

Cleburne County Commission Meeting
Cleburne County, Alabama
September 10, 2012

M I N U T E S

Regular Commission Meeting	The Cleburne County Commission met in regular session on Monday, September 10, 2012, 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. Reid Rogers and Mr. Eric Lovvorn, poultry growers in the county, discussed with the Commission their excessive water bills from the Cleburne County Water Authority.
Commission Discussion	The Commission addressed items of the consent agenda from the agenda of today's meeting: a) Approve the Commission meeting minutes of August 2012 as presented; b) Approve the August 2012 check registers; c) Approve to adopt the Cleburne County Logging Notice Ordinance Version 1.0; d) Approve to appoint Cleburne County Compliance Officer Josh Horn as the county officer charged with the enforcement of the Cleburne County Logging Notice Ordinance; e) Approve to deem items surplus from the Cleburne County Revenue Commission Office; f) Approve to accept the county board resignation of Mr. Steve Dempsey from the Cleburne County Department of Human Resources Board and acknowledge the vacancies on the following county boards: Cleburne County Hospital Board-District Four – previously held by Rebecca Forney who resigned and Cleburne County Department of Human Resources – previously held by Steve Dempsey set to expire on September 1, 2013; g) Approve to approve to forgive the amount of \$527,887.04 owed to the General Fund by the CSEPP Fund and authorize the County Finance Officer to make the necessary accounting adjustments; h) Approve the addition of line item 70580 – Data Processing Equipment to the FY12 Revenue Commissioner Reappraisal budget and the transfer of \$13,326.51 of already budgeted funds from various line items into this new line item to cover the expenditure for the purchase of a new server; i) Approve to remain a member of the EARPDC and authorize the payment of \$6,358.20 for annual dues; j) Approve to direct the County Administrator to proceed with the significant improvements that need to be made at the closed Cleburne County landfill that include the removal of trees and other growth around detection wells, drainage structures, and retention ponds; k) Approve to authorize the County Finance Officer to issue a check, in the full amount of revenue remitted from the Probate Office, to the Calhoun/Cleburne Children's Center at the end of each quarter pursuant to Act No. 2012-546 that was passed by the Legislature of Alabama and approved by the governor on May 23, 2012; l) Approve to authorize modifications to the following budgets: Election – 001-51910-\$26,000, County Attorney – 001-51975-\$7,500, Capital Improvement Fund – 116-51990-\$650,000, Salary & Fringes/Revenue Comm. Office – 119-51802-\$5,000, Capital Projects Fund – 410-52300-2,000,000 to reflect expenses approved and incurred during FY12 that were not initially part of the FY12 County Budget; m) Approve to ask the City of Ranburne to refund the amount of \$766.18; n) Approve the FY13 budget Version 2.0 (Attachment C) as presented and attached to the September 2012 minutes of the Commission; o) Approve to renew the Long Term Detention Subsidy Contract for the period of October 1, 2012 through September 30, 2013 in conjunction with the State Department of Youth Services and authorize the Ex-Officio Chairman, Ryan Robertson to designate the detention center chosen by the county. Item l is moved to New Business of today's agenda for further discussion.
Resolution # 4416	On a motion by Commissioner Emmett Owen 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 from the agenda of today's meeting:

4416-1 The Cleburne County Commission hereby resolves to approve the August 2012 minutes as presented,

4416-2 The Cleburne County Commission hereby resolves to approve the August 2012 check registers.

4416-3 Whereas, In the 2012 legislative session, the Alabama State Legislature granted the authority for the Cleburne County Commission under Ala. Code 23-1-80.1 to adopt and implement regulations encompassed in the following ordinance entitled “Cleburne County Logging Notice Ordinance Version 1.0”,

Therefore, the Cleburne County Commission adopts said ordinance (Attachment A) and directs it’s inclusion in today’s meeting minutes and directs the County Engineer to submit copies of said ordinance among applicable parties subject to its application.

4416-4 Whereas Ala. Code 23-1-80.1 (j) authorizes the county commission to appoint a license inspector to enforce the provisions of any ordinance adopted by the county commission pursuant to authority granted in Ala. Code 23-1-80.1 (a); and

Whereas, under authority of Ala. Code 23-1-80.1 the Cleburne County Commission did adopt a Logging Notice Ordinance, effective September 10, 2012; and

Whereas, the Cleburne County Commission does desire that the enforcement of this ordinance, including the issuance of citations as authorized under the law and ordinance, be delegated to a county license inspector specifically charged with the enforcement of same; and

Whereas, the Cleburne County Commission currently invests license inspection duties to the Cleburne County Compliance Officer.

