

**Cleburne County Commission Meeting Minutes
Regular Commission Meeting September 12, 2016
Cleburne County Mountain Center**

Roll Call

Present:

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

Absent:

None

Consent Agenda

The Commission passed the September 2016 Consent Agenda including:

Action as related to Resolutions #4734-1-8, 10-September 2016 Consent Agenda:

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

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

In Opposition: None

Motion Passed

Resolution #4734-1

The Cleburne County Commission hereby resolves to approve the minutes of:

August 8, 2016

as presented.

Resolution #4734-2

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

Resignations: None

Commission acknowledges the following vacancies: **(1)**

Calhoun / Cleburne Mental Health Board

Board Appointments: None

Resolution #4734-3

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:

1. Cleburne County Engineer's Office -
 - a. Vendor - Terracon Consultants
 - b. Estimated Cost - \$ 13,300

2. Cleburne County Engineer's Office -
 - a. Vendor - Gonzalez, Strength & Associates -
 - b. Estimated Cost - \$ 170,576

Resolution #4734-4

Whereas, the Commission is asked to renew its Long Term Detention Subsidy Contract in conjunction with the State Department of Youth Services each year.

Therefore, the Cleburne County Commission authorizes the County Administrator to make this designation and sign any and all paperwork related to the renewal of this agreement / contract.

Resolution #4734-5

Whereas, the Commission must from time to time reevaluate and reestablish contracts with healthcare providers for medical and pharmaceutical care for county jail inmates.

Therefore, the Cleburne County Commission authorizes the County Administrator to enter into contract with QCHC of Alabama in the amount of \$60,000 per year for a term of three years and to define the acceptable terms and aspects of said contract.

Resolution #4734-6

Whereas, having received notification from the State of Alabama Alcoholic Beverage Control Board of a 050 – Retail Beer (Off Premises Only) Alcohol License and a 070 Retail Table Wine (Off Premises Only) Alcohol License being requested (Confirmation number 20160818143935454) by Kinnaben Chirag Patel of 207 Summer Chase, Carrollton, GA for a location in Cleburne County known as Weigels 2 Ya Dada LLC at 8495 Highway 431, Heflin, AL; and

Whereas, no apparent violation of the County's criteria is evident and the application received from the Board appears in order; and

Therefore, the Cleburne County Commission approves an alcohol license for the said location.

Resolution #4734-7

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 vendors to supply materials, and companies to perform various construction activities for the improvement to the infrastructure of the County and an Annual Bid is utilized to accomplish those tasks;

Therefore, based on the bids received and in the best interest of the Cleburne County Commission,

The following Annual Maintenance items are awarded to:

Bituminous Treatment Resurfacing – Charles E. Watts, Inc.;

Traffic Stripe –
Full Depth Reclamation –

Bulk Cement -

Ozark Striping Company, Inc.;
The Miller Paving Group, Inc. and
D&J Enterprises;
Lehigh Cement Company.

The following annual maintenance items are hereby renewed:

Crushed Aggregate –	McCartney Construction;
Hot Mix –	MidSouth Paving;
Cold Mix –	MidSouth Paving;
Concrete Box Culvert -	Forterra Pipe & Precast;
Reinforced Concrete Pipe -	Forterra Pipe & Precast;
Bituminous Concrete Asphalt (In-Place)	MidSouth Paving & McCartney Construction
Corrugated Metal Pipe -	Contech Engineered Solutions.

Resolution #4734-8

Whereas, the Commission must from time to time reevaluate and reestablish contracts for forensic services, consultation, and education services in support of the Cleburne County Sheriff's Department.

Therefore, the Cleburne County Commission authorizes the County Administrator to enter into contract with Jacksonville State University in the amount of \$10,000 and to define the acceptable terms and aspects of said contract.

Resolution #4734-10

Whereas, the Commission must from time to time reevaluate and reestablish contracts for the grants administration of the ACTS Section 5311 Transportation Program.

Therefore, the Cleburne County Commission authorizes the County Administrator to enter into contract with East Alabama Regional Planning and Development Commission for a term of three years for the administration of said program and to define the acceptable terms and aspects of said contract.

