

# Cleburne County Commission Meeting Minutes

## Regular Commission Meeting June 24, 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

#### Public Comment from Citizens:

- A) Mr. Pat Huer with Celebrate Recovery discussed his concerns about shared building space with Cleburne County Foster Parents Association and gave the Commission an update about his programs.
- B) Mr. Mike Pentecost with Woodhaven Custom Calls discussed his advertising opportunity and asked the Commission for monetary support.

#### Consent Agenda

The Commission passed the June consent agenda including:

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##### **Resolution #4461-1**

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

##### **Resolution #4461-2**

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

##### **Resolution #4461-3**

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

Resignations: None

Commission acknowledges the following vacancies:

Vacancies:

Cleburne County Water Authority –

Position held by Joe Bill Conkle in March 2013

Board Appointments:

Cleburne County Water Authority –

Doug Ford to the above noted position.

**Resolution #4461-5**

**Whereas**, the Cleburne County Revenue Commissioner has requested that the Commission strike the attrition policy related to her office and part of the 2013 County Budget in order for her to refill a position being vacated due to the retirement of an employee,

**Therefore**, the Cleburne County Commission rescinds the 2013 attrition policy, allowing the Revenue Commissioner to replace the retiring employee by refilling the position without modification to its current and previous terms and conditions.

**Resolution #4461-6**

**Whereas**, the Cleburne County Commission has had additional considerations regarding issues related to the use of County property by multiple agencies,

**Therefore**, the Commission hereby rescinds resolution #4451-13 allowing Celebrate Recovery to co-occupy space located on Brockford Road in Heflin.

**Resolution #4461-7**

**Whereas**, Ms. Melissia Wood has tirelessly and professionally served Cleburne County for almost ten years in the position of County Finance Officer, and

**Whereas**, Ms. Wood is held in the highest of regards for her quality of work and professionalism, and

**Whereas**, Ms. Wood now leaves us to assume a position with the Calhoun County Commission,

**Therefore**, the Cleburne County Commission wishes to formally commend Ms. Wood on her services to the people of Cleburne County and wish her well in her new endeavors with our sister county.

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

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**New Business Agenda**

- A. Resolution presented by the Commission Chairman to address the transition of the County Finance Officer position

**Resolution #4462**

**County Finance Officer Transition Plan**

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**Whereas**, the position of County Finance Officer will be vacant effective June 28<sup>th</sup> 2013, and

**Whereas**, a transition plan has been put together in order to develop a plan of action for meeting the needs of the department during this period of transition, and

**Whereas**, this transition and the development of a new employee in this position is critical to the long term success of Cleburne County government and care must be given to properly establish, train, nourish, and contribute to the professional development of this employee so they may better understand the laws, rules, and regulations applicable to their position.

**Therefore**, the Commission endorses the plan of action to establish a temporary assignment of Kim Brown, as defined by section 5.3 of the Cleburne County Personnel Manual, into the position of acting County Finance Officer for a period not to exceed 180 days. It is understood that contractual accounting personnel procured through a temporary employment agency will undertake Kim's present responsibilities during this period. In order to provide adequate supervision and direction necessary to assure the necessary support for organizational planning, training, and transition, the position of County Finance Officer will be reinstated as a direct report of the County Administrator similar to the majority of other counties in the State of Alabama and in compliance with the Code of Alabama Sections 11-3-18.

**In addition**, Ms. Melissia Wood has agreed to assist Ms. Brown during this period and would be compensated at her current rate of pay in part time and temporary status to aid in the transition. Ms. Wood has also agreed to serve on a transition team consisting of herself, the County Administrator, and the County Commission Chairman. Prior to the end of the 180-day period, the transition team will evaluate the situation and post the position of County Finance Officer either internally or externally depending on their assessment of the County's needs and complete the staffing of the county's accounting branch.

Action:

Motion made by Commissioner Bobby Brooks, Seconded by Commissioner Benji Langley

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

In Opposition: None

Motion Passed

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- B. Resolution presented for Adoption – 4 from the consent agenda of today's agenda.

**Whereas**, the Cleburne County Commission has expressed a desire to transfer property owned by the county and located at 141 Davenport Drive to the Cleburne County Board of Education to be used for administrative offices; and

**Whereas**, the Cleburne County Commission desires to sell the entirety of this property for the sum of one dollar (\$1.00), excluding the County's emergency radio tower and the right to access this location by way of an easement.

**Therefore**, the Commission directs the County Administrator to have necessary legal and surveying work prepared in coordination and at the expense of the Cleburne County Board of Education and authorizes him to proceed with the signing of said documents and the transferring of the property.

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Action:

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

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

To Abstain: Commissioner Benji Langley

In Opposition: None

Motion Passed

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**Reports from Staff were as follows:**

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A. County Administrator Steve Swafford gave the Commission copies of Memorandum of Agreements for the City of Heflin, Alabama Power, Cleburne Chamber of Commerce and the Memorandum of Understanding between the American Red Cross and Cleburne County Emergency Management Agency that are associated with allocations that were approved in the May Commission meeting. Steve briefed the Commission on the safety assessment by Meadowbrook Insurance that is done once each year and discussed their recommendations for the safety of county employees and buildings. These items are mostly policy related and will be discussed at the next safety meeting held by the safety committee. Steve updated the Commission with his receiving the review of the storm rating designation 4-year review for having an Emergency Preparedness system in place up to a standard as recognized by the National Weather Service. Steve updated the Commission on the visitors that recently came to take a tour of the new Cleburne County Mountain Center.

