

Cleburne County Commission Meeting Minutes Regular Commission Meeting December 20, 2012 Cleburne County Mountain Center

Roll Call:

Present:

Chairman Ryan Robertson
Commissioner Laura Cobb
Commissioner Emmett Owen
Commissioner Bobby Brooks
Commissioner Benji Langley

Absent:

None

Public Comment from Citizens:

Chairman Ryan Robertson asked the Commission to consider adding Tim Gossage to the agenda of today's meeting to allow him to address the Commission.

Resolution #4426

The Commission approved to allow Tim Gossage to address the Commission.

Action:

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

In Support: Commissioners Laura Cobb, Emmett Owen, Benji Langley, Bobby Brooks

In Opposition: None

Motion Passed

A) Tim Gossage – asked the Commission to send a letter to Jacksonville State University President William A Meehan requesting a demographic study for his proposed outdoor adventure sports park. The Commission asked Mr. Gossage to provide them a written business description outlining the proposed venture so it could be included in any correspondence in pursuing his request.

B) Cleburne County Hospital Board Chairman William Cleino and vice-Chairman Sandy Weston – gave the Commission an update.

Consent Agenda

The Commission passed the December consent agenda including:

Resolution #4427-1

The Cleburne County Commission hereby resolves to approve the November 2012 minutes as presented.

Resolution #4427-2

The Cleburne County Commission hereby resolves to approve the November 2012 check register.

Resolution #4427-3

Whereas, the Cleburne County Commission recognizes the need to continually provide the citizens of Cleburne County with the best possible infrastructure available for the safety and economic advancement of the county;

Whereas, the Alabama Department of Transportation has announced the Rural Assistance Match Program (RAMP) to compliment the Alabama Transportation Rehabilitation and Improvement Program (ATRIP).

Whereas, the RAMP projects would allow Cleburne County to utilize Federal Aid funds to fund transportation projects, with the State providing the 20% match;

Whereas, the RAMP process allows for project submittal to the Alabama Department of Transportation and the Cleburne County Commission must make the determination of whether or not to participate in RAMP;

Whereas, the ATRIP process allows for project submittal to the Alabama Department of Transportation with the Cleburne County Commission paying a 20% match on funding up to \$2,000,000 in projects;

Therefore, the Cleburne County Commission agrees to enter into any/all agreements as necessary with the Alabama Department of Transportation to utilize the Federal & State funds made available by the RAMP process on the following bridges:

1. CR 50 over Muscadine Creek,
2. CR 18 over the Tallapoosa River,
3. CR 2 over Carr Creek,
4. CR 118 over Dynne Creek,
5. CR 118 over tributary to Dynne Creek,
6. CR 49 over Roberts Creek,
7. CR 49 over Bailey Creek,
8. CR 49 over Camp Creek,
9. CR 94 over Terrapin Creek,
10. CR 96 over Silas Creek,
11. CR 31 over Wallace Branch, and
12. CR 5 over Lockchelooge Creek.

Furthermore, the Commission also agrees to send in the letter affirming the Commission's desire to participate in RAMP and ATRIP and allow the Commission Ex-Officio Chairman to sign said agreements and supporting documentation as required. It is also understood that the bridges not funded by RAMP will be funded with ARTIP funds to maximize the funding available.

Resolution #4427-4

Whereas, The Cleburne County Commission has established the Cleburne County Safety Program; and

Whereas, the County Commission recognizes the necessity for policies and procedures in order to properly administer and maintain the County's Safety Program; and

Therefore, the County Commission adopts the following policies as a part of the Cleburne County Safety Program:

Modified Duty and Return to Work Policy

An employee who is on leave as a result of a work-related injury or illness may be released to work on modified or light duty subject to conditions specified by his or her physician. The Cleburne County Commission will make reasonable efforts to provide the employee with a position meeting the requirements imposed by the physician for the duration of a reasonable recovery period. Such a position is temporary and does not constitute a contract of employment or property interest in the modified or light duty position. An employee working in such a position is still subject to the same policies and procedures applicable to all employees, including the Drug and Alcohol Policy. Any employee who is offered a physician-approved, modified duty job will be required to accept the offer; otherwise, such a refusal will be considered job abandonment.

When the injured employee reaches Maximum Medical Improvement, the Cleburne County Commission will make reasonable efforts to place the employee in a regular status position with as similar terms and conditions of employment as possible as the employee's original position.

Seat Belt Policy

The Cleburne County Commission recognizes that seat belts are extremely effective in preventing injuries and fatalities in motor vehicle accidents. Wearing your seat belt can reduce your risk of dying in a motor vehicle accident by up to 60%. We care about our employees and want to make sure that no one is injured or killed in a tragedy that could have been prevented by the simple use of a seat belt. Therefore, our county policy is that all employees must wear seat belts when operating or riding in any vehicle or equipment on county business. Employees who violate this policy will be subject to disciplinary action, up to and including termination.

