

Cleburne County Commission Meeting
Cleburne County, Alabama
March 12, 2012

M I N U T E S

- Regular Commission Meeting The Cleburne County Commission met in regular session on Monday, March 12, 2012, 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 Benji Langley
Commissioner Rex Nolen
- There were absent:
None
- Public Comment from Citizens Mr. Randall Sanders with the Calhoun/Cleburne Drug Task Force presented the Commission a proposed bill he is requesting to be introduced to the Legislature to increase court costs to fund the Drug Task Force.
- Commission Discussion The Commission addressed items of the consent agenda from the agenda of today's meeting: a) Approve the Commission meeting minutes of February 2012 as presented; b) Approve the February 2012 check registers; c) Approve the request from District 2 Commissioner to utilize tobacco tax funds earmarked for District 2; d) Approve the millage rates for the Cleburne County Revenue Commissioner's Office for fiscal year 2012; e) Approve the alcoholic beverage licenses fees for county rates of FY 2012-2013; f) Approve to authorize funds previously collected by the passage of a bill enacted by the Legislature of Alabama that added an additional fee of \$30 to traffic cases filed in the Circuit Court, District Court, or any municipal court in Cleburne County as well as those that may be collected in the future, to be transferred monthly from the General Fund to the Gasoline Tax Fund (seven cent tax), to be utilized by the Cleburne County Highway Department for the improvement of the county's road and bridge infrastructure; and g) Approve to enter into an agreement with the Alabama Department of Transportation to utilize the Federal Aid funds for Project CCP 15-25-11 and authorize the Commission Ex-officio to sign said agreements and supporting documentation as required.
- Resolution # 4395 On a motion by Commissioner Emmett Owen and seconded by Commissioner Benji Langley, 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 from the agenda of today's meeting:**
- 4395-1 The Cleburne County Commission hereby resolves to approve the February 2012 minutes as presented,**
- 4395-2 The Cleburne County Commission hereby resolves to approve the February 2012 check registers.**
- 4395-3 Whereas, the Cleburne County Commission oversees the distribution of tobacco tax proceeds specifically earmarked for special use initiatives to include economic development, parks and recreational programs, and public health programs;**
- Whereas, the Cleburne County Commission has received a request from the District 2 Commissioner to utilize tobacco tax funds earmarked for District 2 Commissioner towards a one-time allocation to the following entities and for said purposes and amounts:**
- 1. Town of Ranburne - \$10,000 towards the repair and restoration of the city's baseball fields**

2. **City of Heflin - \$3,000 to build an awning and complete the construction of the City's archery range;**
3. **Cleburne County Elementary School - \$1,500 towards the building of a pavilion beside CCES to assist with the school's outdoor recreation program.**

All allocations will allow each entity to draw down the funds at their request. All expenditures for the project must take place within 90 days of the drawdown with the County Finance Officer being provided receipts and documentation of all expenses. Funding is not to be drawn against to fund public employees assigned to any of the particular tasks but rather for supplies, material, and outside expenses directly related to the project.

Therefore, the Cleburne County Commission, by passing this resolution, hereby recognizes the funding request as one directly applicable to the stated intent of the earmarks included in with the adopting legislation instituting the tax and clears the request so that the distribution of funds can be made.

4395-4 **Whereas, the Cleburne County Commission is required to approve millage rates for the Cleburne County Revenue Commissioner's Office each year;**

Therefore, the Cleburne County Commission approves the following millage rates for fiscal year 2012:

General Fund	5.0
Road & Bridge	2.5
Hospital	4.0
Fire	2.0
County Wide School	9.0
School Districts 1 & 2	8.0
Total County	30.5

4395-5 **Whereas, Section 28-3A-4, Code of Alabama requires the Alcoholic Beverages Control Board to collect all county license fees for all new license applications and renewal licenses; and**

Whereas, the Commission must periodically acknowledge the local rates as set by the Commission;

Therefore, the Commission establishes the FY 2012-2013 county rates as being equivalent to those fees charges as a "State License Fee" or in the case of there being a maximum county fee that is less than the "State License Fee", The County Fee shall be the maximum amount permissible by law.

4395-6 **Whereas, the Cleburne County Commission recognizes the need to provide the citizens of Cleburne County with the best possible infrastructure available for the safety and economic advancement of the county;**

Whereas, the Cleburne County Commission requested the passage of a bill, which was enacted, by the Legislature of Alabama, that added an additional fee of \$30.00 to traffic cases filed in the Circuit Court, District Court, or any municipal court in Cleburne County;

Whereas, these additional fees were intended to be utilized for the improvement of the county's road and bridge infrastructure;

Whereas, the new revenues that are a result of the legislation are currently being deposited into the General Fund of the Cleburne County Commission upon collection;

Therefore, the Cleburne County Commission authorizes the funds previously collected as a result of the aforementioned bill, as well as those that may be collected in the future, to be transferred monthly from the General Fund to the Gasoline Tax Fund (seven cent tax), to

be utilized by the Cleburne County Highway Department for the improvement of the county's road and bridge infrastructure,

4395-7 **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, various county roads have been deemed as important to the overall Cleburne County transportation system and have been approved by the Alabama Department of Transportation to utilize the Federal Aid funds to partially fund Project CCP 15-25-11, which is a sign upgrade improvement project throughout the county;

Whereas, the Cleburne County Commission intends to enter into the agreement with the Alabama Department of Transportation, to utilize the available Federal Aid funds as required on the various county roads to fund the sign upgrade on the HRRR safety enhancement project.

