

**Cleburne County Commission Meeting Minutes
Regular Commission Meeting May 8, 2017
Cleburne County Mountain Center**

Roll Call

Present:

Chairman Ryan Robertson
Commissioner Laura Cobb
Commissioner Emmett Owen
Commissioner Terry Hendrix
Commissioner Jake Durham

Absent:

None

Comments from Citizens:

- A. Brent Thompson Pastor of Heflin Baptist Church spoke about reading the whole Bible in less than 90 hours and the National Day of Prayer. He then presented one of the Bible's to the commission. The individuals who had read also signed the Bible. He stated he would pray for the commission and thanked the commission for serving.
- B. Neil Burke addressed road concerns
- C. Leonard Molden addressed road concerns
- D. Dianne Glenn, Principal Planner with East Alabama Regional Planning and Development Commission to address Cleburne County Water Authority Water System Extension and Improvement Project (CDBG Project Number CY-CM-PF-16-004)

Consent Agenda

The Commission passed the May 2017 Consent Agenda including:

Action as related to Resolutions #4796 – 1-5 - May 2017 Consent Agenda:

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

In Support: Commissioners Laura Cobb, Emmett Owen, Terry Hendrix, and Jake Durham

In Opposition: None

Motion Passed

Resolution #4796-1

The Cleburne County Commission hereby resolves to approve the minutes of: April 10th, 2017.

as presented.

Resolution #4796-2

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

Resignations:

None

Commission acknowledges the following vacancies:

GUSC – Donald Dewberry – term expired will renew as Jan 1, 2023

Hospital – Sandra P. Weston and Landon Brown terms expired will renew as April 1, 2023

Board Appointments:

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Hospital – Ms. Nikki Smallwood to the term previously held by Ms. Sandra P. Weston – District 1 appointment

Hospital – Ms. Sandy Weston to the term previously held by Mr. Landon Brown – District 3 appointment

GUSC – Donald Dewberry is reappointed – Appointed at large

Resolution #4796-3

Whereas, the Cleburne County Commission has asked to approve all purchase orders over \$4,000.

Therefore, the Cleburne County Commission hereby approves the following requests:

None

Resolution #4796-4

Whereas, the Cleburne County Commission has agreed to establish the position of Safety Coordinator to establish and oversee a safety program to assist with the loss prevention efforts of the county; and

Whereas, the Safety Coordinator will be responsible for insuring compliance with certain safety rules and regulations that protect the well-being of county employees and the public; and

Whereas, the Safety Coordinator will be responsible for:

Establishing a County-wide Safety Committee made up of at least one representative from each safety-sensitive department;

Coordinating and presiding over County-wide Safety Committee meetings (at least 2 per year), maintaining agendas and sign-in sheets of those meetings, and reporting to the Commission;

Determining the county's safety-sensitive departments, implementing safety rules, and the need for each safety-sensitive department to hold at least four (4) departmental safety meetings per year;

Coordinating participation of Public Officials/Administrative Staff, ALL Correctional Officers and ALL Deputies, and ALL Road & Bridge Department Employees in required training;

Attending and completing at least one Safety Coordinator Training session annually;

Working with safety-sensitive departments with periodic safety self-inspections of all vehicles, buildings, grounds, equipment and machinery, and work practices/conditions to determine potential injury exposures and safety-related hazards;

Assisting safety-sensitive departments with the reviewing and investigating of all employee accidents for causes and making recommendations for improvements and corrections;

Working with Meadowbrook Risk Management Consultants and following up with their surveys;

Documenting and maintaining inspection records and implementing any follow-up actions; and

Whereas, the Safety Coordinator will be responsible for insuring qualifications have been met that will enable the county to receive a substantial discount on their insurance costs.

Therefore, Lisa Milinkovich is now hereby appointed Safety Coordinator for the Cleburne County Commission.

Resolution #4796-5

Whereas, the Cleburne County Commission, Cleburne County, Alabama (County) has been awarded a Community Development Block Grant to assist the Cleburne County Water Authority with the Cleburne County Water Authority Water System Extension and Improvement Project (CDBG Project Number CY-CM-PF-16-004), and;

Whereas, the County must procure engineering services about this project, and;

Whereas, the County will enter contract negotiations for engineering services with the firm whose proposal receives the highest total points as rated by a selection committee composed of County Commission and Water Authority staff on or after May 26, 2017.

