation wall. It does include natural ground or properly compacted fill that comprises a component of a building's foundation system.

**Lowest floor** means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, used solely for parking of vehicles, building access, or storage, in an area other than a basement, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of other provisions of this ordinance.

**Manufactured home** means a building, transportable in one or more section, built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term also includes park trailers, travel trailers, and similar transportable structures placed on a site for 180 consecutive days or longer and intended to be improved property.

**Manufactured home park or subdivision** means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

**Market value** means the property value (as agreed between a willing buyer and seller), excluding the value of land as established by what the local real estate market will bear. Market value can be established by independent certified appraisal; replacement cost depreciated by age of building (Actual Cash Value); or adjusted assessed values.

**Mean Sea Level** means the average height of the sea for all stages of the tide. It is used as a reference for the base flood elevations shown on a community's Flood Insurance Rate Map (FIRM). For purposes of this ordinance, the term is synonymous with National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD) of 1988, or other datum.

**National Flood Insurance Program (NFIP)** means the federal program that makes flood insurance available to owners of property in participating communities nationwide through the cooperative efforts of the Federal Government and the private insurance industry.

**National Geodetic Vertical Datum (NGVD)** means as corrected in 1929 is a vertical control used as a reference for establishing varying elevations within the floodplain.

**New construction** means ANY structure (see definition) for which the "start of construction" commenced after January 1, 1977 includes any subsequent improvements (including additions) to such structures.

**New manufactured home park or subdivision** means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after January 1, 1977.

**Non-Residential** means, but is not limited to; small business concerns, churches, schools, farm buildings (including grain bins and silos), pool houses, clubhouses, recreational buildings, mercantile structures, agricultural and industrial structures, warehouses, and hotels and motels with normal room rentals for less than 6 months duration.

**North American Vertical Datum (NAVD) of 1988** means a vertical control, corrected in 1988, used as a reference for establishing varying elevations within the floodplain.

**Obstruction** means, but is not limited to, any dam, wall, wharf, embankment, levee, dike, pile, abutment, protection, excavation, channel construction, bridge, culvert, building, wire, fence, rock, gravel, refuse, fill, structure, vegetation or other material in, along, across or projecting into any watercourse which may alter, impede, retard or change the direction and/or velocity of the flow of water, or due to its location, its propensity to snare or collect debris carried by the flow of water, or its likelihood of being carried downstream.

**One Percent Flood** (aka 100-Year Flood) is the flood that has a one percent chance of being equaled or exceeded in any given year. Any flood zone that begins with the letter A or V is subject to inundation by the one percent chance flood. Over the life of a 30-year loan, there is a 26-percent chance of experiencing such a flood within the SFHA.

**Participating Community** is any community that voluntarily elects to participate in the NFIP by adopting and enforcing floodplain management regulations that are consistent with the standards of the NFIP.

**Post-FIRM Construction** means new construction and substantial improvements for which start of construction occurred after December 31, 1974, or on or after the effective date of the initial FIRM of the community, whichever is later.

**Pre-FIRM Construction** means new construction and substantial improvements for which start of construction occurred on or before December 31, 1974, or before the effective date of the initial FIRM of the community, whichever is later.

**Probation** means an action taken by FEMA to formally notify participating communities of the first of the two NFIP sanctions due to their failure to correct violations and deficiencies in the administration and enforcement of the local floodplain management regulations.

**Public safety and nuisance** means anything which is injurious to the safety or health of an entire community or neighborhood, or any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin.

**Recreational vehicle** means a vehicle which is:

a) Licensed and titled as a recreational vehicle or park model;

b) Built on a single chassis;

c) 400 square feet or less when measured at the largest horizontal projection;

d) Has no attached deck, porch, or shed;
e) Has quick-disconnect sewage, water, and electrical connectors;
f) Designed to be self-propelled or permanently towable by a light duty truck; and
g) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

**Regular Program** means the second phase of the community's participation in the NFIP in which second layer coverage is available based upon risk premium rates only after FEMA has completed a flood risk study for the community.

