

Cleburne County Commission Meeting  
Cleburne County, Alabama  
November 14, 2011

**M I N U T E S**

- Regular Commission Meeting      The Cleburne County Commission met in regular session on Monday, November 14, 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      Mr. James Bland gave the Commission an update on the Hate Crime Bill.
- Commission Discussion      The Commission addressed items of the consent agenda from the agenda of today's meeting: a) Approve the Commission meeting minutes of October 2011 as presented; b) Approve the September and October 2011 check registers; c) Approve to proclaim November 15, 2011 as Retired Teachers Day in Cleburne County; d) Approve to award the annual bid / maintenance item for gas & diesel fuel to Petroleum Traders Corporation; e) Approve to lower the speed limit to 20 MPH for County Road 670; f) Approve to award repairs to CR 123 bridge over Terrapin Creek to Prichard Construction; g) Approve to enter into an agreement with the Alabama Department of Transportation to utilize the Federal Aid funds to partially fund Project HSIP-1500(204), CCP 15-22-10 as required on County Road 98 and authorize the Commission Ex-officio to sign said agreements and supporting documentation as required; h) Approve to enter into an agreement with the Alabama Department of Transportation to utilize the Federal Aid funds to partially fund Project HRRR-CN12(204), CCP 15-24-10 as required on County Roads 10 and 49 and authorize the Commission Ex-officio to sign said agreements and supporting documentation as required; i) Approve to adopt the attached 2011-2012 calendar, establishing a yearly work schedule for County Road Department operations; j) Approve to direct the County Engineer to procure and make operational using gasoline funds appropriated and made available by the Commission, to purchase four ten-foot scrape blades capable of being used with county owned tractors for the purpose of expeditiously removing snow and ice from public roadways, around government buildings, and around essential services; k) Approve to enter into partnership with Coast2Coast RX and authorize the Commission Chairman to sign any and all documents necessary to secure the availability of these services for the people of Cleburne County; l) Approve to award the bid for Project A (roof, dome, and cornice restoration) to: Standard Roofing in response to their bid, in the amount of \$469,006. Items i, j, and l are moved to New Business of today's agenda.
- Resolution # 4383      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:**
- 4383-1      The Cleburne County Commission hereby resolves to approve the October 2011 minutes as presented,**
- 4383-2      The Cleburne County Commission hereby resolves to approve the September and October 2011 check registers,**
- 4383-3      Whereas, education is the foundation of our society and is the most critical element in the**

**progress and enlightenment of our state and nation; and**

**Whereas, the educators in our educational system have carried the torch of knowledge, opening doors to the challenge and excitement of learning for countless youths; and**

**Whereas, educators, because of their deep and abiding love of children, have displayed a commitment to their students and dedication to their profession; and**

**Whereas, our state's retired educators have served long careers, laboring throughout their tenures to educate our state's school children; and**

**Whereas, retired educators throughout Alabama are deserving of the highest praise and recognition our state can bestow for devotion to their professions;**

**Therefore, the Cleburne County Commission does hereby resolve to proclaim November 15<sup>th</sup>, 2011, as**

#### **RETIRED TEACHER DAY**

**In Cleburne County and encourages all citizens to join together in paying tribute to its retired educators.**

**4383-4** **Whereas, the Cleburne County Commission recognizes the need to continually provide the public with a suitable infrastructure for the good of the county;**

**Whereas, the Cleburne County Commission requires the use of an Annual Bid to assist in maintenance, construction, and preservation of the infrastructure;**

**Whereas, the Annual Bid is necessary and provides vendors to supply materials and companies to perform various construction and maintenance activities to facilitate the improvement of the infrastructure of the county;**

**Therefore, the Cleburne County Commission, upon recommendation of the County Engineer, awards the following Annual Bid/Maintenance items to the vendors(s) as stated:**

**Gas & Diesel Fuel – Awarded to Petroleum Traders Corp. for FY 2012;**

**As specified in the contract, the utilization of the State Bid will be used if in the best interest of Cleburne County.**

**4383-5** **Whereas, the Cleburne County Commission has received various requests from concerned citizens to evaluate the conditions of Cleburne County Road 670; 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, the County Commission authorizes the speed limit to be lowered to 20 MPH. The route shall be signed with a 20 MPH speed limit sign at each end for the notification and safety of the traveling public.**

**4383-6** **Whereas, the Cleburne County Commission recognizes the need to continually provide the public with the safest conditions possible when traveling the infrastructure of the county;**

**Whereas, the bridge over Terrapin Creek on CR 123 has been closed to the traveling public due to severe damage to the bridge deck:**

Whereas, the Cleburne County Commission has received an estimate of \$20,000 from Prichard Construction to cover replacement of the bridge consisting of pre-cast deck slabs and concrete abutments/anchor pads;

Therefore, the Cleburne County Commission awards the project to Prichard Construction for \$20,000 for the bridge construction and the authorizes the County Engineer and staff to supervise all construction activities to see that the work is performed to acceptable Alabama Department of Transportation standard specifications and guidelines.

4383-7        Whereas, the Cleburne County Commission recognizes the need to continually provide the citizens of Cleburne County with the best possible infrastructure available for the safest and economic advancement of the county;

Whereas, County Road 98 is an important Minor Collector in the Cleburne County Transportation system and has been approved by the Alabama Department of Transportation to utilize the Federal Aid funds to partially fund Project HSIP-1500 (204), CCP 15-2-10;

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 CR 98 to construct the HSIP 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.