Therefore, the Cleburne County Commission agrees to enter into an agreement with the Alabama Department of Transportation to utilize the Federal Aid funds and authorizes the Commission Ex-Officio to sign said agreements and supporting documentation as required.

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

Commission Discussion The Commission discussed the request of Mr. Randall Sanders to endorse the proposed bill he is requesting to be introduced to the Legislature to increase court costs to fund the Drug Task Force.

Resolution # 4396 **On a motion by Commissioner Emmett Owen and seconded by Commissioner Benji Langley, the Commission passed the following resolution:**

Be it resolved by the Cleburne County Commission to approve to add to the agenda of today's meeting the request of Mr. Randall Sanders to endorse the proposed bill he is requesting to be introduced to the Legislature to increase court cost to fund the Drug Task Force. All members present voted for the resolution and none against. The motion carried.

Resolution # 4397 **On a motion by Commissioner Emmett Owen and seconded by Commissioner Benji Langley, the Commission passed the following resolution:**

Be it resolved by the Cleburne County Commission to authorize Mr. Randall Sanders with the Calhoun/Cleburne Drug Task Force to advertise the proposed bill he is requesting to be introduced to the State Legislature for approval to increase court costs to fund the Drug Task Force. All members present voted for the resolution and none against. The motion carried.

Commission Discussion Chairman Robertson and Commissioner Rex Nolen discussed with the Commission calls they have received with concerns about noise at night coming from jake brakes in the Hollis Crossroads area. Letters by Commissioner Nolen and County Engineer Shannon Robbins were sent to the State of Alabama Department of Transportation asking that they address this issue and asking for their assistance in putting up signs.

Resolution # 4398 **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 add to the agenda of today's meeting to approve to send a letter of request to the State of Alabama Department of Transportation asking for their assistance in erecting jake brake signs South of Hollis Crossroads on Highway 9. All members present voted for the resolution and none against. The motion carried.

Resolution # 4399 **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 approve to send a letter of request to the State of Alabama Department of Transportation asking for their assistance in erecting jake brake signs South of Hollis Crossroads on Highway 9. 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 updated the Commission on the FEMA storm shelter grants. Steve reported to the Commission that the County Lines newsletter that was mailed out this week-end is spotlighting our new facility under construction. He also reported to the Commission that our new facility under construction is on a timeline to be completed in late summer 2012, and the work on the landfill for the drainage issues will continue as the weather clears up. A drawing of the courthouse showing the new paint colors was displayed; B) County Engineer Shannon Robbins briefed the Commission on the storm damage in District 1; RC & D reservoir inspections; bridge inspections; RRR Gasoline Tax projects have begun; road inspections by the state; and updated the Commission on several departmental issues. He discussed with the Commission the Alabama Department of Transportation Rehabilitation and Improvement Program (ATRIP), which would allow Cleburne County to utilize Federal Aid funds to partially fund transportation projects at an 80%/20% match. C) County Attorney Doug Ghee did not have any updates or anything new to report to the Commission.

Resolution # 4400 **On a motion by Commissioner Rex Nolen and seconded by Commissioner Joel Robinson, the Commission passed the following resolution:**

Be it resolved by the Cleburne County Commission to add to the agenda of today's meeting to authorize County Engineer Shannon Robbins to make an educated decision on how to spend monies for ATRIP road and bridge program. All members present voted for the resolution and none against. The motion carried.

Commission
Discussion

The Commission discussed continuing this meeting in order to discuss further the Alabama Department of Transportation Rehabilitation and Improvement Program (ATRIP), which would allow Cleburne County to utilize Federal Aid funds to partially fund transportation projects at an 80% /20% match.

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

Resolution # 4401 **On a motion by Commissioner Rex Nolen and seconded by Commissioner Benji Langley, the Commission passed the following resolution:**

Be it resolved by the Cleburne County Commission to approve to continue the meeting on March 26, 2012 at 4:00 p.m. for the purpose of discussing further the Alabama Department of Transportation Rehabilitation and Improvement Program (ATRIP), which would allow Cleburne County to utilize Federal Aid funds to partially fund transportation projects at an 80%/20% match. All members present voted for the resolution and none against. The motion carried.