**Regulatory floodway** see **Floodway**.

**Remedy a violation** means to bring the structure or other development into compliance with State or local floodplain management regulations, or, if this is not possible, to reduce the impacts of its noncompliance. Ways that impacts may be reduced include protecting the structure or other affected development from flood damages, implementing the enforcement provisions of the ordinance or otherwise deterring future similar violations, or reducing Federal financial exposure with regard to the structure or other development.

**Repetitive Loss** means flood-related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damages occurred.

**Repetitive Loss Property** means any insurable structure for which two or more claims of more than $1,000 were paid by the National Flood Insurance Program (NFIP) within any rolling 10-year period, since 1978. At least two of the claims must be more than ten days apart but, within ten years of each other. A repetitive loss property may or may not be currently insured by the NFIP.

**Section 1316** means no new flood insurance policy or federal disaster assistance shall be provided for any property which the Administrator finds has been declared by a duly constituted State or local zoning authority or other authorized public body, to be in violation of State or local laws, regulations or ordinances which are intended to discourage or otherwise restrict land development or occupancy in flood prone areas. If the structure is made compliant with the applicable community's floodplain management ordinance, then the Section 1316 declaration can be rescinded by the community and flood insurance and disaster assistance eligibility restored.

**Severe Repetitive Loss Structure** means any insured property that has met at least one of the following paid flood loss criteria since 1978, regardless of ownership:
a) Four or more separate claim payments of more than $5,000 each (including building and contents payments); or
b) Two or more separate claim payments (building payments only) where the total of the payments exceeds the current market value of the property.
In either case, two of the claim payments must have occurred within ten years of each other. Multiple losses at the same location within ten days of each other are counted as one loss, with the payment amounts added together.

**Special flood hazard area (SFHA)** means that portion of the floodplain subject to inundation by the base flood and/or flood-related erosion hazards as shown on a FHBM or FIRM as Zones A, AE, AH, AO, AR, AR/AE, AR/AO, AR/AH, AR/A, A99, or VE.

**Start of construction** (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348)) means the date the development or building permit was issued (includes substantial improvement), provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of the structure (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation, and includes the placement of a manufactured home on a foundation. "Permanent construction" does not include initial land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of buildings appurtenant to the permitted structure, such as garages or sheds not occupied as dwelling units or part of the main structure. (*NOTE: accessory structures are NOT exempt from any ordinance requirements*). For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

**Structure** means a walled and roofed building, including a liquid or gas storage tank that is principally above ground, as well as a manufactured home.

**Substantial damage** means damage of any origin sustained by a structure whereby the cost of restoring the structure to it before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. Substantial damage also means flood related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damages occurred.

**Substantial improvement** means any combination of reconstruction, alteration, or improvement to a building, taking place during a 10-year period, in which the cumulative percentage of improvement equals or exceeds 50 percent of the current market value of the structure before the "start of construction" of the initial improvement. Any subsequent improvement project costs shall be added to the initial costs for the initial improvement project. At the end of a 10-year period from the initial improvement project, an updated valuation for the structure can be used for the next time period. This term includes structures which have incurred "repetitive loss" or "substantial damage", regardless of the actual repair work performed. The market value of the building should be (1) the appraised value of the structure prior to the start of the initial repair or improvement, or (2) in the case of damage, the value of the structure prior to the damage occurring. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the building. The term does not, however, include either:
a) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions (provided that said code deficiencies were not caused by neglect or lack of maintenance on the part of the current or previous owners) or;
b) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

**Substantially improved existing manufactured home parks or subdivisions** is where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

**Suspension** means the removal, with or without probation, of a participating community from the NFIP because the community failed to adopt and enforce the compliant floodplain management regulations required for participation in the NFIP.

**Variance** means a grant of relief from the requirements of this ordinance which permits construction in a manner otherwise prohibited by this ordinance.