Therefore, be it resolved that the county does hereby authorize the County Chairman, Ryan Robertson, to enter an engineering contract with the firm with which successful negotiation occurs for an amount not to exceed \$43,131.00 (Forty-three thousand, one hundred thirty-one dollars) and to sign all necessary documents and assurances about the procurement of engineering services.

New Business:

The following resolutions were reviewed for passage in New Business:

- A. Discussion of Employment Contract Early Termination Offer

County Attorney Doug Ghee gave the Commission and update.

No action was taken at this time.

- B. Sales Tax Holiday

Action as related to **Resolution #4797** – B. Sales Tax Holiday

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

In Support: Commissioners Laura Cobb, Emmett Owen, Terry Hendrix and Jake Durham

In Opposition: None

Motion Passed

Resolution #4797

Sales Tax Holiday

Whereas, during its 2017 Regular Session, the Alabama Legislature enacted Act No. 2017-120, effective March 30, 2017, which provides an exemption of the state sales and use tax for certain non-commercial purchases related to school clothing and supplies during the third full weekend in July of each year; and

Whereas, Act No, 2017-120 authorizes the county commission to provide for an exemption of county sales and use taxes for purchases of items covered by the Act during the same time period in which the state sales and use tax exemption is in place, provided a resolution to that effect is adopted at least thirty days prior to 12:01 a.m. on the third Friday in July; and

Whereas, the Cleburne County Commission has affirmatively voted to grant the exemption of county sales and use taxes on purchases covered by Act No. 2017-120 during the third weekend of July, beginning at 12:1 a.m. on the third Friday of each July and ending at twelve midnight on the third Sunday of each July, beginning with the third full weekend of July in 2017 and continuing each subsequent year thereafter during the third full weekend of July until and unless annual participation in the exemption is rescinded by further action of the county commission; and

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Whereas, ALA. CODE 11-51-210(e) (1975) requires that the county commission notify the Alabama Department of Revenue of any new local tax or amendment to an existing local tax levy at least 30 days prior to the effective date of the change; and

Whereas, the exemption of certain county sales and use taxes for the third full weekend of July herein adopted by the county commission is an amendment to the county's sales and use tax levy warranting notice to the Alabama Department of Revenue as provided in ALA. CODE 11-51-210(e) (1975);

Therefore, be it resolved that the Cleburne County Commission does hereby provide for an exemption of the county sales and use tax on purchases of items covered by Act No. 2017-120 beginning at 12:01 a.m. on the third Friday in July and ending at twelve midnight on the third Sunday in July, beginning in July 2017 and continuing each year thereafter until and unless annual participation is rescinded by further action of the county commission.

Furthermore, be it resolved that a copy of this resolution be immediately forwarded to the Alabama Department of Revenue in compliance with ALA. CODE 11-51-210(e) (1975).

C. Resolution Presented for Adoption – 6 from the Consent Agenda of Today's meeting - Section 5311 Nonurbanized Area Public Transportation Program.

A motion was made by Commissioner Emmett Owen and a second by Commissioner Laura Cobb to approve the resolution; however, after discussion the motion and second was rescinded and a motion was made by Commissioner Jake Durham and a second by Commissioner Laura Cobb to carry over the resolution.

Action as related to **Resolution #4798** – Resolution Presented for Adoption – 6 from the Consent Agenda of Today's meeting - Section 5311 Nonurbanized Area Public Transportation Program.

Motion made by Commissioner Jake Durham, seconded by Commissioner Laura Cobb

In Support: Commissioners Laura Cobb, Emmett Owen, Terry Hendrix and Jake Durham

In Opposition: None

Motion Passed to carry over

Resolution #4798

Agreement with the East Alabama Regional Planning and Development for provision of transit services in Cleburne County.

This resolution will carry over.

Whereas, the Cleburne County Commission (County) recognized the need for a public transportation program and

Whereas, the County is recognized as a member of the Cleburne County Transportation Steering Committee; and

Whereas, the County recognizes that the requirements to obtain Section 5311 funds from the Alabama Department of Transportation includes a local match of 50% for operating expenses and 20% for administration and capital expenses; and

Whereas, the County recognizes that the local match will be shared cost with other participating Municipalities being responsible for providing an appropriate allocation of local non-federal funds to secure the operating of the Section 5311 Nonurbanized Area Public Transportation Program.

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Therefore, be it resolved that the county hereby commits the amounts of \$44,288 as local non-federal match for capital, administrative, and operational expenditures under the Section 5311 Nonurbanized Area Public Transportation Program during Fiscal Year 2018.