4383-8        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, County Roads 10 and 49 are important Major Collectors in the Cleburne County transportation system and has been approved by the Alabama Department of Transportation to utilize the Federal Aid funds to partially fund Project HRRR-CN12(204), CCP 15-24-10;

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 CR 10 and 49 to construct 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.

4383-9        Whereas, the Alabama County Commission Association makes available a discount prescription drug program for participating counties in the State of Alabama; and

Whereas, the discount card program provides estimated savings of 30 to 45 percent on prescription drug prices and as much as 50 to 80 percent reductions on lab and imaging testing; and

Whereas, there are over 59,000 pharmacies participating in this program nationwide and provides significant savings to those who may not have health or pharmaceutical drug insurances;

Therefore, the Cleburne County Commission hereby enters into partnership with Coast2Coast RX and authorizes the Commission Chairman to sign any and all documents necessary to secure the availability of these services for the people of Cleburne County.

**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: The following items are from the consent agenda of today's meeting - a) Resolution presented for adoption – Item 9 - Approve to adopt the attached 2011-2012 calendar, establishing a yearly work schedule for County Road Department operations; b) Resolution presented for adoption – Item 10 - Approve to direct the County Engineer to procure and make operational using gasoline funds appropriated and made available by the Commission, to purchase four ten-foot scrape blades capable of being used with county owned tractors for the purpose of expeditiously removing snow and ice from public roadways, around government buildings, and around essential services; c) Resolution presented for adoption – Item 12 - Approve to award the bid for Project A (roof, dome, and cornice restoration) to: Standard Roofing in response to their bid, in the amount of \$469,006.

**Resolution #  
4384**

**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 resolution from the items of new business on the agenda of today's meeting:**

**Resolution presented for adoption – Item 9 from the consent agenda of today's agenda –**

**Whereas, seasonal changes in sunrise and sunset times necessitate the periodic adjustment of work times for the County Road Department employees; and**

**Whereas, certain efficiencies can be gained through the use of variance between four 10-hour and five 8-hour work days; and**

**Whereas, the responsibility of serving the public is the paramount charge given to the County Commission;**

**Therefore, the Cleburne County Commission adopts the attached 2011-2012 calendar, establishing a yearly work schedule for County Road Department operations.**

**Commissioners Emmett Owen and Benji Langley voted for the resolution, Commissioner Rex Nolen voted against and Commissioner Joel Robinson abstained. The motion carried.**

Commission  
Discussion

The Commission discussed adding to the agenda of today's meeting the discussion of implementing the resolution approved to adopt the attached 2011-2012 calendar, establishing a yearly work schedule for County Road Department operations. The intent was to begin the newly established schedule on January 1, 2012. Commissioner Emmett Owen made a motion and Commissioner Benji Langley made a second. Commissioners Joel Robinson, Emmett Owen, and Benji Langley voted for the resolution and Commissioner Rex Nolen voted against. The motion did not pass due to the vote is required to be unanimous to be added to the agenda.

**Resolution #  
4385**

**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 transferred from the consent agenda of today's meeting:**

**Resolution presented for adoption – Item 10 –**

**Whereas, periodic snow and ice storms such as those experienced in the winter of 2010-2011, impact Cleburne County residents, small business, and industries in a way that costs local families and institutions tens of thousands of dollars due to inaccessibility to public roadways; and**

**Whereas, snow and ice covered roadways serve to impede emergency services responding to emergency calls throughout the county; and**

**Whereas, a timely removal of frozen precipitation from roadways inside the county will significantly lessen the buildup of hard packed ice upon the roadways, and significantly shorten the time it takes for local transportation routes to return to a safe, useable degree of usage;**

**Therefore, the Cleburne County Commission directs the County Engineer to procure and make operational using gasoline funds appropriated and made available by the Commission, four ten-foot scrape blades capable of being used with county owned tractors for the purpose of expeditiously removing snow and ice from public roadways, around government buildings, and around essential services;**

**Furthermore, during such snow or ice events, these four units will be staged with operators, across the county (one in each district) in times where the county is at risk of experiencing snow or ice hazards; and**

**Clearing efforts shall be coordinated with each individual district Commissioner as to priorities within his/her district.**

**Commissioners Joel Robinson, Emmett Owen, and Benji Langley voted for the resolution and Commissioner Rex Nolen voted against. The motion carries.**

Commissioner Emmett Owen made a motion to adopt the following resolution from the items of New Business transferred from the consent agenda of today's meeting: Resolution presented for adoption – Item 12 - Approve to award the bid for Project A (roof, dome, and cornice restoration) to: Standard Roofing in response to their bid, in the amount of \$469,006 from the items of new business transferred from the consent agenda of today's meeting. There was no second given, therefore the motion dies.

Commission  
Discussion

Reports from staff were as follows: A) County Administrator Steve Swafford briefed the Commission on the project meeting held this morning for the new facility construction and the sales tax audit; B) County Engineer Shannon Robbins gave the Commission an update on current projects; C) County Attorney Doug Ghee introduced Doctor Stephon, the attorney the Commission has hired to do a study on the Cleburne County Nursing Home finances. Mr. Ghee briefed the Commission on the Hartford Company that sold bonds to Southeast Forestlands for the logging construction on County Road 123.

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

**Resolution #  
4386**

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