

Cleburne County Commission Meeting
Cleburne County, Alabama
October 13, 2009

M I N U T E S

Regular
Commission
Meeting

The Cleburne County Commission met in regular session on Tuesday, October 13, 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 Rex Nolen

There were absent:

Commissioner Dwight Williamson

Public Comment from
Citizens

Mr. Shane Cornutt with Ranburne First Baptist Church was present to discuss the county alcoholic license policy.

Commission
Discussion

Commissioner Tracy Lambert clarified the discussion of the alcoholic license policy changes.

Public Comment from
Citizens

Mrs. Ann Howle presented the Commission with a National Farm-City Week – 2009 Proclamation and asked the Commission to proclaim the week of November 20 through November 26, 2009, as National Farm-City Week.

Commission
Discussion

The Commission addressed items of New Business from the agenda of today's meeting: a) Farm Week Proclamation Discussion – Ms. Ann Howle, b) Discuss approval to surplus the following vehicles for the Sheriff's Department and to authorize them to be auctioned by Robinson Auction Company:

- | | |
|---------------------------|------------------------|
| 1. 1999 Ford Crown Vic | 5. 1997 Ford Crown Vic |
| 2. 2001 Ford Crown Vic | 6. 1997 Ford Crown Vic |
| 3. 2001 Ford Crown Vic | 7. 2003 Ford Crown Vic |
| 4. 1993 Chevrolet Caprice | |

**Resolution #
4270**

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 National Farm-City Week – 2009 Proclamation for the week of November 20 through November 26, 2009, as National Farm-City Week. All members present voted for the resolution and none against. The motion carried.

**Resolution #
4271**

On a motion by Commissioner Tracy Lambert and seconded by Commissioner Joel Robinson, the Commission passed the following resolution:

Be it resolved by the Cleburne County Commission to approve the request by Sheriff Joe Jacks to surplus the following vehicles and to authorized them to be auctioned by Robinson Auction Company:

- | | |
|----------------------------------|-------------------------------|
| 5. 1999 Ford Crown Vic | 5. 1997 Ford Crown Vic |
| 6. 2001 Ford Crown Vic | 6. 1997 Ford Crown Vic |
| 7. 2001 Ford Crown Vic | 7. 2003 Ford Crown Vic |
| 8. 1993 Chevrolet Caprice | |

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

Commission
Discussion

The Commission addressed items from the consent agenda from the agenda of today's meeting: a) Approve the September 2009 Check Registry Listing, b) Approve the September 2009 minutes as presented, c) Approve to authorize the award of bids or proposals on 1. CCOC – TMNRC Infrastructure Package to Littleton Electric Service of Anniston, Alabama, d) Approve to proclaim October 18, 2009 as Pilot International and Pilot International Foundation Day, e) Approve the appointment of Ms Sandra Kent and Ms. Anita Day to the Cleburne County DHR Board with terms expiring September 2015, e) Approve to direct the County Attorney to seek whatever means necessary to bring clarity to the questions of legality regarding Edwardsville's actions including seeking a declaratory judgment from the Circuit Court,

f) Approve the proposal for improvements to Cleburne County Roads 19, 35, 49, 60, and 65, as the economically sensitive project for FY 2010, g) Approve the appointment of Ms. Noline Coefield to the Cleburne County Library Board with term expiring April 2015.

Resolution #
4272

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:

a) The Commission resolves to approve the September 2009 Check Registry Listing, b) The Commission resolves to approve the September 2009 minutes as presented, c) Whereas, the Cleburne County Commission recognizes the need to periodically put goods and services out for competitive bid in order to comply with state law and provide the highest level of service for the citizens of Cleburne County;

Whereas, the following items have been put to bid and determinations made as to the granting of said awards:

Therefore, the Commission awards the following bids to the respective vendors / contractors:

CCOC – TMNRC Infrastructure Package – Littleton Electric Service of Anniston, Alabama.

d) Whereas, Eighty-eight years ago, a group of civic-minded business leaders established an international non-profit service organization in Macon, Georgia; and

Whereas, The founding members combined their diverse talents in “Friendship and Service” to improve the quality of life in communities throughout the world; and

Whereas, Pilot International is comprised of over 400 clubs and over 10,000 members worldwide, including the Pilot Club of Heflin, AL which was chartered in March 1977; and

Whereas, The service focus of Pilot International is helping people affected by brain-related disorders, “Protecting your Brain for Life”, and

Whereas, Pilot International Foundation furthers the organization’s humanitarian efforts through grants and scholarships to support research, education, community and care-giving programs; and

