

Cleburne County Commission Meeting
Cleburne County, Alabama
June 14, 2010

M I N U T E S

- Regular Commission Meeting The Cleburne County Commission met in regular session on Monday, June 14, 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 Tracy Lambert
Commissioner Rex Nolen
There were absent:
Commissioner Joel Robinson
Commissioner Dwight Williamson
- Public Comment from Citizens Shannon Roberts with the Cleburne County Hospital Board to discuss appointments to the board.
- Commission Discussion The Commission addressed items from the consent agenda from the agenda of today's meeting: a) Approve the Commission meeting minutes of May 2010 as presented, b) Approve the May 2010 Check Registry Listing, c) Authorization to commit the amount of \$24,171 as local non-federal match for capital, administrative, and operations expenditures under the Section 5311 Non-urbanized area public transportation program during fiscal year 2011, d) acknowledge the three vacant seats on the Cleburne County Hospital Board, resulting from the resignations of the following members:
Susan Moore - District 1 Appointment
Willie Wise - District 3 Appointment
Keith Turner - District 4 Appointment
- Resolution # 4305** **On a motion by Commissioner Rex Nolen and seconded by Commissioner Tracy Lambert, 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:**
- 4305-1 The Commission resolves to approve the May 2010 Check Registry Listing,**
- 4305-2 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 operation of the Section 5311 Non-urbanized Area Public Transportation Programs.

Therefore, the County Commission resolves to commit the amount of \$24,171 as local non-federal match for capital, administrative, and operations expenditures under the Section 5311 Non-urbanized Area Public Transportation Program during fiscal year 2011.

**4305-3 The Cleburne County Commission acknowledges the three vacant seats on the Cleburne County Hospital Board, resulting from the resignation of the following members:
Susan Moore - District 1 Appointment
Willie Wise - District 3 Appointment
Keith Turner - District 4 Appointment
All members present voted for the resolution and none against. The motion carried.**

**Cleburne County Commission
Page 2**

June 14, 2010

Resolution # 4306 On a motion by Commissioner Rex Nolen and seconded by Commissioner Tracy Lambert, the Commission passed the following resolution:

Be it resolved by the Cleburne County Commission to approve the May 2010 minutes as presented. Commissioner Rex Nolen voted for the resolution and Commissioner Tracy Lambert abstained. The motion carried.

Commission Discussion The Commission addressed item A of New Business from the agenda of today's meeting: A) 4:00 Bid opening for travel trailers: 1) 2006 Forest River 33' Travel Trailer, s/n 4X4TWDF226A236965- minimum bid for this item is \$4500.00, 2) 2006 Jayco 30' Travel Trailer, s/n 1UJBJ02P561EP0885- minimum bid for this item is \$3500.00.

Bids were received from:

**Item 1 - Rhonda Estes, Ranburne, AL - \$6,551.00
- Tommy Morrow, Ranburne, AL - \$5,060.19
Item 2 - Tommy Morrow, Ranburne, AL - \$5,751.19
- Jerry Stapler, Ranburne, AL - \$4,226.00**

Resolution # 4307 On a motion by Commissioner Tracy Lambert and seconded by Commissioner Rex Nolen, the Commission passed the following resolution:

Be it resolved by the Cleburne County Commission to accept the bids received from Rhonda Estes, Ranburne, AL for the disposal of (Item 1) 2006 Forest River 33' Travel Trailer, s/n

4X4TWDF226A236965; and Tommy Morrow, Ranburne, AL for the disposal of (Item 2) 2006 Jayco 30' Travel Trailer, s/n 1UJBJ02P561EP0885. All members present voted for the resolution and none against. The motion carried.

Commission
Discussion

The Commission discussed the disposition of a 2006 Dodge Dakota owned by the county and used by the Compliance Officer, payment to Green's Chapel of \$100.00 for use of their facility for the election of fiscal year 2009, and memorandum of understanding between the Commission and the Cleburne County Water Authority for the creation and expansion of the Authority's water system.

**Resolution
4308**

On a motion by Commissioner Rex Nolen and seconded by Commissioner Tracy Lambert, 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 the disposition of a 2006 Dodge Dakota owned by the county and used by the Compliance Officer, payment to Green's Chapel of \$100.00 for use of their facility for the election of fiscal year 2009, and memorandum of understanding between the Commission and the Cleburne County Water Authority for the creation and expansion of the Authority's water system. All members present voted for the resolution and none against. The motion carried.

**Resolution
4309**

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

Be it resolved by the Cleburne County Commission to declare one 2006 Dodge Dakota owned by the county and used by the Compliance Officer as surplus and authorize the final disposition of this vehicle to the Cleburne County Water Authority. All members present voted for the resolution and none against. The motion carried.