**Violation** means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in the Code of Federal Regulations (CFR) §44, Sec. 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) and corresponding parts of this ordinance is presumed to be in violation until such time as that documentation is provided.

**Watercourse** means any flowing body of water including a river, creek, stream, or a branch.

**Water surface elevation** means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, the North American Vertical Datum (NAVD) of 1988, (or other datum, where specified) of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

**Wet flood proofing** means a method of construction which allows water to enter a structure in such a way that will minimize damage to the structure and its contents. Wet flood proofing is appropriate for functionally dependent use and uses that facilitate open space use by variance only, structures utilized for parking or limited storage, or when all other techniques are not technically feasible. Wet flood proofing shall not be utilized as a method to satisfy the requirements of this ordinance for bringing substantially damaged or improved structures into compliance. Wet flood proofing is not allowed in lieu of complying with the lowest floor elevation requirements for new residential buildings.

**X Zones (shaded)** are areas of 0.2 percent chance flood that are outside of the SFHA subject to the one percent chance flood with average depths of less than one foot, or with contributing drainage area less than one square mile, and areas protected by certified levees from the base flood.

**X Zones (unshaded)** are areas determined to be outside the 0.2 percent chance floodplain.

**Zone** means a geographical area shown on a Flood Hazard Boundary Map or a Flood Insurance Rate Map that reflects the severity or type of flooding in the area.

**ARTICLE 7 SEVERABILITY**

If any section, clause, sentence, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this Ordinance.

**ARTICLE 8 REPEALER**

All Ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**ARTICLE 9 EFFECTIVE DATE**

This ordinance shall be effective following its passage, approval, and publication as required by law.

ADOPTED BY THE CITY COUNCIL this the 16th day of March, 2020. /s/ Jenny G. Folsom - President of the City Council

ATTEST: /s/Wesley M. Moore - City Clerk

APPROVED BY THE MAYOR this the 16th day of March, 2020. /s/Woody Jacobs - Mayor

**ORDINANCE NO. 2020 – 11**

**AMENDING ORDINANCE NO. 2004-03, AS AMENDED BY ORDINANCE NO. 2013-27 AND ORDINANCE NO. 2017-12 TO ESTABLISH THE CULLMAN ARTS DISTRICT IN THE CITY OF CULLMAN, ALABAMA**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CULLMAN, ALABAMA, AS FOLLOWS:

***Section 1.*** Ordinance No. 2004-03, as Amended by Ordinance No. 2013-27 and Ordinance No. 2017-12, is hereby amended by adding Section 3. D. 3. b. *Cullman Arts District*:

Section 3. D. 3.b. *Cullman Arts District:* The following boundaries or any portion thereof may be approved for use under the SE-1 District rules: The District shall begin at the intersection of 3rd Avenue SW and 1st Street SW; then turn west onto 1st Street SW until Main Avenue SW; then turn south onto Main Avenue SW until the northeast corner of Art Park; then turn west on the north boundary of Art Park until Austin Avenue SW; then turn south onto Austin Avenue SW until 2nd Street SW; then turn east onto 2nd Street SW until Main Avenue SW; then turn south on Main Avenue SW until 3rd Street SW; then turn west onto 3rd Street SW until the west boundary of the property located at 305 Main Avenue SW (currently Newman's Cleaners); then turn south following the west boundary of the property located at 305 Main Avenue SW until the 20' public alley south of 305 Main Avenue SW; then turn west onto the 20' public alley south of 305 Main Avenue SW until Austin Avenue SW; then turn south onto Austin Avenue SW until the northeast corner of 311 Austin Avenue SW; then turn west following the north boundary of 311 Austin Avenue SW until Hickory Avenue SW; then turn south onto Hickory Avenue SW until north boundary of the Cullman Housing Authority; then turn east following the north boundary of the Cullman Housing Authority until 5th Street SW; then turn east onto 5th Street SW until 6th Avenue SW; then turn north onto 6th Avenue SW until 4th Street SW; then turn east onto 4th Street SW until 5th Avenue SW; then turn south onto 5th Avenue SW until 6th Street SW; then turn east onto 6th Street SW until 3rd Avenue SW; and then turn north onto 3rd Avenue SW until the point of beginning (1st Street SW), all located within the City of Cullman Alabama.

