

**Cleburne County Commission Meeting Minutes
Regular Commission Meeting August 10, 2015
Cleburne County Mountain Center**

Roll Call

Present:

Chairman Ryan Robertson
Commissioner Laura Cobb
Commissioner Emmett Owen
Commissioner Terry Hendrix
Commissioner Bobby Brooks

Absent:

None

4:00 p.m.

County Attorney Doug Ghee advised the Commission to meet at this time in order to have an executive session regarding an update on legal issues.

Action as related to Resolutions #4630:

Motion made by Commissioner Emmett Owen, Seconded by Commissioner Laura Cobb

In Support: Commissioners Laura Cobb, Emmett Owen, Terry Hendrix, and Bobby Brooks

In Opposition: None

Motion Passed

Resolution #4630

The Cleburne County Commission will meet at 4 p.m. in order to have an executive session regarding an update on legal issues from the County Attorney.

Consent Agenda

The Commission passed the August 2015 consent agenda including:

Action as related to Resolutions #4631-1, 3&4, 6&7:

Motion made by Commissioner Emmett Owen, Seconded by Commissioner Laura Cobb

In Support: Commissioners Laura Cobb, Emmett Owen, Terry Hendrix, and Bobby Brooks

In Opposition: None

Motion Passed

Resolution #4631-1

The Cleburne County Commission hereby resolves to approve the June 2015 minutes as presented.

Resolution #4631-3

The Cleburne County Commission recognizes the following board appointment statuses as of this meeting:

Resignations:

None

Commission acknowledges the following vacancies:

None

Board Appointments:

None

Resolution #4631-4

Whereas, the Cleburne County Commission authorized up to \$20,000 on October 20th, 2014 towards work being performed by the City of Heflin Water Board; and

Whereas, since that time, costs have escalated and a final invoice has been submitted that brings the total up to \$24,754.57;

Therefore, the Cleburne County Commission approves payment of this final invoice in excess of prior agreed to amounts and within the other provisions previously set forth in the October 20th, 2014 meeting.

Resolution #4631-6

Whereas, the Cleburne County Commission has received a request from a concerned citizen to evaluate the conditions of Cleburne County Road 685; and

Whereas, the Cleburne County Commission recognizes the need to continually provide the traveling public with the safest conditions possible when traveling the infrastructure of the county.

Therefore, after evaluation of the route in question and an engineering study performed by the County Engineer and Staff, which evaluated the lane width, shoulder width, and sight distance of the route, among other safety aspects of the dirt roads, the County Commission authorizes the speed limit to be lowered to 20 MPH. The route shall be signed with a 20 MPH speed limit sign at the each end for the notification and safety of the traveling public.

Resolution #4631-7

Whereas, the Cleburne County Commission has received a request from a concerned citizen to evaluate the conditions of Cleburne County Road 650; and

Whereas, the Cleburne County Commission recognizes the need to continually provide the traveling public with the safest conditions possible when traveling

the infrastructure of the county.

Therefore, after evaluation of the route in question and an engineering study performed by the County Engineer and Staff, which evaluated the lane width, shoulder width, and sight distance of the route, among other safety aspects of the dirt roads, the County Commission authorizes the speed limit to be lowered to 20 MPH. The route shall be signed with a 20 MPH speed limit sign at the each end for the notification and safety of the traveling public.

Resolution Presented for Adoption – 2 was taken off the agenda and recommended to not be added to New Business per County Administrator Steve Swafford.

New Business

The following resolutions were approved in new business:

Action as related to Resolution #4632:

Motion made by Commissioner Emmett Owen, Seconded by Commissioner Terry Hendrix

In Support: Commissioner Laura Cobb, Emmett Owen, Terry Hendrix, and Bobby Brooks

In Opposition: None

Motion Passed

Resolution #4632

Whereas, in February of 2014, the Cleburne County Commission entered into a binding agreement with the town of Fruithurst regarding road work to be done on city streets by county road department forces; and

Whereas, \$9,434.26 remains to be paid to the county by the town; and

Whereas, District 1 Commissioner Laura Cobb has approached the Commission requesting that this debt be waived.

Therefore, the Cleburne County Commission hereby waives the \$9,434.26 owed to the County by the town of Fruithurst.

Action as related to Resolution #4633:

Motion made by Commissioner Laura Cobb, Seconded by Commissioner Emmett Owen

In Support: Commissioner Laura Cobb, Emmett Owen, and Terry Hendrix

In Opposition: Bobby Brooks

Motion Passed

Resolution #4633

Whereas, certain county department heads have traditionally determined it beneficial for certain county vehicles to be driven to and from work by certain job positions in the county workforce; and

Whereas, District 2 Commissioner Emmett Owen now feels as though this decision should be made by the County Commission effective October 1st, 2015 for all vehicles driven to and from work but excluding those in the Sheriff's Department, Jail, and those used by contract employees.

Therefore, the Cleburne County Commission hereby establishes the policy that as of October 1st, 2015, requires county vehicles being driven to and from work receives the prior approval of the Commission by resolution as opposed to being authorized by the department heads but excluding vehicles of the Sheriff's Department, Jail, and those utilized by contract employees.