New Business:

The following resolutions were reviewed for passage in New Business:

**A. Discussion of Dispatching Contracts with E911
i. Sheriff's Department**

Action as related to **Resolution #4735-** A. Discussion of Dispatching Contracts with E911
i. Sheriff's Department:

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 #4735

Resolution Related to New Business Item A-i

Whereas, the Commission has been approached and presented a contract by the Cleburne County Sheriff who requests the Commission enter into agreement with the Cleburne County Communications District for dispatching services;

Therefore, the Cleburne County Commission authorizes the County Administrator to enter into contract with the Cleburne County Communications District in the initial base amount of \$66,440.56 per year for a three-year term for the providing of dispatching services for the Cleburne County Sheriff's Department.

Furthermore, the Commission understands that during this three-year term, the proposed fee will be based on call volume and will neither decrease or increase more than (+ or -) 5% each year. Supporting documentation will be provided to the Cleburne County Commission by the Communications District on a yearly basis in order to support the fee allocation.

**A. Discussion of Dispatching Contracts with E911
ii. Volunteer Fire Departments**

Action as related to **Resolution #4736**- A. Discussion of Dispatching Contracts with E911
ii. Volunteer Fire Departments

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 #4736

Resolution Related to New Business Item A-ii

Whereas, the Commission has been approached and presented a contract by the Cleburne County Communications District who requests the Commission enter into agreement with the Cleburne County Communications District for dispatching services to be provided for the benefit of Cleburne County Volunteer Fire Departments;

Therefore, the Cleburne County Commission authorizes the County Administrator to enter into contract with the Cleburne County Communications District in the initial base amount of \$14,003.69 per year for a three-year term for the providing of dispatching services for Volunteer Fire Departments of Cleburne County.

Furthermore, the Commission understands that during this three-year term, the proposed fee will be based on call volume and will neither decrease or increase more than (+ or -) 5% each year. Supporting documentation will be provided to the Cleburne County Commission by the Communications District on a yearly basis in order to support the fee allocation.

B. Resolution Related to Agenda Item B under New Business – Moved from Item - 9 of the Consent Agenda of today's meeting - Approval of the 2017 Fiscal Year Budget

Action as related to **Resolution #4737** - Agenda Item B under New Business – Moved from Item - 9 of the Consent Agenda of today's meeting Approval of the 2017 Fiscal Year Budget

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

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

In Opposition: None

Motion Passed – With the removal of the 2.5% raises for all county employees.

Resolution #4737
Approval of the 2017 Fiscal Year Budget

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 2017 budget, Version 2.0. with removal of the 2.5% salary increase for all county employees.

Old Business

The following resolutions were reviewed for passage in Old Business:

A. Proposal to modify staff responsibilities and to transition the county's EM program to the new 911 / central dispatch emergency communications district.

Resolution Related to Old Business Item A –

Whereas, the Cleburne County Commission has recently undertaken steps to create an emergency communications district for the providing of 911 / central dispatch services for the public of Cleburne County; and

Whereas, the Commission now recognizes that there is a significant operational and organizational synergy that comes from having an integrated 911 / central dispatch and emergency management program; and

Whereas, in order to reestablish the benefits of the combined functions, the Commission now has to take certain steps to rebuild the integrated program.

Therefore, the Cleburne County Commission hereby resolves to transfer the county's emergency management program to the new Emergency Communications District (ECD) with the position of 911 Director taking on the responsibilities of Emergency Management Director and the position's associated expenses becoming 50% funded by county funds periodically set aside for the emergency management program. This combined position will hold joint responsibilities as 911 and Emergency Management

Director and exercise all authorities and responsibilities available to the Cleburne County Commission as established in the Alabama Emergency Management Act of 1955.

This position shall be administered the oath required in Section 31-9-20, Code of Alabama, by the County Administrator who shall certify the oath and place the certification on record in the Cleburne County Probate Office. This individual hereby designated as the emergency management director should as quickly as possible obtain the certifications required by Section 31-9-61, Code of Alabama and maintain this certification throughout their holding said position.

The Commission asks the ECD Chairman to work together with the County Administrator to develop draft working agreements or memorandums of understanding that help to better define the operational relationship between the Commission and the ECD and that these be provided to the Commission for future consideration and obligation.

There was no action on the above proposed resolution.

B. Discussion of County Raises for FY-17.

Resolution Related to Old Business Item B – Option 1 (currently in the FY 17 budget)

Whereas, the Cleburne County Commission is tasked with providing and sustaining a productive workforce to service the citizens of Cleburne County.

Therefore, the Cleburne County Commission hereby enacts a 2.5% Cost of Living Adjustment (COLA) for all employees effective the first full pay period in October, 2016.