Therefore, the Commission does hereby appoint County Compliance Officer Josh Horn as the county officer charged with the enforcement of the Cleburne County Logging Notice Ordinance.

Furthermore, that a copy of this Resolution shall be attached to the Cleburne County Logging Notice Ordinance.

4416-5 Whereas, The Cleburne County Commission has deemed the following property to be surplus:

<u>ID</u>	<u>Item</u>	<u>Serial Number</u>	<u>Location</u>
002842	HP Monitor	CNP421Y1MN	Rev Comm Office
None	Dell Monitor	CN-OWH320-46633-67R-SECL	Rev Comm Office
002763	Lexmark T-520 Printer	9903CXL	Rev Comm Office
002848	Lexmark E240N	572BT0T2	Rev Comm Office
003247	Dell Tower Computer	80045-532-700-291	Rev Comm Office
003104	Dell Tower Computer	G7MDG81	Rev Comm Office
003703	Dell Precision Computer	4C1KG81	Rev Comm Office
003103	Dell Precision Computer	C31KG81	Rev Comm Office
None	Dell OptiPlex Computer	HR8RSB1	Rev Comm Office
003105	Laptop	CRU5332526	Rev Comm Office
003347	APC Backup 500	006487	Rev Comm Office
003221	Posture Drafting Stool	N/A	Rev Comm Office

Therefore, the Commission hereby authorizes and directs the County Administrator to dispose of said property in whatever appropriate means available by law.

4416-6 Board Appointments:

None

Resignations:

Steve Dempsey has resigned from the Cleburne County DHR Board due to time constraints that will prohibit him from attending the meetings. He extended thanks to the Commission for allowing him to serve the people of Cleburne County as a member of this very worthwhile institution. Mr. Dempsey was a very active member of the board and his presence will be missed.

Commission acknowledges the following vacancies:

Cleburne County Hospital Board –

District Four Appointment previously held by Rebecca Forney who has resigned.

Cleburne County DHR Board –

Appointment previously held by Steve Dempsey that is set to expire on September 1st, 2013.

4416-7 Whereas, with the end of the CSEPP Program, additional funding was being requested by the Cleburne County Commission from FEMA to assist in covering a portion of the County's financial commitment to the Cleburne County Public Safety & Administration Center; and

Whereas, in order to be eligible for additional funding, these expenditures had to be posted to the CSEPP fund prior to the end of the period of performance in accordance to the cooperative agreement in place for the fiscal year funding being pursued; and

Whereas, additional funds were successfully secured for the project but only in-part;

Therefore, the Cleburne County Commission hereby forgives the amount of \$527,887.04 owed to the General Fund by the CSEPP Fund and authorizes the County Finance Officer to make the necessary accounting adjustments.

4416-8 Whereas, budget needs can change during the course of the year due to unforeseen circumstances;

Whereas, the Revenue Commissioner's office needs a new server to replace one currently in use; and

Whereas, the Alabama Department of Revenue requires the Commission to approve the addition of a line item not already approved in the current Reappraisal budget,

Therefore, the commission approves the addition of line item 70580 – Data Processing Equipment to the FY 12 Reappraisal budget, as well as the transfer of \$13,326.51 of already budgeted funds from various line items into this new line item to cover the expenditure for the new server.

4416-9 Whereas, the Cleburne County Commission has received its annual billing from the East Alabama Regional Planning and Development Commission; and

Whereas, the assessment of annual dues for the Cleburne County Commission is set at \$6,358.20 for FY13;

Therefore, the Commission resolves to remain a member of the EARPDC and authorizes the payment of dues in the above stated amount.

4416-10 Whereas, there are significant improvements that need to be made at the closed Cleburne County landfill that include the removal of trees and other growth around detection wells,

drainage structures, and retention ponds; and

Whereas, there are also significant timber resources on the property (est. 50 acres) that would benefit significantly from being thinned, with the proceeds serving to offset the expenses (in whole or in part) and to prepare the remaining timber for greater productivity and profit going forward;

Therefore, the Cleburne County Commission directs the County Administrator to proceed with steps necessary to address the aforementioned items deemed necessary through a competitive bid process to ensure Cleburne County has all necessary work performed in an appropriate manner while ensuring the maximum benefit to the people of Cleburne County.

