

Cleburne County Commission Meeting  
Cleburne County, Alabama  
September 12, 2011

**MINUTES**

The Cleburne County Commission met in regular session on Monday, September 12, 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.

*There were present:*

*Chairman Ryan Robertson  
Commissioner Joel Robinson  
Commissioner Emmett Owen  
Commissioner Benji Langley  
Commissioner Rex Nolen*

*There were absent:*

*None*

*No one met the Thursday noon prior to the meeting deadline for being allowed to speak to the Commission.*

*Cleburne County Chamber of Commerce Executive Director Emily Brown and President Mark Laminack were present to give an update to the Commission.*

*The Commission presented plaques to Mr. Dan Hopkins and Mr. Patrick Nolen in recognition on their election to state office in the Alabama Association of Volunteer Fire Departments.*

*The Commission addressed items of the consent agenda from the agenda of today's meeting: a) Approve the Commission meeting minutes of August 2011 as presented; b) Approve August 2011 check register listing; c) Approve to award bids for annual maintenance items for the county engineering department for FY 2012; d) Approve to extend the contract for the county's residential solid waste pickup program for a three year extension to Veolia; e) Approve to appoint Steve Swafford and Mildred Heard to the Cleburne County Department of Human Resources; f) Approve the FY 2012 budget for county departments; g) Authorize the speed limit to be lowered to 15 MPH for County Road 636; h) Authorize the Chairman to enter into a contract for the acquisition of professional services to be applied toward a program evaluation of services provided by the Cleburne County Nursing Home; i) Approve to authorize a one-time allocation to the Cleburne County Chamber of Commerce in the amount of \$13,000 from tobacco tax funds; j) Approve to authorize Mr. Harold Forsyth, with Forsyth Construction Management Services, the contractor for renovations to be made to the Cleburne County Courthouse to release the project for bid; k) Approve to renew the State Department of Youth Services Long Term Detention Subsidy Contract; l) Authorize the Commission Chairman and County Administrator to enter into an agreement with Jacksonville State University to define obligations of both the county and the university as they relate to the usage of the new facility; m) Approve to recognize Dan Hopkins and Patrick Nolen who have recently been elected by their peers to help lead the Alabama Association of Volunteer Fire Departments. Items i and j have been moved to New Business of today's meeting.*

***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 resolutions from the items of the consent agenda:***

***The Commission resolves to approve the August 2011 minutes as presented,***

***The Commission resolves to approve the August 2011 check register listing,***

4375-3

*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 Cleburne County Commission requires the use of an Annual Bid;*

*Whereas, the Annual Bid provides vendors to supply materials and companies to perform various construction 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 as stated:*

*Plant Mix In-Place – Split bid top McCartney Construction and APAC Mid-South due to pay item / project cost(s) and location of work;*

*Hot Mix – APAC Mid-South, Wedowee Asphalt Plant;*

*Cold Mix – APAC Mid-South, Tarrant Asphalt Plant;*

*Bituminous Treatment Resurfacing – CharlesE Watts, Inc.;*

*Metal Pipe – Contech Construction Products;*

*Concrete Pipe – Hanson Pipe and Precast, Inc.;*

*Concrete Box Culvert – Hanson Pipe and Precast, Inc.;*

*Traffic Signs – Custom Products Corp.;*

*Gas & Diesel Fuel – Bid renewed with Petroleum Traders as per Contract from FY 2009*

*Traffic Striping – Bid renewed with Highway Management Systems as per contract from FY 211;*

*Stone – Split Bid renewed bid due to type of materials and location of work,*

*\_ Granite awarded to APAC and Mid-South,*

*\_ Quartzite and Limestone to McCartney Construction as per contract from FY 2011 (Both with the provision that the State bid could be utilized).*

*Whereas, Veolia has agreed to the Commission's terms for renegotiating a three year extension to the County's residential solid waste pickup program;*

*Whereas, Veolia agreed to a 5% reduction in the base rate charged to customers and to provide four additional 40-yard roll off containers for each County clean up;*

*Therefore, the Commission authorizes the Chairman to sign the necessary document.*

4375-4

*Board Appointment – The Commission hereby re-appoints:*

*Steven Swafford and Mildred Heard To the Cleburne County Department of Human Resources Board with terms ending September 1<sup>st</sup>, 2017*

*Whereas, the Cleburne County Commission must approve a yearly budget prior to October 1<sup>st</sup>, 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,*

4375-5

*Therefore, the Cleburne County Commission approves the FY-12 budget as presented and attached to the September 2011 minutes of the Commission.*

