

Cleburne County Commission Meeting Minutes Regular Commission Meeting September 16, 2013 Cleburne County Mountain Center

Roll Call:

Present:

Chairman Ryan Robertson
Commissioner Laura Cobb
Commissioner Emmett Owen
Commissioner Benji Langley
Commissioner Bobby Brooks

Absent:

None

A public hearing was held for the Solid Waste Management Plan.

Consent Agenda

The Commission passed the September consent agenda including:

Resolution #4475-1

The Cleburne County Commission hereby resolves to approve the August 2013 minutes as presented.

Resolution #4475-2

The Cleburne County Commission hereby resolves to approve the August 2013 check register.

Resolution #4475-3

The Cleburne County Commission recognizes the following board appointment statuses as of this meeting:

Resignations: None

Commission acknowledges the following vacancies:

Hospital Board – District 4 Appointment

Department of Human Resources – formerly held by Scott Hanson, Lisa Kemmerlin, and Anthony Parker.

Board Appointments:

Hospital Board-District 4 Appointment-Dan Hopkins-Term expires April 2015

Department of Human Resources –

Reappointment – Scott Hanson - Term expires – Sept. 1, 2019

Appointment – Benny Rollins - Term expires – Sept. 1, 2019

Mary Thomas - Term expires – Sept. 1, 2019

Resolution #4475-4

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:

1. Bituminous Treatment Resurfacing – Charles E. Watts, Inc.;
2. Traffic Striping – Highway Management Systems;
3. 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);

Resolution #4475-5

Whereas, the County Administrator has been working with the Cleburne County Sheriff's Department and the police departments from the City of Heflin, and Town of Ranburne towards researching and implementing solutions towards radio communications issues, and

Whereas, all parties agree that the best solution is the implementation of a digital VHF system for all law enforcement with the costs being shared between participating entities through an agreed to cost proration plan.

Therefore, the Commission authorizes the County Administrator to create specifications and standards for such a system and then seek bids from competent vendors so such a purchase can be made.

Resolution #4475-6

Whereas, the County Engineer has been approached by the Talladega National Forest and other governmental entities seeking basic assistance in minor issues having arisen where county forces could be of great aid, and

Whereas, the County Engineer can assist these entities without neglecting county priorities or creating a cost burden to county operations,

Therefore, the County Commission authorizes the County Engineer to engage in such basic and moderate projects that may fall within his scope at his own discretion as long as such projects are at a minimum self-supportive financially, do not detract from other obligations, entered into with other governmental or quasigovernmental organizations, and are permitted by law.

Resolution #4475-8

Whereas, the Commission has been asked to support a letter issued by Dr. Larry Riddle, Director of Missions by the Cleburne Baptist Association in support of a petition regarding prayer in schools,

Therefore, the Cleburne County Commission resolves to lend its support to this initiative by formal resolution this September 16th, 2013.

Resolution #4475-9

Whereas, the County Commission owns both a:

2007 Ford Crown Victoria VIN: 2AFP71W37X148839, and a

2008 Ford Crown Victoria VIN: 2FAHP71V08X128615; and

Whereas, the Commission desires for these vehicles to be made surplus for the County so that they can be disposed of in whatever manner permitted by law; and

Therefore, the Commission deems said vehicle to be surplus and directs the County Administrator to take whatever steps necessary to dispose of said property in whatever manner is permissible by law.

Resolution #4475-10

Whereas, the Cleburne County Commission has chosen to authorize the allocation of discretionary funds for the use of funding projects outside the normal scope and responsibility of County Government, and

Whereas, care must be taken that these funds are used wisely and in accordance with local, state, and federal laws and regulations.

Therefore, the Commission hereby adopts the following "Commission Discretionary Fund Policy" to regulate the utilization of such funds:

Commission Discretionary Fund Policy:

Discretionary funds will be used for all district based projects such as recreation, fire service, senior centers, cities, schools or school / educational related projects, road department issues not eligible for gasoline tax funds, non-budgeted district specific projects, and etc. Each Commissioner is required to present his or her proposal for expenditure to the County Commission in a regularly scheduled meeting where it may be discussed and will require a majority resolution approving the expenditure before it can be made.

The Commission agrees that in order to check the legality of the proposed issue of public funds and to provide proper paperwork and documentation, each Commissioner will consult with the County Administrator who with the County Attorney when necessary, will determine the legality and appropriateness of the proposed expenditure and provide their report back to the Commission before the request for approval comes before the Commission for a vote. The Administrator will oversee the issuance of a check or purchase order and perform necessary record keeping and tracking for the allocation or purchase.

Any residual remaining in a Commissioner's discretionary account at the end of a fiscal year will automatically be carried over to the next fiscal year in order to provide a funding source for larger multi-year projects. It is agreed that in multi-district projects, the initiating Commissioner may address other Commissioners individually outside of a formal setting in order to solicit assistance on a project but in no case should a Commissioner seek to impose his or her will or priorities on another Commissioner. In addition, it is understood and agreed that participation or lack of participation in a multi-district project should not be used in a way to defame a fellow commissioner for his support or lack of support and that discussions of this nature should be held only between individual Commissioners outside the presence of requesting parties or the public.