Commissioner Emmett Owen discussed concerns he has with safety issues at the Cleburne County Mountain Center and asked for an update on the list of items of repair due under warranty from the contractor at the Cleburne County Mountain Center.

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B. County Engineer Shannon Robbins briefed the Commission with updates on routine maintenance, mowing and discussed visibility issues. Shannon gave the Commission an update on County Road 10. His department is in the process of working with the Department of Transportation in getting forms completed for upcoming projects and also the ongoing RAMP project. He should have current updates available at the next work session.

C. County Attorney Doug Ghee gave the Commission a report on the request from The Commission in the May Commission meeting concerning the Commission working with department heads. Doug updated the Commission on the meeting of June 27, 2013, at 2:00 p.m. for the organization of the Grievance Committee and the meeting of June 27, 2013, at 3:00 p.m. for the committee to review the total dollar value of the employee contract of the County Administrator and the total dollar value associated with the job position.

County Administrator Steve Swafford suggested that department heads from all county offices attend Commission work sessions and give an update report.

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Chairman Ryan Robertson informed the Commission that with him being the County Commission Chairman he is mandated by State of Alabama Code 11.3.20 which gives him the authority to supervise the administrative records of the Commission Finance office and to chair the County Commission meetings. This gives Ryan the authority to obtain any and all records from the finance office and supply them to whom may ask when requested.

Old Business:

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- A. Discussion of processes for providing additional information and operational updates to the County Commission.

**Resolution #4463**

Whereas, the Cleburne County Commission has decided that a need exists to be better informed of the daily operations of the County government, and

Whereas, the Cleburne County Commission is attempting to ensure the best possible operations of County government, and

Whereas, the Cleburne County Commission wishes to improve positive communications within the County government and to better inform the public of the operations of County government,

Be it resolved that the Commission will assign an individual Commissioner to work with and to review the monthly operations of various individual departments of County government, periodically reviewing the operations, work, documents, and any other items of interest or concern in the departments of government, including discussions with individual employees within the departments.

The departments of County government so affected are as follows: District 1 Commissioner, Laura Cobb, will be assigned to work with departments: 911 and the Financial Office. District 2, Commissioner Emmett Owen, will be assigned to work with departments: County Administration, Maintenance and Human Resource. District 3, Commissioner Benji Langley, will be assigned to work with departments: Compliance and Transportation. District 4, Commissioner Bobby Brooks, will be assigned to work with the Road Department.

Each Commissioner may make a report to the full Commission of any findings, concerns, or recommended actions as each may see fit.

Nothing in this resolution in any way undermines or changes the responsibilities of the Commission as a whole.

Action:

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

In Support: Commissioners Laura Cobb, Emmett Owen

In Opposition: Bobby Brooks, Benji Langley, Ryan Robertson

Motion Did Not Pass

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**Resolution #4464**

Whereas, the Cleburne County Commission has decided that a need exists to be better informed of the daily operations of the County government, and

Whereas, the Cleburne County Commission is attempting to ensure the best possible operations of County government, and

Whereas, the Cleburne County Commission wishes to improve positive communications within the County government and to better inform the public of the operations of County government,

Be it resolved that each of the following persons listed herein shall provide to the Commission monthly updates at the beginning of the Commission's monthly work session:

County Engineer  
County Road Superintendent  
County Compliance Officer  
County 911 Director  
County Revenue Commissioner  
County Sheriff or Chief Deputy  
County Administrator  
County Finance Officer  
County Human Resources Officer  
County Probate Judge  
County Jail Administrator  
County Coroner

Each Commissioner or the Commission as a whole may request from each of the above additional reports, answers to specific questions, copies of documents, or any other relevant item that may improve the operations of County government or better inform the Commission and/or the public of the operations of County government.

The Commission is not compelled to take any specific action upon the receipt of the individual reports. This practice shall continue for six (6) months and may be continued by a majority vote of the Commission on a semi-annual basis.

Nothing in this resolution in any way undermines or changes the responsibilities of the Commission as a whole.

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Action:

Motion made by Commissioner Laura Cobb, and Seconded by Commissioner Benji Langle

In Support: Commissioners Laura Cobb, Emmett Owen, Benji Langle

In Opposition: Bobby Brooks

Motion Passed

The Commission paused the meeting at this time to take a 10 minute break.

Commissioner Laura Cobb made a motion to go into executive session and Commissioner Emmett Owen seconded. All approved.

The Commission discussed having an outside firm offer expert analysis and opinions regarding the procedures and policy in place and to make recommendations regarding employment issues in Cleburne County.

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**Resolution #4465**

The Commission approved to add to the agenda of today's meeting to have an outside firm offer expert analysis and opinions regarding the procedures and policy in place and to make recommendations regarding employment issues in Cleburne County.

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Action:

Motion made by Commissioner Emmett Owen, and Seconded by Commissioner Benji Langley

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

In Opposition: None

Motion Passed

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**Resolution #4466**

Be it resolved that the Commission authorizes the employment of special legal counsel to offer expert analysis and opinions regarding the procedures and policy in place and to make recommendations regarding employment issues in Cleburne County. Commissioner Laura Cobb is tasked to work with the County Attorney to make a recommendation as to the special counsel to be retained; Chairman Robertson is authorized to retain the special counsel so recommended, pending confirmation by the Commission.

Below is a list of 5 possibilities that was recommended by Jamie Kidd, an attorney associated with our insurance carrier; Meadowbrook:

1. Roger & Roger
2. Carter
3. Holstar
4. Adam Porter
5. Richard Horsley

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Action:

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

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

In Opposition: None

Motion Passed

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

**Resolution #4467**

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

Motion Passed

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