

Cleburne County Commission Meeting Minutes

Regular Commission Meeting March 18, 2013

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:

- A) Senator Gerald Dial gave the Commission an update on the current Legislative session. Two points of concern that Mr. Dial addressed were budgets and fiber optic teaching methods being used in county schools which will cut down on the cost of textbooks.
- B) Revenue Commissioner Joyce Fuller gave the Commission an update on collections to date. May 7, 2013 is the scheduled date for the tax sale of any property for which taxes are not paid by this date. Delinquent tax parcels will be advertised for 3 consecutive weeks in the local newspaper.
- C) Extension Director Debbie Mathews gave the Commission an overview of Leadership Cleburne which is coordinated from the office of the Chamber of Commerce. Ms. Mathews briefed the Commission on fundraising for the Extreme Program. This year's event is scheduled for July 15-19, 2013. Ms. Mathews thanked the Commission and commended Commissioner Emmett Owen for their efforts in the new Farmers Market Pavilion currently being constructed. She also briefed the Commission on the Radon grant program funding.

Consent Agenda

The Commission passed the February consent agenda including:

Resolution #4436-1

The Cleburne County Commission hereby resolves to approve the February 2013 minutes as presented.

Resolution #4436-2

The Cleburne County Commission hereby resolves to approve the February 2013 check register.

Resolution #4436-3

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

Resignations: None

Commission acknowledges the following vacancies:

Impending vacancies:

Cleburne County Water Authority –
Joe Bill Conkle in March 2013
Larry Brown in March 2013

Board Appointments:

Pending

Resolution #4436-4

Whereas, Section 28 – 2A-4, Code of Alabama requires the Alcoholic Beverage Control Board to collect all county license fees for all new license applications and renewed licenses; and

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

Therefore, the Commission establishes the FY2013-2014 county rates as being equivalent to those fees charged as a “State License Fee” or in the case of there being a maximum county fee that is less than the “State License Fess’, the County Fee shall be the maximum amount permissible by law (See attachment A)

Resolution #4436-5

Whereas, the Cleburne County Commission has received various requests from concerned citizens to evaluate the conditions of Cleburne County Roads 636 & 637; 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 25 MPH. The route shall be signed with a 25 MPH speed limit sign at each end for the notification and safety of the traveling public.

Resolution #4436-8

Whereas, A request has been made by Commissioner Emmett Owen to implement a policy of Commission notification regarding overnight travel;

Therefore, in order to provide coordination and stay informed, the County Administrator, County Engineer, and each Commissioner should exchange emails to the group when engaging in county business that involves overnight travel. This exchange should take place as soon as possible when this type of travel is planned or reasonably anticipated and cover all employees in the Commission’s chain of command.

Resolution #4436-9

Whereas, Robinson Auction Company of Muscadine Alabama has approached the Commission requesting to conduct an auction on the County owned property across from the Cleburne County Law Enforcement Center; and

Whereas, Robinson Auction Company has agreed to compensate the Commission with a percentage of the gross sales taking place and to list the Commission as a co-insured on their liability insurance policy;

Therefore, the Commission agrees in concept and directs the County Administrator to work with Robinson Auction Company towards the implementation of an agreement acceptable to both parties and protective of County liability issues.

Resolution #4436-10

Whereas, the Cleburne County Commission has received an alcohol license application (See attachment B) from the Alabama Beverage Control Board with Confirmation Number 20130304101928323 for a location known as the Trickum Trading Post located at 14963 Highway 46; and

Whereas, the Commission sees no reason to deny such request,

Therefore, the Commission approves said application.

Resolution #4436-11

Whereas, the County property located at 141 Davenport Drive is currently surplus to the County Commission and may be sold to either other governmental or private entities;

Therefore, the Commission directs the County Administrator to have a professional appraiser appraise the property and provide the results back to the County Commission.

