

Cleburne County Commission Meeting
Cleburne County, Alabama
September 14, 2009

MINUTES

Regular Commission Meeting The Cleburne County Commission met in regular session on Monday, September 14, 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 Dwight Williamson
Commissioner Rex Nolen

There were absent:
None

Public Comment from Citizens Mr. Fred Couch was present to discuss the request to adopt a resolution to endorse and support the development of the addition of the Terrapin Creek Trail to the Alabama Scenic River Trail.

Resolution # 4265 **On a motion by Commissioner Dwight Williamson and seconded by Commissioner Tracy Lambert, the Commission passed the following resolution:**

Be it resolved by the Cleburne County Commission to add to the agenda of today's meeting as New Business the discussion of the adoption of a resolution to endorse and support the development of the addition of the Terrapin Creek Trail to the Alabama Scenic River Trail.

Public Comment from Other Elected Officials Mr. Rudy Rooks, Coroner for Cleburne County, updated the Commission on the letter received from the Director of Forensic Sciences advising that, despite the specific appropriation in the state general fund budget earmarked for transportation of bodies, the Department will not begin transporting bodies for the purpose of autopsy on October 1.

Commission Discussion Chairman Ryan Robertson updated the Commission concerning the annex request for Edwardsville.
The Commission addressed items from the consent agenda from the agenda of today's meeting: a) Approve the August 2009 Check Registry Listing, b) Approve August 2009 minutes as presented, c) Approve to authorize the award of bids or proposals on 1. Two-way radio equipment, 2. Production and distribution of publications and materials, 3. Phase II of the CSEPP EAR Project, d) Approve to authorize the award of annual bid/maintenance items for the county engineer department, e) Approve to request and authorize the Elmore County Commission to make application for a TIGER Grant on behalf of Cleburne County, e) Approve to authorize additions to departmental budgets in order to perform housekeeping for budgetary shortfalls, f) Approve to establish guidelines regarding the licensing of establishments which sell alcoholic beverages that supersede all previous criteria, rules or regulations previously held at the local level, g) Approve to authorize the Ex-Officio Chairman, Ryan Robertson, to sign contracts with Revenue Discovery Systems for the collection of fireworks tax and lodgings tax, h) Approve to authorize the Ex-Officio Chairman, Ryan Robertson, to sign any and all paperwork related to the renewal of Long Term Detention Subsidy Contract in conjunction with the State Department of Youth Services, i) Approve to authorize the Ex-Officio Chairman, Ryan Robertson, to endorse East Alabama Regional Planning and 2009 Development Commission's Economic Development Strategy (CEDS), j) Approve to adopt the FY 10 county budget. Item (f) is moved to New Business of the agenda of today's meeting.

Resolution # 4266 **On a motion by Commissioner Dwight Williamson and seconded by Commissioner Tracy Lambert, 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 August 2009 Check Registry Listing, b) The Commission resolves to approve the August 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:

Two-way radio equipment: McCord Communications of Anniston

Production and distribution of publications and material: Cheaha Media Consulting of DeArmanville

Phase II of the CSEPP EAR Project: Warning System Incorporated of Anniston

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 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 will 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 & Diesel Fuel – Bid renewed with Petroleum Traders as per contract from FY 2009;

Metal Pipe – Contract renewed with Contech Constructions Products (FY09 contract was with Hanson Pipe and Precast which sold their metal pipe sales to Contech) as per contract;

Concrete Pipe – no bids submitted to Cleburne County;

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

Traffic Striping –Ozark Striping;

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 – Vulcan Signs.

d) Whereas, as part of the American Recovery and Reinvestment Act of 2009, \$1.5 billion of discretionary grant funds are to be awarded by the Federal Department of Transportation for capital investments in surface transportation infrastructure, which grants are referred to as “TIGER” Grants; and Whereas, the Association of the County Commissions of Alabama and the Association of County Engineers of Alabama are working collaboratively with counties in Alabama through the Alabama County TIGER Grant Committee to apply for a TIGER Grant for the replacement of certain deficient bridges along Alabama’s rural county roads which meet the eligibility criteria for possible funding under the TIGER Grant Program; and

Whereas, Cleburne County has one bridge which meets the eligibility criteria and has submitted all documentation requested by the Alabama County TIGER Grant Committee to be included in the Alabama Counties’ application for a TIGER Grant; and Whereas, the Cleburne County Commission agrees to take all actions necessary to assist in completing this application and to comply with all requirements of the grant in the event that a TIGER Grant is awarded to Alabama counties; and

Whereas, the Cleburne County Commission hereby requests and authorizes the Elmore County Commission to make application for the TIGER Grant on behalf of all counties participating in the grant application, including Cleburne County.

Wherefore, Be It Resolved By The Cleburne County Commission that it hereby agrees to take all actions necessary to assist in completing the TIGER Grant application and to comply with all requirements of the Grant in the event that a TIGER Grant is awarded to Alabama counties.

Be It Further Resolved, the Cleburne County Commission hereby requests and authorizes the Elmore County Commission to make application for a TIGER Grant as described herein on behalf on Cleburne County and all counties participating in the grant application.

