

Cleburne County Commission Meeting
Cleburne County, Alabama
May 9, 2011

M I N U T E S

Regular
Commission
Meeting

The Cleburne County Commission met in regular session on Monday, May 9, 2011, 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

No one met the Thursday noon prior to the meeting deadline for being allowed to speak to the Commission. Mr. Carl Smith was present at the meeting and Commissioner Benji Langley made a motion to add him to the agenda of today's meeting to allow him to speak to the Commission. Commissioner Emmett Owen made a second. Commissioners Joel Robinson, Emmett Owen and Benji Langley voted for the resolution and Commissioner Rex Nolen voted against. There has to be a unanimous vote for the motion to pass, therefore the motion died.

Public
Comment
from Other
Elected
Officials

Cleburne County Coroner Rudy Rooks informed the Commission that the vehicle he was given by the Commission from the Revenue Commissioner is working well. He did not have anything new to report. Sheriff Joe Jacks reported to the Commission that he dismissed a correctional officer the night before and asked for permission to hire a new employee for this position. Cleburne County Chamber of Commerce Executive Director Emily Brown and President Mark Laminack were present to update the Commission. Cleburne Fire Association President Chad Roberts spoke to the Commission concerning inventory forms for equipment.

**Resolution
4352**

On a motion by Commissioner Joel Robinson and seconded by Commissioner Emmett Owen, 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 Sheriff Joe Jacks to hire a new correctional officer to replace the one dismissed on May 8, 2011. All members present voted for the resolution and none against. The motion carried.

Commission
Discussion

The Commission addressed items of the consent agenda from the agenda of today's meeting: a) Approve the Commission meeting minutes of April 2011 as presented; b) Approve April 2011 check register; c) Approve to appoint Clarence Duckworth to the Cleburne County Hospital Board with a term ending April 2017; d) Approve to direct the County Administrator to comprise a letter from the Cleburne County Commission to the U.S. Postmaster General; e) Approve to commit the amount of \$26,588 as local non-federal match for capital, administrative and operations expenditures ; f) Approve to endorse and support the reported plans of the Alabama Scenic River Trail; g) Approve to direct the County Administrator to procure services necessary to become compliant with ADEM's request to conduct groundwater sampling for the long closed county landfill; h) Approve resolution signifying lack of support for HB 487 and SB 376.

**Resolution
4353**

On a motion by Commissioner Joel Robinson and seconded by Commissioner Rex Nolen, 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:

4353-1 The Commission resolves to approve the April 2011 minutes as presented,

4353-2 The Commission resolves to approve the April 2011 check register,

4353-3 Board Appointments –

The Cleburne County Commission resolves to appoint:

Clarence Duckworth

to the Cleburne County Hospital Board with a term ending April 2017;

4353-4 **Whereas, consideration is being given by the U.S. Postal Service towards the closing of the Edwardsville Post Office, and**

Whereas, the Commission feels as though this action would be detrimental to the people of the town of Edwardsville,

Therefore, the Commission directs the County Administrator to comprise a letter from the Cleburne County Commission to the U.S. Postmaster General with copies to be delivered to our U. S. Congressman and Senate members, expressing our desire to have this location remain open and serving the people of Edwardsville.

4353-5 **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 operating of the Section 5311 Non-urbanized Area Public Transportation Program,

Now, Therefore, Be it Resolved, that the Cleburne County Commission hereby commits the amount of \$26,588 as local non-federal match for capital, administrative and operations expenditures under the Section 5311 Non-urbanized Area Public Transportation Program during fiscal year 2012.