Usage of Wireless Communication Devices While Driving Policy

Employees are expected to use sound judgment and caution when using any cell phone or any wireless communication system (whether or not it is owned by the county) while:

1. Operating any county owned vehicle, including off-road heavy equipment, at any time, to include both working and non-working hours;
2. Operating any vehicle, including off-road heavy equipment, not owned by the county while in the performance of his/her duties;

3. Operating any vehicle, including off-road heavy equipment, while engaging in any business related to county operations.

Employees who must utilize cell phones or any other wireless communication system shall do so only in the case of an emergency or to conduct critical business while in the operation of a vehicle and in accordance with local, state, and federal laws. Employees are encouraged to use hands free devices, exit the roadway and safely park, or to delay communication until such time that they can safely use the communication device.

Employees who violate this policy and are involved in accidents or charged with traffic violations caused by or resulting from the use of a cell phone or wireless communication system while driving, could be held responsible for liabilities that result from such actions and subject to disciplinary action.

Resolution #4427-5

Whereas, The Cleburne County Commission has assigned the responsibility of implementing the County's Safety Program to the County Safety Coordinator: and

Whereas, the Safety Coordinator has been tasked with developing a safety statement that reflects the County's commitment to safety, which is the foundation of the Safety Program; and

Therefore, the County Commission adopts the following safety statement as a part of the Cleburne County Safety Program:

Cleburne County Safety Statement:

Cleburne County is committed to providing a safe environment for its employees and citizens, protecting the public and preserving Cleburne County's assets and property.

The safety program is administered through the Cleburne County Safety Coordinator. Each person while working with and for the Cleburne County Commission is responsible each and every day for their own safety, the safety of coworkers and the safety for the citizens that Cleburne County serves.

Resolution #4427-6

Whereas, The Cleburne County Commission is responsible for maintaining a safe, healthful and efficient drug-free working environment; and

Whereas, the Cleburne County Commission Personnel Policies and Procedures (section 1.5.4.) discusses safety considerations that require random testing for the use of drugs and alcohol; and

Whereas, the county must periodically update this list to ensure that the county remains in compliance with federal and state laws and the County's Safety Program; and

Therefore, the County Commission revises the aforementioned policy to include the additional safety considerations for maintenance and repair of heavy equipment, carrying any weapon or object that could reasonably be used as a weapon, and answering emergency calls. A

list of positions that have been designated as having special considerations includes:

911 Dispatchers
Correctional Officers
Deputies
Road Department Positions of:

Operator 1, 2, 3
Senior Operator
Road Superintendent
Shop Manager
Traffic Control Safety Technician.

An addendum will be inserted at the end of the Personnel Policy reflecting these changes effective December 20, 2012.

Resolution #4427-7

The Cleburne County Commission recognizes the following board activity for the month of December 2012:

Resignations: None

Commission acknowledges the following vacancies:

Cleburne County Hospital Board –

Appointment that is set to expire in April 2015

Cleburne County DHR Board –

Appointment that is set to expire in September 2013

Appointment that is set to expire in September 2017

Board Appointments:

Tracy Lambert to the Cleburne County Hospital Board, term set to expire in April of 2015.

Resolution #4427-8

Whereas, Cleburne County is part of Alabama EMA Region 7 consisting of Calhoun, Clay, Cleburne, Etowah, Jefferson, St. Clair, and Talladega Counties; and

Whereas, representatives from each of these jurisdictions have developed and coordinated plans with the assistance of Lee Helms and Associates over the last eighteen months in order to develop a mutual aid system for east central Alabama that will provide a greater degree of readiness to the public should a disaster or wide scale emergency exist; and

Whereas, the resulting plan identifies procedures and practices that have the potential to greatly aid in the providing of emergency response resources to jurisdictions who need assistance from their neighboring areas; and

Whereas, to be acknowledged during times of disaster, mutual aid agreements must have been coordinated and approved by the elected officials of the cooperating jurisdictions; and

Whereas, approval and adoption of said plans does not create any obligation or binding liability to participating entities but rather lays a framework for future interactions through the development of coordinated plans.

Therefore, the Cleburne County Commission hereby adopts the Alabama EMA Region 7 Mutual Aid Plan dated July 29th, 2012 and recognizes the Cleburne County Emergency Management Agency as the coordinating agency for the maintenance and implementation of said agreement and directs that a certified copy of this resolution be provided for inclusion in the plans of each of the seven participating counties.

Resolution #4427-9

Whereas, the establishment of the Cleburne County Mountain Center has enabled space previously occupied by the Cleburne Finance Office to be made available to address outstanding space requirements of the Judicial System; and

Whereas, the Cleburne County Commission desires for the space to be used cooperatively between the necessary agencies who might benefit from the additional space.

Therefore, the Cleburne County Commission requests that Circuit Clerk Jerry Paul Owen and District Judge Glea Sarrell develops a space utilization plan for the upstairs areas of the Cleburne County Courthouse and present it to the Commission for approval in the January meeting.