In managing fund requests, equipment purchased must be purchased, tagged and inventoried through standard county means and remain property of the Commission. Funds will not be provided directly to institutions for the purposes of purchasing equipment on their own without the tracking necessary to ensure public funds are being utilized appropriately. Should a Commissioner require "matching funds" be provided by the requesting entity, their portion should be paid to the County Commission prior to the purchase order being implemented with the vendor.

The use of "matching funds" allocations is strongly encouraged to ensure requested projects have the full support of the requesting entity by creating joint projects. This process is considered a standard practice on almost all state or federal grants where applicants must put up 10% to 50% of the project costs in order to obtain grant assistance. Issues of sustainability and responsibility should be addressed and presented as part of the proposal to the Commission.

In cases where funding is allocated for non-equipment purchases, the County should issue a purchase order directly to the vendor or service provider being utilized. The County Administrator will assist the Commissioner in maintaining sufficient records of transactions and supporting documentation for audit purposes.

Action:

Motion made by Commissioner Emmett Owen, Seconded by Commissioner Bobby Brooks

In Support: Commissioners Laura Cobb, Emmett Owen, Benji Langley and Bobby Brooks

In Opposition: None

Motion Passed

New Business

The Commission discussed Resolution presented for adoption #7 from the consent agenda of today's meeting.

A motion was made by Commissioner Bobby Brooks to approve the resolution, however there was no second given. Commissioner Emmett Owen made a motion to discuss the budget. He discussed concerns of elected officials receiving raises if a raise is voted in for county employees in the FY14 budget and he discussed concerns that he would like for the raise to be a cost of living raise instead of a service raise. He asked questions concerning the county administration budget for line items 170 - training /educational services and 410 - books & pamphlets, and the budget procedure of leasing vehicles.

Resolution #4476

Whereas, it is the responsibility of the Cleburne County Commission to pass a yearly budget for the upcoming fiscal year in the September meeting,

Therefore, after review and deliberation, the Cleburne County Commission hereby adopts the attached fiscal year 2014 budget, version 2.0.

Action:

Motion made by Commissioner Emmett Owen, Seconded by Commissioner Bobby Brooks

In Support: Commissioners Laura Cobb, Emmett Owen, Benji Langley and Bobby Brooks

In Opposition: None

Motion Passed

Reports from Staff were as follows:

A. County Administrator Steve Swafford commented on working with elected officials and department heads during the budget process.

B. County Engineer Shannon Robbins briefed the Commission on the bridge design projects through the State Department of Transportation for County Roads 2, 96, 5, and 118. He asked the Commission to consider resolutions to approve the contracts for the preliminary engineering. Shannon gave the Commission updates on maintenance operations, mechanical issues, personnel issues and discussed the need for more in-house maintenance revenue for preserving current county roads.

Resolution #4477

The Commission approves to add to the agenda of today's meeting to approve contracts with the State of Alabama Department of Transportation for the preliminary engineering for the bridge replacements for County Roads 5, 96 and 2.

Action:

Motion made by Commissioner Laura Cobb, Seconded by Commissioner Emmett Owen.

In Support: Commissioners Laura Cobb, Emmett Owen, Benji Langley and Bobby Brooks

In Opposition: None

Motion Passed

Resolution #4478

The Commission approves to add to the agenda of today's meeting to approve a contract with the State of Alabama Department of Transportation for the preliminary engineering for the bridge replacement for County Road 118.

Action:

Motion made by Commissioner Laura Cobb, Seconded by Commissioner Emmett Owen.

In Support: Commissioners Laura Cobb, Emmett Owen, Benji Langley and Bobby Brooks

In Opposition: None

Motion Passed

Resolution #4479

The Commission approves to enter into contracts with the State of Alabama Department of Transportation for preliminary engineering for the bridge replacement on County Road-2(Airline Road) over Carr Creek; County Road-96 over Silas Creek; County Road-5 over Lockchelooge Creek and County Road 118 and authorize the chairman to sign the necessary documents.

Action:

Motion made by Commissioner Emmett Owen, Seconded by Commissioner Bobby Brooks.

In Support: Commissioners Laura Cobb, Emmett Owen, Benji Langley and Bobby Brooks

In Opposition: None

Motion Passed

C. County Attorney Doug Ghee briefed the Commission with an update on County Road 10 encroachments and the ongoing litigation for the bridge issue. Doug briefed the Commission on the memo received from the special legal counsel that was sought to offer expert analysis and opinions regarding personnel procedures and policies in place and to make recommendations regarding employment issues in Cleburne County.

Commissioner Emmett Owen mentioned the report received from the special legal counsel that was sought to offer expert analysis and opinions regarding the personnel procedures and policies in place in which she made recommendations regarding employment issues in Cleburne County and also reported that she is willing to hold classes for employees.

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

Resolution #4480

The Commission meeting is adjourned.

Action:

Motion made by Commissioner Bobby Brooks, and Seconded by Commissioner Emmett Owen.

In Support: Commissioners Laura Cobb, Emmett Owen, Benji Langley, Bobby Brooks

In Opposition: None