4353-6 **Whereas, the Alabama Scenic River Trail, an Alabama unincorporated nonprofit Association, has brought to the attention of this Commission the possible development of the Little Tallapoosa as a River Trail for small boats along this creek from a floatable beginning near the southeastern border of Cleburne County, Alabama progressing through Randolph County, Alabama and into Lake Wedowee, Alabama to the place where the Little Tallapoosa River intersects Lake Wedowee near Wedowee, Alabama; and**

Whereas, the Cleburne County Commission, Alabama applauds the establishment of a one thousand mile river trail developed by the Alabama Scenic River Trail Association for small boats along the Coosa, Alabama, Mobile, and Ten-saw Rivers and Mobile Bay; and

Whereas, the Little Tallapoosa River Trail will connect to and expand the influence of the over one thousand miles of Alabama Scenic River Trail; and

Whereas, this trail will be of substantial benefit to the owners of land near the rivers by, among other things, the following:

- Increasing tourism along the trail; and**
- Enhancing industrial and commercial development; and**
- Developing better recreational facilities on our rivers, and making them accessible to, more inviting to and safer for family outings;**
- Making known the facilities along the rivers such as sporting goods stores, outfitters, gasoline stations, put in and take out paths, ramps, and roads intersecting the trail; and**

- Advertising this state's wonderful and storied history in such places as Dryden's Mill, Butler's Mill, and other historical places of renown or which deserve to be of such renown; and

Whereas, all of the above will necessarily insure not only the benefit of this county but likewise to the benefit of all counties, cities, towns, and communities along or near the trail and, indeed, the entire State of Alabama;

Therefore, this the Cleburne County Commission, Alabama does hereby:

1. Endorse and support the reported plans of the Alabama Scenic River Trail and wishes that organization great success and God speed in its endeavors;
2. Encourages each of the counties, cities, and towns along the trail to support and assist in the development of the Alabama Scenic River Trail;
3. Endorses and supports the development of the addition of the Little Tallapoosa River Trail to the Alabama Scenic River Trail.

4353-7 Whereas, the Cleburne County Commission has received a notification from ADEM regarding the need to conduct groundwater sampling for the long closed county landfill,

Therefore, the Commission directs the County Administrator to procure services necessary to become compliant with ADEM's request.

4353-8 Whereas, the Code of Alabama 1975 grants the Cleburne County Commission the legal authority to oversee the public roads of the county in order to better serve its citizens;

Whereas, due to the legal responsibility granting oversight of the public roads, the Cleburne County Commission must ensure the roads within the county are maintained in a safe manner at all times;

Whereas, the Cleburne County Commission must also consider economic ramifications in the maintenance of the roads to allow the county to better expend its resources;

Whereas, HB 487 and SB 376, which both severely limit the ability of County Commissions to oversee and maintain their roadways, have been introduced in the Alabama Legislature;

Therefore, in the best interest of the public, the Cleburne County Commission passes this resolution signifying their lack of support for HB 487 and SB 376.

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

Commission Discussion The Commission discussed items of New Business on the agenda of today's meeting: a) Discuss county engineering department summer work week; b) Discuss the sheriff's request to hire correctional officer for the county jail.

Resolution # 4354 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 approve the following resolution from the items of new business on the agenda of today's meeting:

Be it resolved that the county road department be placed on a 4 day work week, 10 hours per day, with the exception of the county engineer and at least one full time employee who shall remain on a 5 day work week. The county engineer shall have the discretion to arrange a rotating schedule or to allow compensation time that would allow more than one employee engaged in Friday work. It is the intention of the Commission for the office location of the road department to remain open 5 days per week other than holidays.

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

Resolution # 4355 **On a motion by Commissioner Joel Robinson and seconded by Commissioner Emmett Owen, the Commission passed the following resolution:**

Be it resolved by the Cleburne County Commission to approve the following resolution from the items of new business on the agenda of today's meeting:

Be it resolved to authorize Sheriff Joe Jacks to hire a correctional officer for the county jail for replacement of the correctional officer dismissed on May 8, 2011. 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 was not present for the meeting; B) County Engineer Shannon Robbins updated the Commission on various current projects. C) County Attorney Doug Ghee did not have anything new to report to the Commission at this time, however he will do a memo on consultant issues and send out to each of them. Chairman Ryan Robertson briefed the Commission on Terra Works, the company that is interested in bringing their waste systems business into the county and Commissioner Rex Nolen discussed a concern of a trailer park not in compliance in his district.

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

Resolution #4356 **On a motion by Commissioner Joel Robinson and seconded by Commissioner Rex Nolen, the Commission passed the following resolution:**

Be it resolved by the Cleburne County Commission to approve to adjourn the meeting All members present voted for the resolution and none against. The motion carried.