

Cleburne County Commission Meeting  
Cleburne County, Alabama  
September 13, 2010

**M I N U T E S**

- Regular Commission Meeting The Cleburne County Commission met in regular session on Monday, September 13, 2010, 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 Dwight Williamson  
Commissioner Rex Nolen  
There were absent:  
None
- Commission Discussion The Commission held a public hearing for the intent to initiate the vacation process for the last 610 feet of County Road 203. The overall length of the section to be closed is approximately 0.116 miles. The property owners adjacent to the section of roadway to be closed are as follows:  
Mr. Tommy Allison, 908 CR 203, Piedmont, AL 36272  
Mr. James C. Forrister, 539 Grady Road, Rockmart, GA 30153  
United State of America, United State Forest Service, 45 Hwy. 281, Heflin, AL 36264
- Public Comment from Other Elected Officials Sheriff Joe Jacks discussed with the Commission the jail medical contract and budget.
- Commission Discussion The Commission addressed items on the consent agenda from the agenda of today's meeting: a) Approve the Commission meeting minutes of August 2010 as presented, b) Approve the July and August 2010 check registers, c) Approve to sign a three-year contract renewal with Revenue Discovery Systems for the collection of sales tax, d) Approve to award the annual bid/maintenance items for the Engineers office, e) Approve to renew participation in the liability fund with the Association of County Commissions of Alabama Liability Self-Insurance Fund for the contract period ending December 31, 2011, f) Approve to initiate the vacation process for the last 610 feet of County Road 203, g) Approve request for a lounge retail liquor license, ABC confirmation number: 20100817100029540 from Shiners Bar and Grill, by applicant Lightning Leggett, Inc, h) Approve the FY-11 budget as presented, i) Approve transfer of \$150,000 from the General Fund to the RRR Fund to allow for the needed improvements to CR 116 utilizing the annual bid as deemed necessary by the county engineer, j) Approve to authorize the Revenue Commissioner to purchase a new vehicle and upon receipt of said vehicle, agrees to declare the current 2005 vehicle as being surplus to the department and authorize its transfer to the Cleburne County Coroner, k) Approve the following additions to the following departmental budgets:
- |                    |           |            |
|--------------------|-----------|------------|
| Juvenile Probation | 001-52500 | \$5,000.00 |
| Extension Office   | 001-58200 | 4,000.00   |
| Elections          | 001-51910 | 12,000.00  |
| Solid Waste        | 001-54100 | 4,000.00   |
| Maintenance        | 001-51995 | 1,800.00   |
| District Attorney  | 001-51260 | 100.00     |
- l) Approve to renew the long term detention subsidy contract with the State Department of Youth Services, m) Approve to designate the East Alabama Regional Planning and Development Commission as the county's Section 5311 Rural Transportation Project Implementing Agency for FY 11, n) Approve to adopt the Cleburne County Multi-Hazard Mitigation Plan effective September 13, 2010.
- Resolution # 4319 **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:**

4319-1 The Commission resolves to approve the August 2010 minutes as presented,

4319-2 The Commission resolves to approve the July and August 2010 check registers

4319-3 Whereas, Revenue Discovery Systems currently collects sales tax for Cleburne County: and the current three year contract for sales tax collection will expire September 30, 2010;

Therefore, the Cleburne County Commission authorizes the Ex-Officio Chairman, Ryan Robertson, to sign a three-year contract renewal with Revenue Discovery Systems for the collection of sales tax.

4319-4 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:

Stone – split bid due to type of materials and location of work, Granite awarded to APAC Mid-South, Quartzite and Limestone to McCartney Construction (Both with the provision that the State Bid could be utilized);

Hot Mix – Contract renewed with a split bid to McCartney Construction and APAC due to availability and location of work;

Cold Mix – Contract renewed with a split bid to McCartney Construction (#411-C Pay item) and APAC (#411-A and #411-B pay items) due to availability and price;

Gas and Diesel Fuel – Bid renewed with Petroleum Traders as per contract from FY 2009;

Metal Pipe – Contract renewed with Contech Constructions Products (formerly Hanson Pipe and Precast) as per contract;

Concrete Pipe – no bids submitted to Cleburne County;

Concrete Box Culvert – Contract renewed with Hanson Pipe and Precast;

Traffic Striping – Highway Management Systems;

Bituminous Treatment Resurfacing – Charles E. Watts, Inc.;

Plant Mix In-place – Contract renewed with a split bid to McCartney Construction and APAC due to pay item/project cost and location of work;

Traffic Signs – Contract with Vulcan Signs renewed as per contract.

4319-5 Whereas, Cleburne County is a member of the Association of County Commissions of Alabama Liability Self-Insurance Fund (“Liability Fund”) for the contract period ending December 31, 2011; and

Whereas, the county’s participation in the Liability fund has been a significant benefit to the County since becoming a member; and

Whereas, the representation and service provided by the Liability Fund continues to be in the best interest of Cleburne County and its officials and employees; and

Whereas, Cleburne County would benefit by agreeing to extend its participation in the Liability Fund for an additional three-year period beginning January 1<sup>st</sup>, 2012 and concluding December 31<sup>st</sup>, 2014.