Furthermore, be it resolved that the County Chairman is authorized to execute an agreement with the East Alabama Regional Planning and Development Commission for provision of transit services in Cleburne County and that the Chairman is also authorized to execute any certifications and assurances required in conjunction with the program.

D. Resolution Presented for Adoption – 7 from the Consent Agenda of Today's meeting-Payroll Services for the Cleburne County Water Authority

Whereas, the Cleburne County Commission (County) provides payroll services for the Cleburne County Water Authority (Authority); and

Whereas, the relationship between responsible entity and service provider is one that needs to be well defined.

Therefore, the county hereby approves the prepared and attached Memorandum of Understanding and authorizes the County Chairman to execute said agreement

A motion was made by Commissioner Emmett Owen and a second by Commissioner Laura Cobb to approve the above resolution; however, after discussion the motion and second was rescinded and a motion was made by Commissioner Jake Durham and a second by Commissioner Laura Cobb to amend to hold the resolution for a time period of six months for further discussion and to notify the Cleburne County Water Authority of the possibility of charging a fee in providing payroll services.

Action as related to **Resolution #4799** – Providing Payroll services to the Cleburne County Water Authority

Motion made by Commissioner Jake Durham, seconded by Commissioner Laura Cobb

In Support: Commissioners Laura Cobb, Emmett Owen, Terry Hendrix and Jake Durham

In Opposition: None

Motion Passed

Resolution #4799

Providing Payroll services to the Cleburne County Water Authority

The Commission will hold the following resolution represented for adoption from the consent agenda #7 for a time period of six months for further discussion and authorize notification to the Cleburne County Water Authority of the possibility of charging a fee for providing payroll services.

Whereas, the Cleburne County Commission (County) provides payroll services for the Cleburne County Water Authority (Authority); and

Whereas, the relationship between responsible entity and service provider is one that needs to be well defined.

Therefore, the county hereby approves the prepared and attached Memorandum of Understanding and authorizes the County Chairman to execute said agreement

The Commission discussed adding two resolutions to the agenda of today's meeting: for research of County Road #208 and to authorize the County Human Resource Officer to study benefits and fees for payroll processing services.

Action as related to **Resolution #4800** – To add two resolutions to the agenda of this meeting

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

In Support: Commissioners Laura Cobb, Emmett Owen, Terry Hendrix and Jake Durham

In Opposition: None

Motion Passed

Resolution #4800

To add two resolutions to the agenda of today's meeting
The Commission approves to add to the agenda of today's meeting for approval to task the County Attorney to research County Road #208 and to authorize the Human Resource Officer to study the benefits and possibility of charging fees for payroll processing services to other entities in the county.

Action as related to **Resolution #4801** – To task the County Attorney to research County Road #208

Motion made by Commissioner Jake Durham, Seconded by Commissioner Laura Cobb

In Support: Commissioners Laura Cobb, Emmett Owen, Terry Hendrix and Jake Durham

In Opposition: None

Motion Passed

Resolution #4801

Research of County Road #208

The Commission authorizes County Attorney Doug Ghee to research County Road #208.

Action as related to **Resolution #4802** – To task the Human Resource Officer to study the benefits and possibility of charging fees for payroll processing services to other entities in the county.

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

In Support: Commissioners Laura Cobb, Emmett Owen, Terry Hendrix and Jake Durham

In Opposition: None

Motion Passed

Resolution #4802

Study of benefits and possibility of charging fees for payroll processing services to other entities in the county.

The Commission authorizes the Human Resources Officer to study the benefits and possibility of charging fees for payroll processing services to other entities in the county.

Reports from staff

A. County Administrator Steve Swafford was not present for the meeting.

The Chairman gave updates on Cleburne County Governmental Utilities Services Corporation Water Plant, solid waste contract, County Administrator contract offer and siren repairs.

B. County Engineer Lee Estes was not present for the meeting.

C. County Attorney Doug Ghee did not have new updates at this time.

D. County Finance Officer Kim Brown was not present for the meeting.

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E. County Human Resource Officer Lisa Milinkovich gave updates on the most recent new hires for the county.

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

The Commission adjourned the meeting.

Action as related to Resolution #**4803** – Adjourn the meeting

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

In Support: Commissioners Laura Cobb, Emmett Owen, Terry Hendrix and Jake Durham

In Opposition: None

Motion Passed

Resolution #4803

The meeting is adjourned.