

**Cleburne County Commission Meeting Minutes
Regular Commission Meeting March 9, 2015
Cleburne County Mountain Center**

Roll Call:

Present:

Chairman Ryan Robertson
Commissioner Laura Cobb
Commissioner Emmett Owen
Commissioner Bobby Brooks
Commissioner Terry Hendrix

Absent:

None

Comments from Citizens

A. Carolyn Doggett discussed questions regarding political process

Consent Agenda

The Commission passed the March consent agenda including:

Action as related to Resolutions #4605-1-8:

Motion made by Commissioner Laura Cobb, Seconded by Commissioner Terry Hendrix

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

In Opposition: None

Motion Passed

Resolution #4605-1

The Cleburne County Commission hereby resolves to approve the January and February 2015 minutes as presented.

Resolution #4605-2

The Cleburne County Commission hereby resolves to approve the January and February 2015 check registers.

Resolution #4605-3

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

Resignations:

Commission acknowledges the following vacancies:

Cleburne County Library Board, seat held by Mandy Johnson
Public Building Authority, seat held by Melissia Wood

Board Appointments:

Rodger Hand is re-appointed to the Cleburne County Water Board.

Kim Bible is re-appointed to the Cleburne County Water Board.

Pam Richardson is re-appointed to the Cleburne County Hospital Board for her term set to expire in April 2015.

Dan Hopkins is re-appointed to the Cleburne County Hospital Board for his term set to expire in April 2015.

Patrick Nolen is re-appointed to the Cleburne County Hospital Board for his term set to expire in April 2015.

Kim Brown is appointed to the Public Building Authority seat previously held by Melissa Wood.

Mandy Johnson is re-appointed to the Cleburne County Library Board.

Martha Brown is re-appointed to the Cleburne County Library Board for her term set to expire in April 2015.

Resolution #4605-4

Whereas, the Cleburne County Commission has been approached to enter into a cooperative agreement with the Calhoun County Commission; and

Whereas, the Commission finds this agreement to be a satisfactory arrangement beneficial to both parties;

Therefore, the Commission authorizes the County Administrator to enter into such agreement as presented tonight for review and to serve as primary point of contact for Cleburne County in all matters related to said agreement.

Resolution #4605-5

Whereas, the Cleburne County Commission is entitled to appoint one or more members to the Board of Directors of the Calhoun Cleburne Mental Health Board, Inc., a nonprofit corporation organized and existing under Act 310, codified at Alabama Code § 22-51-1, et seq. of the laws of the State of Alabama (the "Corporation") as of November 18, 2014; and

Whereas, Act 310, codified at Alabama Code § 22-51-1, et seq. of the laws of the State of Alabama ("Act 310") provides that the Certificate of Incorporation of the Corporation may be amended from time to time and provides certain procedures for accomplishing the same; and

Whereas, a regular meeting of the Board of Directors of the Corporation was held at the office of the Corporation at 331 East 8th Street, Anniston, Alabama 36207, on November 18, 2014 pursuant to the Bylaws of the Corporation; and

Whereas, a regular meeting of the Board of Directors of the Corporation was held at the office of the Corporation at 331 East 8th Street, Anniston, Alabama 36207, on January 20, 2015 pursuant to the Bylaws of the Corporation; and

Whereas, the Board of Directors of the Corporation adopted resolutions setting forth and approving amendments to the Certificate of Incorporation of the Corporation on November 18, 2014, and on January 20, 2015. Such resolutions setting forth and approving amendments to the Certificate of Incorporation of the Corporation are attached hereto Exhibit 1 and Exhibit 2, (together, the "Proposed Amendments"); and

Whereas, the Alabama Department of Mental Health reviewed and approved the Proposed Amendments as of January 29, 2015; and

Whereas, the Cleburne County Commission finds that the Proposed Amendments are in the public interest.

Therefore, be it resolved that the Cleburne County Commission hereby approves the Proposed Amendments as required by Ala. Code § 22-51-7.

Resolution #4605-7

Whereas, new understandings and perspectives have developed regarding the operation of Cleburne 911 / Central Dispatch;

Therefore, the Cleburne County Commission hereby rescinds the resolution passed in our February meeting:

Resolution #4598-4

Commission District 1 feels the need to hire a 911 Director.

This position would require EMA experience and would report directly to the Commission Board. The Commission Board will interview and hire for this position. The Human Resource Officer and the County Administrator will bring before the Commission Board three applications for review.

Resolution #4605-8

Whereas, the District 3 Commissioner has been approached with a request from the City of Ranburne for \$5,000 in assistance in making access improvements to a parcel of property owned by the City and proximal to Highway 46 and with a total project cost to the city being estimated at \$12,000; and

Whereas, the District 3 Commissioner desires to allocate \$5,000 towards reimbursing the City of Ranburne when the project is complete.