Resolution #4427-10

Whereas, the Commission desires to promote increased visibility in the conducting of public business; and

Whereas, the utilization of the Internet will increase accessibility to the official actions of the Cleburne County Commission.

Therefore, the Commission resolves to begin a practice of placing all approved meeting minutes on the county website along with archives of minutes dating back four calendar years and directs the County Administrator to take the necessary steps to initiate this practice as soon as is practical.

Resolution #4427-11

Whereas, the Commission has received an option to renew its membership in the ACCA liability self-insurance fund for the period of January 1st, 2013 to January 1st, 2014 at the amount of \$81,532.00 (the same as calendar year 2012).

Therefore the Commission approves this renewal and authorizes the County Administrator to sign any documentation necessary to implement said renewal.

Resolution #4427-12

Whereas, the Cleburne County Commission must renew its property insurance policies in December of each year; and

Whereas, the past year has seen the addition of a new public facility with the bringing online of the Cleburne County Mountain Center (CCMC); and

Whereas, the CCMC property insurance term was initiated in October of 2012 at the cost of \$5,413 per year; and

Whereas, due to competitive shopping and the changing nature of our property held, we have been able to acquire an overall savings of \$5,574.78 for the upcoming year.

In FY 12, Cleburne County paid the following rates for insurance:

Property Insurance (building & contents)	\$	27,337.00
Auto Insurance		23,034.78
Computer Insurance		3,622.00
Total		53,993.78

For FY 13 the following rates have been negotiated:

Property Insurance (building & contents)	\$	16,831.00
Addition of the CCMC (paid in Oct)		5,413.00
Auto Insurance		22,592.00
Computer Insurance		3,671.00
Total		48,507.00

Therefore, the Commission approves this renewal and authorizes the County Administrator to sign any documentation necessary to implement said renewal.

Action:

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

In Support: Commissioners Laura Cobb, Emmett Owen, Benji Langley, and Bobby Brooks

In Opposition: None

Motion Passed

New Business Agenda

A. Discuss authorization to execute an agency agreement with the Secretary of State's office regarding voter file maintenance

Resolution #4428

Whereas, Act 95-769 requires the Cleburne County Board of Registrars to implement a voter file maintenance process, and

Whereas, Act 95-769 also requires the Cleburne County Commission to pay the cost of postage necessary to mail certain notices to voters and to subsequently apply for and receive reimbursement for such costs from the State of Alabama, and

Whereas, the Alabama Secretary of State has indicated that her office is willing to serve as the agent for the Cleburne County Commission for the purposes of paying postage costs and collecting reimbursements for such costs from the State Elections Fund as provided for in Act 95-769, and

Whereas, the Alabama Secretary of State served as an agent for the Cleburne County Commission in 1997, 2001, 2005, and 2009, for the purposes of paying postage costs and collecting reimbursements from the State Elections Fund as provided for in Act 95-769, now therefore

Be it Resolved, by the Cleburne County Commission that it hereby agrees to appoint the Secretary of State to serve as its agent for the purposes of paying postage costs necessary for the mailing of certain notices to voters as required by Act 95-769 and collecting reimbursements for such costs from the State Elections Fund as provided in the Act, and now

Be it Further Resolved, that the Chairperson of the Cleburne County Commission is authorized to execute an agency agreement to be entered into between Cleburne County and the Office of the Alabama Secretary of State.

Action:

Motion made by Commissioner Emmett Owen, Seconded by Commissioner Benji Langley

In Support: Commissioners Laura Cobb, Emmett Owen, Benji Langley, and Bobby Brooks

In Opposition: None

Motion Passed

Reports from staff were as follows:

A) County Administrator Steve Swafford updated the Commission on the ADECA National Flood Plain Management Program; informed the Commission that East Alabama Regional Planning and Development Commission (EARPDC) contacted him last week and asked if he would serve on the housing committee for the Clear Plan 20/30. The first meeting will be in February at Talladega, AL. EARPDC has agreed to host their Executive Committee meeting at the Cleburne County Mountain Center. Steve briefed the Commission on the purchase of our solid waste provider, Veolia by Advance Disposal in November 2012 and discussed with the Commission the solid waste exemption process completed in December 2012. Steve informed the Commission that 8 requests for reimbursement have been received on the storm shelter grant program. Steve briefed the Commission on the meeting today with Jacksonville State University Ethics Group and Doctor Ryan with the Department of Emergency Management; and briefed the Commission on the agreement/lease with Jacksonville State University for their use of the Cleburne County Mountain Center. Steve briefed the Commission on the property insurance rates;

B) County Engineer Shannon Robbins discussed with the Commission the RAMP program and the ATRIP project. Shannon gave the Commission an update on equipment and gave updates on current projects.

C) County Attorney Doug Ghee updated the Commission on the current lawsuits.

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

Resolution #4429

The Commission meeting is adjourned.

Action:

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

In Support: Commissioners Laura Cobb, Emmett Owen, Benji Langley, Bobby Brooks

In Opposition: None

Motion Passed