*Whereas, the Cleburne County Commission has received various request from concerned citizens to evaluate the conditions of Cleburne County Road 636; and*

4375-6 *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 15 MPH. The route shall be signed with a 15 MPH speed limit sign at the entrance for the notification and safety of the traveling public.*

*Whereas, the Commission desires to periodically evaluate County programs and offerings to the public of Cleburne County;*

4375-7 *Therefore, the Commission authorizes the Chairman to enter into contract for the acquisition of professional services to be applied towards a program evaluation of services provided by the Cleburne County Nursing Home.*

*Whereas, the Commission must from time to time renew its Long Term Detention Subsidy Contract in conjunction with the State Department of Youth Services;*

4375-8 *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 / directive.*

*Whereas, Jacksonville State University will be a tenant of the new facility currently under construction; and*

4375-9 *Whereas, certain agreements must be put in place to define obligations of both the County and the University as they relate to the usage of the facility and the proration of costs associated with the operations and maintenance of said facility;*

*Therefore, the Commission hereby delegates authority to enter in these agreements to the Commission Chairman and the County Administrator, each of who must sign any agreements put in place between the University and the Commission on behalf of the Commission and in the best interest of the people of Cleburne County.*

4375-10 *Whereas, it is customary for the County Commission to recognize those in Cleburne County who have made significant contributions to the betterment of his/her community or have been recognized by their peers as leaders among their particular type of service, trade, or profession;*

*Therefore, the Commission resolves to recognize two local volunteer firemen who have recently been elected by their peers to help lead the Alabama Association of Volunteer Fire Departments in the positions of:*

*Vice President – Dan Hopkins; and District 4 Director – Patrick Nolen*

*And Furthermore, We now proudly acknowledge and commend the contributions these two men who have made in service of Volunteer Firemen and Departments across the State of Alabama.*

*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) Requested authorization of tobacco tax proceeds toward funding the Chamber of Commerce; Items moved from the consent agenda of today's meeting: b) Approve to authorize a one-time allocation to the Cleburne County Chamber of Commerce in the amount of \$13,000 from tobacco tax funds; c) Approve to authorize Mr. Harold Forsyth, with Forsyth Construction for Construction Management Services related to renovations to be made to the Cleburne County Courthouse to release the project for bid.*

Resolution # 4376 *On a motion by Commissioner Emmett Owen 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 transferred from the consent agenda of today's meeting:*

*Whereas, the Cleburne County Commission oversees the distribution of tobacco tax proceeds specifically earmarked for special use initiatives to include economic development;*

*Whereas, the Cleburne County Commission has received a request from the District 2 Commissioner to utilize tobacco tax funds earmarked for District 2 towards a one-time allocation to the Cleburne County Chamber of Commerce in the amount of \$13,000 to fund renovations to the depot building / Chamber of Commerce;*

*Therefore, the Cleburne County Commission, by passing this resolution, hereby recognizes the funding request as one beneficial to economic development and clears the request so that the distribution of funds can be made. All members present voted for the resolution and none against. The motion carried.*

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

*Whereas, the Cleburne County Commission has contracted with Forsyth Construction for Construction Management Services related to renovations to be made to the Cleburne County Courthouse; and*

*Whereas, Mr. Harold Forsyth has worked with the Commission to develop specifications, plans, and drawing for these renovations and has presented them to the Commission for approval prior to seeking bids; and*

*Therefore, the Commission now approves these plans and authorizes Mr. Forsyth to release the project for bid, with responses to be opened prior to our October 2011 work session so bids can be reviewed and a recommendation returned to the Commission, by Mr. Forsyth, during the October Commission Meeting. Commissioners Joel Robinson, Emmett Owen, and Rex Nolen voted for the resolution and Commissioner Benji Langley abstained. The motion carried.*

*Reports from staff were as follows: A) County Administrator Steve Swafford informed the Commission that our solid waste services have been negotiated for an additional 3 year extension with a 5% savings, B) County Engineer Shannon Robbins was present for the meeting to give the Commission updates on federal level funding of the Tiger Grant monies for County Road 18; C) County Attorney Doug Ghee briefed the Commission on the agreement with Jacksonville State University for the new facility. Chairman Ryan Robertson briefed the Commission with concerns of the drug called "spice" that is causing serious problems with citizens in our county that are purchasing it in stores in neighboring counties. Commissioner Rex Nolen briefed the Commission on the testing of the wells on the currently closed county landfill.*

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

*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.*

Resolution #  
4377

Commission  
Discussion

Resolution #  
4378