Be It Further Resolved, that a copy of this resolution be immediately forwarded to the Association of County Commissions of Alabama for inclusion in the Alabama County TIGER Grant application.

e) Whereas, FY09 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:

District Attorney	001-51260 -	\$125.00
Court Reporter	001-51280 -	700.00
Veteran's Services	001-51940 -	350.00
Extension Office	001-58200 -	4,500.00
Elections	001-51910 -	20,000.00

g) Whereas, Revenue Discovery Systems currently collects sales tax, tobacco tax, and fireworks tax for Cleburne County; and

Whereas, the current contract for fireworks tax collection will expire September 30, 2009; and

Whereas, the State of Alabama currently collects lodgings tax for Cleburne County; and
Whereas, the Cleburne County Commission wishes to consolidate county tax collection with one vendor;

Therefore, the Cleburne County Commission authorizes the Ex-Officio Chairman, Ryan Robertson, to sign contracts with Revenue Discovery Systems for the Collection of fireworks tax and lodgings tax.

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

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.

i) Whereas, the Cleburne County Commission must endorse East Alabama Regional Planning and 2009 Development Commission's Economic Development Strategy (CEDS) in order for the plan to be accepted by the Economic Development Administration;

Therefore, the Cleburne County Commission authorizes the Ex-Officio Chairman, Ryan Robertson, to review and endorse the CEDS if he feels as though it is in the best interest of Cleburne County and the Region.

j) Whereas, the Cleburne County Commission must set a yearly budget prior to October 1st of each fiscal year;

Therefore, the Cleburne County Commission adopts the attached FY10 budget, version 1.1 along with all administrative policy changes contained within.

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

Commission
Discussion

The Commission addressed items of New Business from the agenda of today's meeting: a) Discussion of County Alcoholic License Policy, b) Discuss adoption of a resolution to endorse and support the development of the addition of the Terrapin Creek Trail to the Alabama Scenic River Trail, c) Discuss item 7 from consent agenda of today's meeting: Approve to establish guidelines regarding the licensing of establishments which sell alcoholic beverages that supersede all previous criteria, rules or regulations previously held at the local level.

Resolution #
4267

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

Be it resolved by the Cleburne County Commission to adopt the following resolution to endorse and support the development of the addition of the Terrapin Creek Trail to the Alabama Scenic River Trail:

Whereas, the Alabama Scenic River Trail, an Alabama unincorporated non-profit Association, has brought to the attention of this Commission the possible development of the Terrapin Creek as a river trail for small boats along Terrapin Creek from a floatable beginning near Oak Level in Cleburne County, Alabama passing through Calhoun County, Alabama and into Cherokee County, Alabama the place where Terrapin Creek intersects the Coosa River near Centre, Alabama in Cherokee County and at that point to the Alabama Scenic River Trail; and

Whereas, this the County Commission of Cleburne County, Alabama applauds the establishment of a 631 mile river trail developed by the Alabama Scenic River Trail Association for small boats along the Coosa, Alabama, Mobile and Tensaw Rivers and Mobile Bay;; and

Whereas, said Terrapin Creek Trail will be about 40 miles long and will connect to and expand the influence of the 631 mile Alabama Scenic River Trail; and
Whereas, this trail will be of substantial benefit to the owners of land near the rivers by, among other things, the following:

- . Increasing tourism along the trail; and
- . Enhancing industrial and commercial development; and
- . Developing better recreational facilities on our rivers, and making them accessible to, more inviting to and safer for family outings;
- . Making known the facilities along the rivers such as sporting goods stores, outfitters, gasoline stations, put in and take out paths, ramps and roads intersecting the trail; and
- . Advertising this state's wonderful and storied history in such places as Fort Struthers, Fort Toulouse, Fort Mims, Cahaba and other historical places of renown or which deserve to be of such renown; and

Whereas, all of the above will necessarily insure not only to the benefit of this county but likewise to the benefit of all counties, cities, towns and communities along or near the trail and, indeed, the entire State of Alabama;

NOW, THEREFORE, this the County Commission of Cleburne County, Alabama does hereby:

1. Endorse and support the reported plans of the Alabama Scenic River Trail and wishes that organization great success and God speed in its endeavors;
2. Encourages each of the counties, cities and towns along the trail to support and assist in the development of the Alabama Scenic River Trail;
3. Endorses and supports the development of the addition of the Terrapin Creek Trail to the Alabama Scenic River Trail

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 no updates at this time, B) County Engineer Shannon Robbins updated the Commission on current projects, C) County Financial Officer Melissia Wood no updates at this time. Probate Judge Ryan Robertson informed the Commission that Commissioner Tracy Lambert has presented a written request to call for an executive session, which was also signed by Commissioner Dwight Williamson. The Commission met for Executive Session at this time.

Resolution #
4268

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

Be it resolved by the Cleburne County Commission to approve to table items of New Business from today's meeting 7A - Discussion of County Alcoholic License Policy and 7C - Discuss item 7 from consent agenda of today's meeting to Approve to establish guidelines regarding the licensing of establishments which sell alcoholic beverages that supersede all previous criteria, rules or regulations previously held at the local level. All members present voted for the resolution and none against. The motion carried.

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

Resolution #
4269

On a motion by Commissioner Dwight Williamson and seconded by Commissioner Joel Robinson, 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.