Now, Therefore, be it Resolved by the Cleburne County Commission that it renews its participation in the Liability Fund for calendar years 2012 through 2014 and expresses its intent to execute a Participation Agreement in similar form to that previously executed.

4319-6 Whereas, the Cleburne County Commission recognizes the need to occasionally evaluate the infrastructure system of the county to better serve its citizens;

Whereas, various roads within the Cleburne County infrastructure are no longer useful as vital links within the transportation system and should be considered for partial vacation by the Cleburne County Commission to allow the county to better expend its resources;

Whereas, the Code of Alabama 1975 grants the Cleburne County Commission the legal authority to vacate public roads;

Therefore, at the request of Mr. Tommy Allison and Mr. James C. Forrister, who resides or own property on CR 203, and in the best interest of the public, the Cleburne County Commission intends to initiate the vacation process for the last 610 feet of CR 203. The overall length of the section to be closed is approximately 0.116 miles. The property owners adjacent to the section of roadway to be closed are as follows:

Mr. Tommy Allison, 908 CR 203, Piedmont, AL 36272.

Mr. James C. Forrister, 539 Grady Road, Rockmart, GA 30153.

United States of America, United States Forest Service, 45 Hwy. 281, Heflin, AL 36264.

4319-7 Whereas, the Cleburne County Commission has received a request for a lounge retail liquor license, ABC confirmation number: 20100817100029540 from Shiners Bar and Grill, applicant Lightning Leggett, Inc.

Therefore, finding no reason to deny said license, the Cleburne County Commission hereby approves said request.

4319-8 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,

Therefore, the Cleburne County Commission approves the FY-11 budget as presented and attached to the September 2010 minutes of the Commission.

4319-9 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 as a means to improve the infrastructure of the county through various construction activities;

Whereas, the Cleburne County Commission is in receipt of a letter from the Alabama Department of Transportation outlining the need for various improvements to CR 116, due to its status as a State graded S.A.C.P. route;

Whereas, the Alabama Department of Transportation has informed the Cleburne County Commission that a suspension for State and Federal Funding will be recommended if the various improvements are not made to CR 116 in a timely manner;

Therefore, the Cleburne County Commission intends to transfer \$150,000 from the General Fund to the RRR Fund to allow for the needed improvements to CR 116 utilizing the annual bid as deemed necessary by the county engineer. The \$150,000 will be repaid from future RRR funds within the

next two budget years (FY 2011 and FY 2012), at the discretion of the County Engineer.

**4319-10** Whereas, the Cleburne County Revenue Commissioner has approached the Commission wishing to purchase a new four-wheel drive vehicle for reappraisal use by the Revenue Department; and

Whereas, the Revenue department has a 2005 Chevrolet Blazer with only 40,000 miles that would become surplus upon purchasing said vehicle;

Therefore, the Commission authorizes the Revenue Commissioner to purchase a new vehicle and upon receipt of said vehicle, agrees to declare the current 2005 vehicle as being surplus to the department and authorizes its transfer to the Cleburne County Coroner to be used in his performance of County Coroner official duties.

**4319-11** Whereas, FY 10 is being closed out and anticipated budgetary shortfalls must be identified in order to perform budgetary housekeeping;

Therefore, the Commission authorizes the following additions to the following departmental budgets:

Juvenile Probation	001-52500	\$ 5,000.00
Extension Office	001-58200	4,000.00
Elections	001-51910	12,000.00
Solid Waste	001-54100	4,000.00
Maintenance	001-51995	1,800.00
District Attorney	001-51260	100.00

**4319-12** Whereas, the Commission must renew its Long Term Detention Subsidy Contract each year in conjunction with the State Department of Youth Services;

Therefore, the Cleburne County Commission authorizes Ex-Officio Chairman, Ryan Robertson, to make this designation and sign any and all paperwork related to the renewal of this agreement / directive.

**4319-13** Whereas, East Alabama Regional Planning and Development Commission has served competently as the county's Section 5311 implementing agency for a number of years; and

Whereas, the Commission must designate a Section 5311 Rural Transportation Project implementing agency on a yearly basis;

Therefore, the County Commission designates the East Alabama Regional Planning and Development Commission as the County's Section 5311 Rural Transportation Project Implementing Agency for Fiscal Year 2011 and authorizes Ex-Officio Chairman, Ryan Robertson to sign any and all paperwork related to the renewal of this agreement / directive.

**4319-14** Whereas, the Cleburne County Multi-Hazard Mitigation Plan has been prepared in accordance with FEMA requirements at 44 C.F.R. 201.6;

Therefore, the Cleburne County Commission hereby adopts the Cleburne County Multi-Hazard Mitigation Plan effective September 13<sup>th</sup>, 2010.

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

There were no items of new business from the agenda of today's meeting.

Commission Discussion Reports from staff were as follows: A) County Administrator Steve Swafford updated the Commission on the adoption of the FY11 county budget for all county departments, B) County Engineer, Shannon Robbins briefed the Commission on recommendation of awarding the bids for the purchase of annual maintenance supplies and updated various current projects, C) County Attorney Doug Ghee was not present.

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

**Resolution #4320**      **On a motion by Commissioner Joel Robinson and seconded by Commissioner Dwight Williamson, 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.**