**Resolution
4310**

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

Be it resolved by the Cleburne County Commission to approve payment to Green's Chapel in the amount of \$100.00 for use of their facility for the elections of fiscal year 2009. All members present voted for the resolution and none against. The motion carried.

**Resolution
4311**

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

Be it resolved by the Cleburne County Commission to approve the following memorandum of understanding between the Commission and the Cleburne County Water Authority for the creation and expansion of the Authority's water system:

Cleburne County Commission

June 14, 2010

Page 3

Whereas, the Cleburne County Water Authority, hereinafter referred to as "Authority, and the Cleburne County Commission, hereinafter referred to as "Commission" have had an ongoing relationship for the creation and expansion of the Authority's water system for many years,

hereinafter referred to as “project”, and

Whereas, the Authority and the Commission are desirous of clarifying the purpose, scope and responsibilities concerning this relationship for the Authority and the Commission in the pursuit of Community Development Block Grants, and otherwise, used in the expansion and improvement of the county-wide system for Cleburne County; and

Whereas, the Authority and Commission entered into this agreement at the start of the expansion project and it was intended that this agreement would continue until the completion of the Authority’s expansion and improvement project irregardless of the number of sub-projects or phases or other idioms associated with the project such as “Phase I” or “Phase II” or “Phase III” etc.;

Therefore, the Authority and the Commission designate the purpose, scope, and responsibilities of the past and continuing relationship between the parties, to wit:

1. The Commission has and continues to authorize the Authority to serve as its agent in procuring and entering into engineering and construction contracts. In so delegating this responsibility to the Authority the Commission requires that all CDBG and other applicable rules, regulations, record keeping requirements and guidelines be followed and the Authority agrees to abide by said rules, regulations, record keeping requirements and guidelines. It is further agreed that any change to the overall project will require notice to the Commission at least seven days prior to any regularly scheduled meeting of the Commission. If the Commission does not act upon the notice of the changes to the project at the meeting the changes will be deemed accepted.
2. The Authority has and agrees to continue to act as the procuring agency for all services required in connection with the project including the administrative services contract with any grant administrators including, but not limited too, the services of East Alabama Planning Commission to assist in administering the project in accordance with ADECA regulations. The Authority agrees to work with any grant administrators in all aspects of the project to ensure compliance with ADECA rules, regulations, record keeping requirements and guidelines. These services will be rendered under an agreement between the Authority and the grant administrator(s) and the Authority will approve payment for those services.
3. Regarding the payment of the engineering and contractor invoices, the following procedures must be followed in order for payments to be processed:
 - a. Engineering Invoices – The Authority will approve or disapprove the submitted invoice and forward the invoice to the grant administrator for approval. The grant administrator will then send the invoice back to the Authority for payment.
 - b. Contractor Invoices – The engineer will approve the work of the contractor and then forward the approved invoices to the Authority for approval. Once the Authority approves the invoices they will be forwarded to the grant administrator for approval and sent back to the Authority for payment.
4. The Authority has committed to provide any local match for this project unless otherwise approved by resolution of the Commission.
5. The Authority agrees to be responsible for any cost overruns of this project and agrees

to provide these funds to finish the completion of this project and hold harmless the Commission for the same.

6. The Authority agrees to provide the grant administrator with all required documentation to ensure compliance with the record keeping requirements of ADECA. Additionally, the Authority agrees to allow accessibility of its records and files for inspection by the Commission, State Examiners Office, ADECA, HUD, LRCOG, RDA and other monitoring agencies.
7. The Authority will journalize all financial transactions on this project in its books and have proper source documentation.
8. The Authority will open and maintain a separate fund/account for this project and for each and any grants obtained.
9. The Authority will be responsible to ADECA for carrying out the project in accordance with CDBG regulations. This responsibility includes administration and expenditure of CDBG and local funds. Furthermore, the Authority agrees to comply with ADECA

Cleburne County Commission

June 14, 2010

Page 4

bookkeeping and financial accounting requirements respecting use of CDBG funds and related local matching funds. The Authority will also maintain accounting records to adequately account for all CDBG and local matching funds.

10. As required by CDBG guidelines, the Authority will maintain all records for this project for at least three years from the date of the final accepted audit.
11. The Authority must maintain original of all records unless specified in writing otherwise.
12. In the event that a cash penalty is assessed by ADECA due to the failure of the Authority to follow CDBG rules, regulations, record keeping requirements and guidelines, the Authority agrees to pay an assessed penalty to ADECA and hold harmless Commission for same.

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 gave the Commission a report on the Meadowbrook assessment annual inspection, C) County Attorney Doug Ghee did not have anything new to report to the Commission at this time. Chairman Ryan Robertson updated the Commission on the recount in the Governors race from the Primary Election held June 1, 2010.

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

Resolution
4312

On a motion by Commissioner Tracy Lambert and seconded by Commissioner Rex Nolen, 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.

