

Cleburne County Commission Meeting
Cleburne County, Alabama
December 13, 2010

M I N U T E S

- Regular Commission Meeting The Cleburne County Commission met in regular session on Monday, December 13, 2010, at 4:00 p.m. in the Commission Meeting Room, Room 207 of the County Courthouse, Heflin, Alabama.
- Chairman Ryan Robertson called the meeting to order and open for business.
- Roll Call There were present:
Chairman Ryan Robertson
Commissioner Joel Robinson
Commissioner Emmett Owen
Commissioner Rex Nolen
Commissioner Benji Langley
- There were absent:
None
- Commission Discussion The Commission discussed adding Mr. Carl Smith and Mr. Terry Butler to the agenda of today's meeting to address the Commission concerning an agreement with Ranburne Volunteer Fire Department for use of their facility for elections.
- Resolution # 4328** **On a motion by Commissioner Benji Langley and seconded by Commissioner Emmett Owen, the Commission passed the following resolution:**
- Be it resolved by the Cleburne County Commission to approve to add Mr. Carl Smith and Mr. Terry Butler to the agenda of today's meeting to address the Commission concerning an agreement with Ranburne Volunteer Fire Department for use of their facility for elections.**
- All members present voted for the resolution and none against. The motion carried.**
- Public Comment from Citizens Mr. Carl Smith with the Ranburne Volunteer Fire Department discussed with the Commission an agreement for use of their facility for elections.
- Commission Discussion The Commission addressed items from the consent agenda from the agenda of today's meeting: a) Approve the Commission meeting minutes of November 2010 as presented, b) Approve September, October, and November 2010 check register, c) Approve to authorize the speed limit to be lowered to 30 MPH for Cleburne County Road 94, d) Approve to authorize Commissioner Rex Nolen as a signatory on all checking accounts for the Cleburne County Commission accounts, e) Approve to authorize the Cleburne County Highway Department to perform the requested maintenance at Pleasant Grove School, f) Approve the appointment of Mr. Landon Brown to the Cleburne County Hospital Board, g) Approve to place the county maintenance department budget and its sole employee under and reporting directly to the District 2 Commissioner, h) Approve the classification of general laborer, i) Approve the hiring of up to three (3) Temporary Service General Laborer employees in the County Road Department, j) Approve the attached table 1: list of equipment being declared surplus, k) Approve to eliminate existing distance requirements related to licensing of establishments selling alcohol, l) Approve to seek bids or proposals for 1. multi-system alert and notification encoder; 2. replacement siren components and modifications; 3. construction of the new county facility off Southwire Drive, m) Approve to authorize the County Administrator and Probate Judge to review, shop, and renew insurance coverage on behalf of the Commission.
- Resolution # 4329** **On a motion by Commissioner Emmett Owen and seconded by Commissioner Rex Nolen, the Commission passed the following resolution:**
- Be it resolved by the Cleburne County Commission to approve the following resolutions from the items of the consent agenda:**

- 4329-1 **The Commission resolves to approve the November 2010 minutes as presented,**
- 4329-2 **The Commission resolves to approve the September, October, and November 2010 check registers.**
- 4329-3 **Whereas, the Cleburne County Commission has received a request from a concerned citizen to evaluate the conditions of Cleburne County Road 94; 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, the County Commission authorizes the speed limit to be lowered to 30 MPH. The route shall be signed with a speed limit sign at the Calhoun County Line on the west end and at the intersection with CR 70 on the east end denoting such for the notification and safety of the traveling public.**
- 4329-4 **Whereas, the Cleburne County Commission authorizes two commissioners as signatories on the checking accounts for Cleburne County and;**
- Whereas, Commissioner Tracy Lambert is authorized as a signatory, but is no longer in office;**
- Therefore, the Commission resolves to remove Tracy Lambert as a signatory and authorizes Rex Nolen as the new signatory on said accounts.**
- 4329-5 **Whereas, the Cleburne County Commission occasionally has requests from various other schools, towns, and departments to perform minor maintenance work;**
- Whereas, the Cleburne County Commission has received such a request from the Cleburne County Board of Education to perform minor pothole repairs to the access road to Pleasant Grove School;**
- Whereas, the Cleburne County Highway Department utilizes a one man pothole patching truck in normal maintenance activities that would be suitable to perform the needed minor pothole repairs.**
- Therefore, the Cleburne County Commission authorizes the Cleburne County Highway Department to perform the requested maintenance at Pleasant Grove School. The work will be performed when suitable weather conditions exist and will be billed according to the work performed, at the normal rates and procedures as with other work for school, town, and departments.**
- 4329-6 **Whereas, The Cleburne County Commission makes periodic scheduled appointments to the Cleburne County Hospital Board;**
- Therefore, The Commission appoints the following individual to the corresponding terms:**
- District 3 - Mr. Landon Brown - Term ending April 2011.**
- 4329-7 **Whereas, the Cleburne County Commission currently has the maintenance department and budget under the auspices of the Probate Judge; and**
- Whereas, the District 2 Commissioner has substantial experience supervising building maintenance and renovation projects and has volunteered to take on the responsibilities of supervising the county maintenance department and budget.**

Therefore, the Commission resolves to place the county maintenance department budget and its sole employee under and reporting directly to the District 2 Commissioner effective immediately.