***Section 2.*** All other sections of said Ordinance shall remain in full force and effect.

***Section 3.*** This ordinance shall take effect upon its passage and publication as required by law.

ADOPTED BY THE CITY COUNCIL this the 13th day of April, 2020. /s/ Jenny G. Folsom - President of the City Council

ATTEST: /s/Wesley M. Moore - City Clerk

APPROVED BY THE MAYOR this the 13th day of April, 2020. /s/Woody Jacobs - Mayor




**IN THE CIRCUIT COURT OF CULLMAN COUNTY, ALABAMA**

ROY & TERESA DYER *

PLAINTIFF, *

VS. * CASE NO. CV-2020-900071

Lot 8 in block "A" of Loring's Addition to Cullman, Alabama, as shown and known on the recorded plat of said addition, recorded in the office of the Judge of Probate of Cullman County, Alabama

AND

ELTON K. CHILDERS And A, B, C, D and all other persons claiming any present, future, contingent remainder, reversion, or other interest in said lands,

DEFENDANTS.

FILED IN OFFICE
MAY 15 2020
LISA MCSWAIN
CIRCUIT CLERK
CULLMAN COUNTY

**NOTICE**

The Defendants, Elton K. Childers, and any unknown Defendants, must answer the Complaint in Rem to Quiet Title filed by Roy and Teresa Dyer on or before the 13th day of July, 2020, or, thereafter, a judgment by default may be rendered against them in case number CV-2020-900071 in the Circuit Court of Cullman County Alabama.

DONE this the 15th day of May, 2020.

LISA MCSWAIN, Circuit Clerk

PB WIL BK 96 PG 264 - 06/04/2020 03:32 PM
Tammy Brown, Judge of Probate, Cullman County, AL

IN THE PROBATE COURT OF CULLMAN COUNTY, ALABAMA

IN RE: THE ESTATE OF *

WILLIAM J. DANIEL, JR. * CASE NO PC 2020-134

Deceased. *

**NOTICE OF HEARING**
**PETITION FOR PROBATE OF WILL**

TO: Susan Diane Setser a.k.a. Susan Hill, Debra K. Daniel, Sandra Schmitz, Ellen Culver, Ophia Stevens, Kelly Daniel, Ricky Daniel, Keith Daniel, Olen Daniel, Manyla Daniel, Jason Young, Javan Young, Christy Moran, Courtney Campbell and any known or unknow next-of-kin or interested party

Please take notice that a Hearing on the Petition for Probate of Will for the estate of William J. Daniel, Jr. has been set for the 12th **day of** August **2020, at** 10:30 **a.m.,** before the Honorable Tammy Brown, Judge of Probate, Cullman, Alabama.

Cullman County Courthouse
500 2nd Avenue SW
Room 101
Cullman, Alabama 35055

DONE this the 4th day of June, 2020.

TAMMY BROWN, JUDGE OF PROBATE
CULLMAN COUNTY, ALABAMA

To the Publisher: The Cullman Tribune

Please publish the above notice three (3) successive weeks in said newspaper

Alex J. Chaney
Attorney for Petitioner
P.O. Box 1052
Cullman, AL 35056

PB WIL BK 96 PG 268 - 06/05/2020 11:11 AM
Tammy Brown, Judge of Probate, Cullman County, AL

IN THE PROBATE COURT OF CULLMAN COUNTY, ALABAMA

IN RE: The Estate of *

JAMES J. GUNTER, * Case No.: PC2020-167

Deceased. *

**NOTICE TO CREDITORS**

TAKE NOTICE that Letters of Testamentary having been granted to JESSI LANE MAST as Personal Representative of the Estate of JAMES J. GUNTER a/k/a JAMES JEFFERSON GUNTER, deceased, on the 4th day of June, 2020, by the Honorable Tammy Brown, Judge of Probate.