4416-11 **Whereas, Act No. 2012-546 was passed by the Legislature of Alabama and approved by the governor on May 23, 2012; and**

Whereas, this act provides for an additional fee to be collected by the Probate Office of Cleburne County and remitted to the Cleburne County Commission for the operation of the Calhoun/Cleburne Children's Center; and

Whereas, the act states "...The portion of the fee remitted to the county commission shall be earmarked by the Cleburne County Commission for the operation of the Calhoun/Cleburne Children's Center, to be used by the center in providing programs and services to qualified children and families of Calhoun and Cleburne Counties. The funds shall be appropriated by the county commission. Two months prior to the end of each fiscal year, the Calhoun/Cleburne Children's Center shall provide the Cleburne County Commission with an accounting of the annual expenditures of the funds appropriated pursuant to this act and shall provide a proposed budget for the next fiscal year...";

Therefore, the Cleburne County Commission hereby authorizes the County Finance Officer to issue a check, in the full amount of revenue remitted from the Probate Office, to the Calhoun/Cleburne Children's Center at the end of each quarter. Funds remitted to the Children's Center are to be used only as specified in Act No. 2012-546 and only after the Children's Center provides the documentation as required by said act each fiscal year.

4416-13 **Whereas, the Cleburne County Commission went into a signed memorandum of understanding (Attachment B) with the Town of Ranburne on March 23rd, 2012 in order to assist the town by providing county funds to aid in the repair and restoration of the Town's baseball fields; and**

Whereas, the agreement clearly identified that the funds were for repair and restoration of the fields and could be used only for supplies, materials, and outside services and expenses incurred towards the improvement of the ball fields; and

Whereas, the Commission fronted the Town of Ranburne \$10,000 as part of this agreement stating that the funds could only be used for stated purposes and requiring the Town of Ranburne to provide records consisting of paid invoices and receipts for all expenses incurred by the Town; and

Whereas, the Town of Ranburne has made two attempts now to provide documentation of expenses; the last of which documented \$9,233.82 in expenses, \$2,250 of which was in reoccurring maintenance in the form of grass cutting;

Therefore, the Cleburne County Commission asks the Town of Ranburne to refund the amount of \$766.18 no later than October 10th, 2012 in accordance to the provisions of our contractual agreement and due to the lack of documentation demonstrating these funds were used for their intended purpose.

4416-14 **Whereas, the Cleburne County Commission must approve a yearly budget prior to October 1st of each year and has spent a significant amount of time in budgetary planning and preparation to assure a wise utilization of taxpayer funds in support of the County's common good,**

Therefore, the Cleburne County Commission approves the FY13 budget Version 2.0

(Attachment C) as presented and attached to the September 2012 minutes of the Commission.

4416-15 Whereas, the Commission is asked to renew its Long Term Detention Subsidy Contract (See Attachment D) in conjunction with the State Department of Youth Services each year;
Therefore, the Cleburne County Commission authorizes the Ex-Officio Chairman, Ryan Robertson to make this designation and sign any and all paperwork related to the renewal of this agreement / contract.

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

Commission Discussion

The Commission addressed items of New Business on the agenda of today's meeting: Item #12 transferred from the consent agenda of today's meeting - Approve to authorize modifications to the following budgets:

Election	- 001-51910	-\$ 26,000
County Attorney	- 001-51975	-\$ 7,500
Capital Improvement Fund	- 116-51990	-\$ 650,000
Salary & Fringes/Revenue Comm. Office	- 119-51802	-\$ 5,000
Capital Projects Fund	- 410-52300	-\$2,000,000

to reflect expenses approved and incurred during FY12 that were not initially part of the FY12 County Budget.

Resolution # 4417

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 transferred from the items of the consent agenda on the agenda of today's meeting:

Whereas, prior to the close of FY12 budgetary adjustments must be made to clearly reflect expenses approved and incurred during FY12 that were not initially part of the FY12 county budget.

Therefore, the Commission authorizes the following modifications to the following budgets:

Elections	001-51910	\$ 26,000
County Attorney	001-51975	7,500
Capital Improvement Fund	116-51990	650,000
Salary & Fringes / Revenue Comm. Office	119-51802	5,000
Capital Projects Fund	410-52300	2,000,000

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 mentioned to the Commission that the agenda for today's meeting was robust although it was not unusual for September due to it being the end of the budget year and the passing of the new budget for the next fiscal year. B) County Engineer Shannon Robbins discussed with the Commission updates on current projects. C) County Attorney Doug Ghee did not have any new updates for the Commission at this time.

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

**Resolution
4418**

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