4329-8 Whereas, the Cleburne County Commission may occasionally utilize unskilled general laborers in various departments; and

Whereas, these laborers are typically needed only on a temporary basis;

Therefore, the County Commission approves the classification of General Laborer. This position will always be hired as Temporary Service employment as outlined in section 3.4 of the Cleburne County Personnel Policies and Procedures.

4329-9 Whereas, the Cleburne County Road Department has unfilled positions within the department; and

Whereas, the county approved an Attrition Statement in the FY 11 budget that requires the filing of any position to be approved by the County Commission;

Therefore, the County Commission approves the hiring of up to three (3) Temporary Service General Laborer employees in the County Road Department. These positions are subject to the length of employment, benefits, and transfer restrictions as outlined in the Cleburne County Personnel Policies and Procedures 3.4.

4329-10 Whereas, the Cleburne County Commission must abide by state and federal laws regarding the disposition of equipment being deemed surplus; and

Whereas, the following equipment has been deemed by the County Administrator to be surplus:

See attached Table 1: List of equipment being declared surplus.

Therefore, the County Commission authorizes the County Administrator to dispose of the said equipment in whatever form permissible by law with the Commissions recommendation that useable equipment being signed over to eligible agencies, organizations, and departments inside the County who show the greatest level of need as determined by the County Administrator. Equipment in which there is no local need or agency willing to support ongoing maintenance and upkeep may be disposed of outside the county or put to auction by the county. The Administrator should develop memorandums of understanding with each receiving entity that details the provisions of any possible transfer of equipment which includes the agreement to maintain the equipment and an understanding that the equipment may not be sold or otherwise disposed of without approval of the County Administrator.

4329-11 Whereas, adherence to the 1,000 foot limits for the licensing of establishments selling alcohol has varied in its application in past decisions of the Commission; and

Whereas, a liability is created in attempting to apply a rule on new applications that has been disregarded in past decisions of the Commission.

Therefore, the Commission eliminates existing distance requirements related to said licensing.

4329-12 Whereas, state law requires certain items be put to bid in order to offer possible vendors and suppliers the right to provide goods and services to public entities;

Therefore, the Commission authorizes the County Administrator to seek bids or proposals on the following items:

1. Multi-system alert and notification encoder;
2. Replacement siren components and modifications;
3. Construction of the new county facility off Southwire Drive.

4329-13 **Whereas, liability and property insurance for the county comes due during the month of December;**

Therefore, the Commission authorizes the County Administrator and Probate Judge to review, shop, and renew insurance coverage on behalf of the Commission.

All members present voted for the resolution and none against. The motion carried.

Commission Discussion

The Commission discussed item of New Business from the agenda of today's meeting: a) Bid opening – portable light tower.

Resolution #4330

On a motion by Commissioner Rex Nolen and seconded by Commissioner Emmett Owen, the Commission passed the following resolution:

Be it resolved by the Cleburne County Commission to award the bid for the purchase of portable light tower to RSC Equipment Rental for item 1. and to The Thompson Cat Rental Store for item 2. All members present voted for the resolution and none against. The motion carried.

Commission Discussion

Reports from staff were as follows: A) County Administrator Steve Swafford discussed with the Commission surplus property and briefed the Commission on warning sirens ownership in the county and informed the Commission that the new vehicle has arrived for the County Revenue Department, B) County Engineer Shannon Robbins updated the Commission on various current projects, C) County Attorney Doug Ghee briefed the Commission on the lawsuit pending for the declaratory judgment. The Commission discussed the Memorandum of Understanding with the Ranburne Rescue Squad for use of their facility for holding county elections and Commissioner Benji Langley requested to add it to the agenda of today's meeting.

Resolution #4331

On a motion by Commissioner Benji Langley Joel Robinson and seconded by Commissioner Rex Nolen, the Commission passed the following resolution:

Be it resolved by the Cleburne County Commission to add to the agenda of today's meeting the discussion of a Memorandum of Understanding with the Ranburne Rescue Squad for use of their facility for holding county elections. All members present voted for the resolution and none against. The motion carried.

Resolution # 4332

On a motion by Commissioner Benji Langley and seconded by Commissioner Emmett Owen, the Commission passed the following resolution:

Be it resolved by the Cleburne County Commission to accept the Memorandum of Understanding with the Ranburne Rescue Squad for use of their facility for holding county elections. All members present voted for the resolution and none against. The motion carried.

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

Resolution # 4333

On a motion by Commissioner Joel Robinson and seconded by Commissioner Emmett Owen, the Commission passed the following resolution:

Be it resolved by the Cleburne County Commission to adjourn the meeting. All members present voted for the resolution and none against. The motion carried.