Action as related to Resolution #4634 – 1&2:

Motion made by Commissioner Bobby Brooks, Seconded by Commissioner Terry Hendrix

In Support: Commissioner Laura Cobb, Emmett Owen, Terry Hendrix and Bobby Brooks

In Opposition: None

Motion Passed

Item C. was requested to be removed from the agenda per Commissioner Terry Hendrix.

Resolution #4634-1&2

Resolution 1

Whereas, the Cleburne County Commission has been working diligently to remediate the fuel spill located at the County's Public Works facility; and

Whereas, regularly law requires the county to conduct corrective action evaluation (ARBCA) and develop a corrective action plan (CAP).

Therefore, the Cleburne County Commission hereby authorizes the County Administrator to contract with PPM for the total cost of \$14,279 for evaluation and reporting associated with ARBCA and corrective action plan development and reporting to meet CAP requirements.

Resolution 2

Whereas, the Cleburne County Commission has been working diligently to remediate the fuel spill located at the County's Public Works facility; and

Whereas, the Commission has evaluated options and feel it is in the best interest to proceed with purchasing two new DPVE systems and to continue renting the oxidizer currently in use; and

Whereas, the Commission intends to procure debt in order to purchase the necessary equipment and associated wells, etc. to make these systems operational.

Therefore, the Cleburne County Commission hereby authorizes the County Administrator and the County Engineer to proceed with the development of a specification and the seeking of bids for necessary equipment, and the arranging of a debt instrument to provide the funds necessary for the procurement of these systems, their associated wells and etc. as required for remediation purposes. Bids for equipment and financing are subject to the award / approval of the Commission by resolution.

Action as related to Resolution #4635:

Motion made by Commissioner Bobby Brooks, Seconded by Commissioner Terry Hendrix

In Support: Commissioner Emmett Owen, Terry Hendrix, and Bobby Brooks

In Opposition: Commissioner Laura Cobb

Motion Passed

Resolution #4635

Resolution Presented for Adoption – 5 from the Consent Agenda

Whereas, the Cleburne County Commission recognizes the need for a public transportation program; and

Whereas, the Cleburne County Commission is recognized as a member of the Cleburne County Transportation Steering Committee; and

Whereas, the Cleburne County Commission recognizes that the requirements to obtain Section 5311 funds from the Alabama Department of Transportation includes a local match of 50% for operating expenses and 20% for administration and capital expenses; and

Whereas, the Cleburne County Commission recognizes that the local match will be a shared cost with other participating municipalities being responsible for providing an appropriate allocation of local non-federal funds to secure the operating of the Section 5311 Non-urbanized Area Public Transportation Program.

Therefore, the Cleburne County Commission hereby commits the amount of \$26,588 (See Attachment A) as local non-federal match for capital, administrative, and operations expenditures under the Section 5311 Non-urbanized Area Public Transportation Program during fiscal year 2016.

Furthermore, the County Administrator is authorized to execute an agreement with the East Alabama Regional Planning and Development Commission for provision of transit services in Cleburne County and that the County Administrator is also authorized to execute any certifications and assurances required in conjunction with the program.

Reports from staff:

- A. County Administrator Steve Swafford discussed the supervisor training seminar, scheduled for August 12, 2015, and hosted by the Association of County Commissions & Meadowbrook Insurance. Steve Swafford and Crystal Cavender from the County Administration Office are required by the program to attend this seminar, and invitations have been extended to Kim Brown from the County Finance Department, Lane Kilgore and Michael Gore from the Sheriff Department and Shannon Robbins and James Sanders from the Engineering Department. Steve discussed the Landfill settlement pond work progress and he gave an update on the fuel spill maintenance and cleanup, and advised the Commission that a budget modification is necessary for these efforts.
- B. County Engineer Shannon Robbins informed the Commission that he has received documentation from the US Fish and Wildlife Service requiring a biological assessment for bridge replacements at Camp Creek and Roberts Creek on County Road #49. Commissioner Emmett Owen discussed bridge inspections. Shannon opened bids received for annual maintenance supplies and will give recommendations for awarding bids at the September meeting.
- C. County Attorney Doug Ghee asked County Engineer Shannon Robbins to brief the Commission on the condemnation process for obtaining the right-of-way purchase concerning the County Road 118 Dynne Creek bridge project (BIN 12626).

Commissioner Emmett Owen discussed replacing the ceiling and lighting in the Law Library at the courthouse and asked the Commission to go by and take a look at the proposed project and suggested beginning the September 8, 2015, work session with a 4:00 pm tour at the courthouse. He informed the Commission that he is in the process of having the courthouse parking lot sealed and

stripped, and suggested the parking lot at the Mountain Center may be ready for this same preventative maintenance as well.

Chairman Ryan Robertson advised that County Administrator Steve Swafford and several of the Commissioners will be out of town next week for an ACCA meeting; therefore the work session for August 17, 2015 will be cancelled.

There was no further business to come today before the Commission for the meeting.

The Commission adjourned the meeting.

Action as related to Resolution #4636:

Motion made by Commissioner Bobby Brooks, and Seconded by Commissioner Emmett Owen

In Support: Commissioners Laura Cobb, Emmett Owen, Terry Hendrix, and Bobby Brooks

In Opposition: None

Motion Passed

Resolution #4636

The meeting is adjourned.