Resolution Related to Old Business Item B – Option 2

Whereas, the Cleburne County Commission is tasked with providing and sustaining a productive workforce to service the citizens of Cleburne County.

Therefore, the Cleburne County Commission hereby enacts a 50¢ per hour Cost of Living Adjustment (COLA) for all employees effective the first full pay period in October, 2016.

Resolution Related to Old Business Item B– Option 3

Whereas, the Cleburne County Commission is tasked with providing and sustaining a productive workforce to service the citizens of Cleburne County.

Therefore, the Cleburne County Commission hereby enacts a 50¢ per hour Cost of Living Adjustment (COLA) for all employees effective the first full pay period in October, 2016; and

Furthermore, the Cleburne County Commission hereby modifies all classification grades to where top pay is set at 50% greater than base pay in order to more closely match compensation marketplace standards among public employers.

Action as related to **Resolution #4738** - Agenda Item B under Old Business – Discussion of County Raises for FY-17.

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

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

In Opposition: Commissioner Emmett Owen

Motion Passed – To Approve Resolution Related to Old Business Item B – Option 2

Resolution #4738

Resolution Related to Old Business Item B – Option 2

Whereas, the Cleburne County Commission is tasked with providing and sustaining a productive workforce to service the citizens of Cleburne County.

Therefore, the Cleburne County Commission hereby enacts a 50¢ per hour Cost of Living Adjustment (COLA) for all employees effective the first full pay period in October, 2016.

Discussion Items by Chairman and Commissioners

Commissioner Laura Cobb request to add to the agenda of today's meeting the following item.

Whereas, Cleburne County Commission recognizes a need to provide direct supervision over the Financial Officer Department and Commissioner Clerk.

Therefore, the Cleburne County Commission hereby modifies the Cleburne County's organizational chart so as the County's Commissioner Clerks will report to the Financial Officer and the Financial Officer will report directly to the Commission as a whole as opposed to reporting to the County Administrator. The Cleburne County Commission will now be considered the appointing authority of the County Financial Officer Department and responsible for the direction and oversight of this position and the position's work.

Furthermore, there shall be a separate budget developed independently for the Financial Department and Financial Department function with the Financial Department empowered with full spending authority under the direction of the Cleburne Commission as the Appointing Authority.

All policies and procedures shall apply to the position of the Financial Officer Department.

Action as related to the request of Commissioner Laura Cobb to add to the agenda of today's meeting the above proposed resolution.

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

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

In Opposition: Commissioner Bobby Brooks

Motion Did Not Pass - Required to be unanimous to be added to the agenda

Commissioner Laura Cobb discussed with Attorney Doug Ghee making changes to the wording of her resolution request making it ready for the next work session in order to be added to the agenda of the next month's meeting as New Business.

Commissioner Emmett Owen request to add to the agenda of today's meeting the following item.

We have had many discussions in previous Commission meetings about the issue of leave accrual. It is time to update the leave accrual policy. Commissioner Owen has decided to put these changes before the Commission for a vote.

1-Set a cap of 720 total hours of leave accrual. (360 hours of sick time and 360 hours of vacation time) This policy will start at the time of passage by the Cleburne County Commission

2-Leave accrual will not be subject to pay increases in the future. Leave accrual will be paid at the same rate as the time it was earned.

Leave accrual is not to be used as a retirement instrument. It is for employee health issues or time off with their families.

Employees with more than 720 total leave accrual hours will not lose what they have, but will no longer be able to add to their total. Leave accrual can still be used by employees as provided in the Cleburne County Handbook.

Action as related to the request of Commissioner Emmett Owen to add to the agenda of today's meeting the above proposed resolution.

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

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

In Opposition: Commissioner Bobby Brooks

Motion Did Not Pass - Required to be unanimous to be added to the agenda

Commissioner Emmett Owen discussed entering into executive session to discuss legal issues at this time. Commissioner Laura Cobb expressed concerns of also entering into executive session to discuss the hiring of the vacant Human Resource Officer Position.

Action as related to **Resolution #4739** for the request of Commissioner Emmett Owen and Commissioner Laura Cobb to enter into Executive Session to discuss legal issues.

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

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

In Opposition: Commissioner Bobby Brooks

Motion Passed

Resolution #4739

The Commission will enter into Executive Session at this time to discuss legal issues.

Reports from staff

No reports were given at this time.

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

The Commission adjourned the meeting.

Action as related to Resolution #4740:

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

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

In Opposition: None

Motion Passed

Resolution #4740

The meeting is adjourned.