Whereas, Pilot International Foundation partners with the National Organization of Disability, National Mental Health Association, Alzheimer’s Association, Project Lifesaver and the Dana Alliance to further prevention, cures and improved quality of life for those brain-related disorders and disabilities; and

Whereas, Pilot International fosters volunteerism in more than 10,000 young people worldwide through their sponsorship of Anchor Clubs; and

Whereas, The Pilot Club of Heflin, AL and Pilot Clubs throughout the world are dedicated to meeting the needs of their communities through volunteerism; now

Therefore, It is fitting that the achievements and contributions of this worthwhile organization, its clubs and members be recognized on this their Eighty-Eighth Anniversary by proclaiming October 18th, 2009 as Pilot International and Pilot International Foundation Day,

e) Whereas, The Cleburne County Commission makes periodic scheduled appointments to the Cleburne County Department of Human Resources Board;

Therefore, The Commission appoints the following two individuals to terms expiring September of 2015:

1. Ms. Sandra Kent
2. Ms. Anita Day

f) Whereas, The Cleburne County Revenue Commissioner has approached the Commission with concerns that the Town of Edwardsville has undertaken annexation and other actions of questionable legality to include:

Attempting to annex non-contiguous parcels of property into their municipal limits,

Creation of a Special Development District for the entirety of the town and these non-contiguous parcels of property,

Attempted to engage business owners from across the County to participate in a plan to pursue avoidance of ad valorem taxes through the encouragement of what we feel would be fraudulent misrepresentation; and

Whereas, the Revenue Commissioner has requested the Commission investigate and cause these actions to cease if deemed appropriate;

Therefore, the Commission directs the County Attorney to seek whatever means necessary to bring clarity to the questions of legality regarding Edwardsville’s actions including seeking a declaratory judgment from the Circuit Court

g) Whereas, the Cleburne County Commission recognizes the need to continually provide

the citizens of Cleburne County with the best possible infrastructure available for the economic advancement of the county and safety of the traveling public;

Whereas, Cleburne County has authorization due to an Attorney General's Opinion to apply proceeds from the existing tobacco tax to economically sensitive county road infrastructure within the county;

Whereas, due to the economically sensitive nature of County Roads 19, 35, 49, 60, and 65, the Cleburne County Commission intends to use \$250,000 of the tobacco tax proceeds in FY 2010 to fund various maintenance improvements to the routes; This project will correct deficiencies to the roadways that have resulted from years of use by heavy trucks and equipment related to the timber and agriculture industries in the area. The amounts of traffic, as well as the weights of vehicles and the loads, have increased drastically over the years.

Whereas, the Cleburne County Commission recognizes that as Minor and Major Collectors, County Roads 19, 35, 49, and 65 are vital to the transportation of many agricultural products including, but not limited to, timber, baby chickens, poultry, hay, livestock feed, and commercial nursery plants. The timber industry is especially entrenched in the area as demonstrated by the amount of land in Cleburne County covered in plantation pines. County Road 60 has suffered major damage as a direct result of timber operations last winter that threatens the integrity of the roadway. Also, a winery at the intersection of CR 49 and CR 65 looks to have major economic impact on the area for years to come, which further necessitates the need to preserve and improve the infrastructure in the area.

Whereas, the project will also provide safety improvements to the routes and improve the infrastructure of Cleburne County, both of which are greatly beneficial from an economic standpoint to the county and its citizens.

Therefore, the Cleburne County Commission approves the proposed improvements to Cleburne County Roads 19, 35, 49, 60, and 65, as the economically sensitive project for FY 2010. The project will involve patching and leveling as required by county forces or by utilizing the Cleburne County Maintenance Annual Bid, as well as utilizing the Cleburne County Maintenance Annual Bid for bituminous resurfacing. Traffic stripe and markers will then be placed on the project as funds allow.

h) Whereas, The Cleburne County Commission makes periodic scheduled appointments to the Cleburne County Library Board;

Therefore, The Commission appoints the following individual to the term expiring April of 2015:

Ms Noline Coefield

District 2 Appointment

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

Commission
Discussion

Reports from staff were as follows: A) County Executive Officer Steve Swafford not present at the meeting, B) County Engineer Shannon Robbins updated the Commission on current projects, C) County Financial Officer Melissia Wood no updates at this time, D) County Attorney Doug Ghee briefed the Commission on the concerns of the Town of Edwardsville special development district. Commissioner Tracy Lambert discussed with Commission using discretionary allotments for purchase of archery equipment for use by the county schools and donations to fund the City of Heflin "Senior Citizens" Day, 2009.

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

**Resolution #
4273**

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