NOTICE IS HEREBY GIVEN that all persons having claims against the said Estate are hereby required to present the same within the time allowed by law or the same will be barred.

Jessi Lane Mast
Personal Representative

J. Richard Duke
Attorney for Personal Representative
1572 Montgomery Highway
Suite 205
Birmingham, AL 35216

TO: **The Publisher of The Cullman Tribune**

Please publish the above Notice once a week for three consecutive weeks and send an affidavit of Publication to the Judge of Probate.

TAMMY BROWN, JUDGE OF PROBATE
CULLMAN COUNTY, ALABAMA

PB ADT BK 55 PG 434 - 05/29/2020 09:18 AM
Tammy Brown, Judge of Probate, Cullman County, AL

IN THE PROBATE COURT OF CULLMAN COUNTY, ALABAMA

IN THE MATTER OF THE

PETITION OF PAUL RODEN and
BELINDA RODEN
FOR THE ADOPTION OF

CASE NO: AD2020-019

C.Z.B. A MINOR.
D.O.B. 08/14/2015

**NOTICE OF PETITION FOR ADOPTION**

**TO: GABRIELLE MICHELLE CASPER NICOLE YEAGER, BIOLOGICAL MOTHER,**
**AND ANY KNOWN OR UNKNOWN BIOLOGICAL FATHER OF C.Z.B. A MINOR CHILD, BORN TO GABRIELLE MICHELLE CASPER NICOLE YEAGER**

The Petition for Adoption was filed in the Probate Court of Cullman County, Alabama by Paul Roden and Belinda Roden, Petitioners. If you should contest this adoption, you must file a written response within Thirty (30) days from the date of the last notice of publication. Your response must be filed with Counsel for said petitioners, whose name and address are shown below, and with the Clerk of Probate Court, 500 2nd Avenue SW, Room 101, Cullman County, Alabama.

DONE THIS 28th DAY OF May, 2020.

TAMMY BROWN, JUDGE OF PROBATE
CULLMAN COUNTY, ALABAMA

Jerry Kilgo
Attorney for Petitioners
105 1st Ave NE, Ste. G
Cullman, Alabama 35055

PB WIL BK 96 PG 265 - 06/04/2020 03:38 PM
Tammy Brown, Judge of Probate, Cullman County, AL

IN THE PROBATE COURT OF CULLMAN COUNTY, ALABAMA

IN RE: THE ESTATE OF *

HOWARD Z. CARRINGTON * CASE NO PC 2011-116

Deceased. *

**NOTICE OF HEARING**
**PERSONAL REPRESENTATIVE'S PETITION FOR FINAL SETTLEMENT AND AMENDED PERSONAL REPRESENTATIVE'S PETITION FOR FINAL SETTLEMENT**

TO: LARRY DAVID LEGG
JAMES CAMPBELL LEGG, JR.
HOWARD Z. CARRINGTON, JR.
HELEN ELAINE CARRINGTON

Please take notice that a Hearing on the Personal Representative's Petition for Final Settlement and Amended Personal Representative's Petition for Final Settlement for the estate of Howard Z. Carrington has been set for the 27th **day of** August **2020, at** 11:00 **a.m.,** before the Honorable Tammy Brown, Judge of Probate, Cullman, Alabama.

Cullman County Courthouse
500 2nd Avenue SW
Room 101
Cullman, Alabama 35055

DONE this the 4th day of June, 2020.

TAMMY BROWN, JUDGE OF PROBATE
CULLMAN COUNTY, ALABAMA

To the Publisher: The Cullman Tribune

Please publish the above notice three (3) successive weeks in said newspaper