

Cleburne County Commission Meeting
Cleburne County, Alabama
March 9, 2009

M I N U T E S

Regular Commission Meeting The Cleburne County Commission met in regular session on Monday, March 9, 2009, 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 Tracy Lambert
Commissioner Dwight Williamson
Commissioner Rex Nolen

There were absent:
None

Public Comment from Citizens Ms. Dawn Landholm with East Alabama Regional Planning & Development Commission discussed with the Commission the request of the Census Bureau to review the participation statistical area program. Commission Chairman Ryan Robertson introduced to the Commission Joyce Robinson Fuller who was appointed to fill the unexpired term of Revenue Commissioner Nikki Owen Smallwood whom resigned. Ms. Fuller updated the Commission on the delinquent taxes.

Commission Discussion The Commission addressed items from the consent agenda from the agenda of today's meeting: a) Approve the February 2009 Check Registry Listing, b) Approve February 2009 minutes as presented, c) Approve to enter into an agreement with the Alabama Department of Transportation to utilize the 90/10 grant and require only the 10% matching funds for various sections of County Roads 10, 19, 49, and 65 that qualify for the High Risk Rural Roads safety enhancement program, d) Approve reappointment of Sam Britt and Roger Hand to the Cleburne County Water Authority, e) Approve to advertise for local legislation to introduce a bill to be entitled an act relating to Cleburne County providing for additional court costs in civil and criminal cases in the county in order to provide additional financial support for county services, f) Approve to direct the County Executive Officer to seek an Attorney General's opinion regarding the utilization of earmarked tobacco tax proceeds to fund 1) general transportation infrastructure maintenance and 2) economically sensitive infrastructure maintenance and improvement. g) approve to direct the County Executive Officer to compose, advertise and coordinate legislation eliminating any residency requirements for County employees which might exist is State law and authorizes the Commission Chairman to modify any existing contract containing residency requirements in order to eliminate such requirement as a term of employment.

Resolution # 4240 On a motion by Commissioner Dwight Williamson and seconded by Commissioner Joel Robinson, 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:

a) **The Commission moves to approve the February 2009 Check Register Listing.**

b) **The Commission moves to approve the February 2009 minutes as presented.**

c) **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, Cleburne County has been notified by the Alabama Department of Transportation that various sections of County Roads 10, 19, 49, and 65 qualify for the High Risk Rural Roads (HRRR) safety enhancement program;

Whereas, the High Risk Rural Roads (HRRR) program would allow the Cleburne County Commission to utilize the 90/10 grant and require only the 10% matching funds for the agreement with the Alabama Department of Transportation;

Therefore, in order to improve the road infrastructure within the county and utilize the available grant, the Cleburne County Commission enters into the agreement with the Alabama Department of Transportation to fund the HRRR project. The Commission Ex-Officio Chairman is also authorized to sign any/all documentation as needed for the project.

d) **The Commission moves to reappoint the following individuals to the Cleburne County Water Authority: District 1 Representative - Mr. Sam Britt and District 3 Representative – Mr. Roger Hand. The terms will be March 1, 2009 – March 1, 2015**

e) **The Commission resolves to endorse and hereby directs the County Executive Officer to advertise the following local legislation: STATE OF ALABAMA COUNTY OF CLEBURNE Notice is hereby given that a bill substantially as follows will be introduced in the next session of the Legislature of Alabama and application for its passage an enactment will be made to-wit:**

A BILL TO BE ENTITLED AN ACT Relating to Cleburne County, providing for additional court costs in civil and criminal cases in the county in order to provide additional financial support for county services.

Section 1. In addition to any court costs and fees now or hereafter authorized in Cleburne County, the Cleburne County Commission may impose by resolution of the Commission an additional fee in an amount not to exceed thirty-dollars (\$30) to be assessed and taxed as costs on each civil case and on each criminal case, including traffic cases, but excluding small claims cases, filed in the Circuit Court, District Court, or any municipal court in Cleburne County. These fees shall not be waived by any court unless all other fees, assessments, costs, fines, and charges associated with the cases are waived.

Section 2. The additional fees when collected by the clerks or their collection officers of the courts shall be paid into the General Fund of Cleburne County

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or its otherwise becoming a law.

f) **The Commission directs the County Executive Officer to seek an Attorney General's opinion regarding the utilization of earmarked tobacco tax proceeds to fund 1) general transportation infrastructure maintenance and improvement and 2) economically sensitive infrastructure maintenance and improvement.**

g) The Commission directs the County Executive Officer to compose, advertise and coordinate legislation eliminating any residency requirements for County employees which might exist in State law. The Commission also authorizes the Commission chairman to modify any existing contract containing residency requirements in order to eliminate such requirement as a term of employment.

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

Commission
Discussion

The Commission addressed reports from staff:

- A. County Executive Officer updated the Commission on the alert radios.
- B. County Engineer discussed road projects and gave updates.
- C. County Financial Officer - informed the Commission that our FY08 audit is now being performed and the County Extension Office is having numerous minor repairs for utilities in their building and this is depleting budget monies.
- D. County Attorney Doug Ghee reported he has not received a written notice of approval to relocate the Beason's Mill voting house to the Green's Chapel Fellowship Hall.

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

**Resolution #
4241**

On a motion by Commissioner Joel Robinson and seconded by Commissioner Dwight Williamson, 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.