Therefore, the Commission authorizes the appropriation of funds, recognizing it as having a valid public purpose and a valid use of the earmarked tobacco tax and authorizes the County Administrator to proceed with the implementation of a MOU with Ranburne towards completion of this project.

New Business:

The following resolutions were approved in new business:

Action as related to Resolution #4606:

Motion made by Commissioner Emmett Owen, Seconded by Commissioner Terry Hendrix

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

In Opposition: None

Motion Passed

Resolution #4606

County Levies for Alcoholic Licensing

Whereas, Section 28-3A-4, Code of Alabama requires the Alcoholic Beverage Control Board to collect all county license fees for all new license applications and renewed licenses; and

Whereas, the Commission must periodically acknowledge the local rates as set by the Commission;

Therefore, the Commission establishes the FY2015-2016 county rates as being equivalent to those fees charged as a "State License Fee" or in the case of there being a

maximum county fee that is less than the "State License Fee"; the County Fee shall be the maximum amount permissible by law.

Action as related to Resolution #4607:

Motion made by Commissioner Bobby Brooks, Seconded by Commissioner Terry Hendrix

In Support: Commissioners Terry Hendrix, Bobby Brooks and Chairman Ryan Robertson

In Opposition: Commissioners Laura Cobb and Emmett Owen

Motion Passed

Resolution #4607

Auburn CGS Strategic Planning Agreement

Whereas, the Auburn Center for Governmental Services has provided a statement of work and quote for implementing a strategic planning process and compiling a strategic plan for Cleburne County; and

Whereas, strategic planning and the development of a strategic plan will help the County analyze the needs and issues relevant to the people of Cleburne County and attempt to develop unique approaches towards the providing of goods and services by county government.

Therefore, the Cleburne County Commission authorizes to the County Administrator to go into contract with Auburn CGS and coordinate the development and implementation of this strategic planning effort.

Action as related to Resolution #4608:

Motion made by Commissioner Emmett Owen, Seconded by Commissioner Terry Hendrix

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

In Opposition: None

Motion Passed

This resolution will carry forward to next month's meeting

Resolution #4608

Resolution Presented for Adoption – 6 – From the Consent Agenda of Today's Meeting

Whereas, the members of the Cleburne County Commission have expressed a desire to have county credit cards to be used to cover travel expenses; and

Whereas, the County Administrator has concerns and questions as to the statutory authority held by the Commission to pursue these travel credit cards;

Therefore, The Cleburne County Commission hereby asks the County Administrator to seek a formal legal opinion from the Alabama Attorney General's Office in regards to an unclear area of law regarding the legality of issuing travel credit cards to county officials and employees.

Action as related to Resolution #4609:

Motion made by Commissioner Terry Hendrix, Seconded by Commissioner Laura Cobb

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

In Opposition: None

Motion Passed

Resolution #4609

The Cleburne County Commission hereby resolves to add to the agenda of today's meeting the resolution to increase the Sheriff's Department budget for revenues received from insurance proceeds.

Action as related to Resolution #4610:

Motion made by Commissioner Terry Hendrix, Seconded by Commissioner Laura Cobb

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

In Opposition: None

Motion Passed

Resolution #4610

Whereas, the Cleburne County Sheriff's Department has had two vehicles totaled this fiscal year; and

Whereas, the insurance payments to the County on these two vehicles total \$22,590.38.

Therefore, the Cleburne County Commission hereby resolves to increase the Sheriff's Department's allocation for FY-15 in the amount of \$22,590.38 in order to apply these insurance payments towards the purchase of a replacement vehicle.

Reports from staff:

- A. County Administrator Steve Swafford briefed the Commission on being contacted by the Department of Conservation Natural Resources concerning the expansion on Cheaha State Park.
- B. County Engineer Shannon Robbins gave the Commission a brief on the state road projects.
- C. County Attorney Doug Ghee briefed the Commission on the case for the Revenue Commissioner, and he recommended to the Commission to enter into executive session for him to address them concerning a personnel issue.

Commissioner Terry Hendrix made a motion to go into executive session to discuss a personnel issue and Commissioner Laura Cobb made a second. The Commission will reconvene to regular session in 30 minutes. All was in approval.

Old Business:

A. Fuel Tax Referendum Proposal

Chairman Ryan Robertson abstained at this time. Commissioner Bobby Brooks was designated to chair the meeting.

Commissioner Emmett Owen made a motion to approve the Fuel Tax Referendum Proposal. There was not a second given, therefore the motion dies for lack of a second.

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

Action as related to Resolution #4611:

Motion made by Commissioner Terry Hendrix, and Seconded by Commissioner Bobby Brooks

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

In Opposition: None

Motion Passed

Resolution #4611

The meeting is adjourned.