Action:

Motion made by Commissioner Benji Langley, Seconded by Commissioner Bobby Brooks

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

In Opposition: None

Motion Passed

New Business Agenda

A. Discussion of notification process for timber harvesting operations moved from the Consent Agenda resolution presented for adoption – Item 6 of today's meeting.

Resolution #4437

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 Legislature passed a law at the request of the Alabama Forestry Association standardizing the notification process for timber harvesting operations;

Whereas, the Cleburne County Commission adopted the new law to standardize the notification process;

Whereas, the Association of County Commissions of Alabama recommends changes to the original Notification Form after consideration and legal review;

Therefore, the Cleburne County Commission adopts the revised Notification Form as submitted by the Association of the County Commissions of Alabama from this point forward and also rescinds the portion of the regulations advising that a notification letter be sent to the liability insurance carrier.

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

B. Discussion of cellular phone reimbursement for Commissioners and Department Heads moved from the Consent Agenda resolution presented for adoption - Item 7 of today's meeting.

Resolution #4438

Whereas, the Cleburne County Commission has a policy in place to provide for cellular phone reimbursement for Commissioners and Department Heads in lieu of a county provided cell phone; and

Whereas, certain duties and job situations within the Cleburne County workforce have necessitated the assignment of county owned and funded cellular phones to certain individuals other than Commissioners and Department Heads who may be better served being reimbursed by the same method as used for Commissioners and Department Heads;

Therefore, the Cleburne County Commission alters the existing cellular phone reimbursement policy to include any employees as deemed necessary by the County Administrator, County Engineer, County Sheriff, County Probate Judge, County Revenue Officer, or other position currently holding similar supervisory authority.

Action:

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

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

In Opposition: None

Motion Passed

C. Discussion of the formation of a governmental utility services corporation in order to develop and operate a sewer utility for the Cleburne County Welcome Center moved from the Consent Agenda resolution presented for adoption - Item 12 of today's meeting

Resolution #4439

Whereas, the Alabama Department of Transportation has suggested that a governmental utility services corporation be formed pursuant to Chapter 97 of Title 11 of the Alabama Code of 1975 in order to develop and operate a sewer utility for the Cleburne County Welcome Center on Interstate Highway No. 20; and

Whereas, the Cleburne County Commission has considered this suggestion and favors the formation of such a corporation for that purpose, with the understanding that Cleburne County would have no current or future liability arising from the sewer utility for the Welcome Center.

Therefore,

1. The Commission favors the formation of a governmental utility services corporation be formed pursuant to Chapter 97 of Title II of the Alabama Code of 1975 in order to develop and operate a sewer utility for the Cleburne County Welcome Center on Interstate Highway No. 20.
2. The Commission will review an application for authority to form such a corporation if presented in the form required by statute.

Action:

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

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

In Opposition: None

Motion Passed

D. Discussion of a bill to be entitled an act relating to the revenue commissioner of the county to further provide for the financing of the office from the proceeds of ad valorem taxes collected by the revenue commissioner

moved from the Consent Agenda resolution presented for adoption - Item 13 of today's meeting.

Discussion of a bill to be entitled an act relating to the revenue commissioner of the county to further provide for the financing of the office from the proceeds of ad valorem taxes collected by the revenue commissioner will be tabled until May 13, 2013 Commission Meeting for further discussion.

Action:

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

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

In Opposition: None

Motion Passed

Reports from staff were as follows:

A) County Administrator Steve Swafford did not have any new updates.

B) County Engineer Shannon Robbins updated the Commission with a report on preventive maintenance items. He reported to the Commission that the Federal required annual bridge inspections of the 100 bridges in the county that is due by April 1, 2013 is almost finished.

C) County Attorney Doug Ghee did not have any new updates.

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

Resolution #4440

The Commission meeting is adjourned.

Action:

Motion made by Commissioner Bobby Brooks, Seconded by Commissioner Benji Langely

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

In Opposition: None

Motion Passed
