

**Cleburne County Commission Meeting Minutes  
Regular Commission Meeting September 22, 2014  
Cleburne County Mountain Center**

**Roll Call:**

Present:

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

Absent:

Commissioner Benji Langley

**Consent Agenda**

The Commission passed the September consent agenda including:

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**Resolution #4571-1**

The Cleburne County Commission hereby resolves to approve the August 2014 minutes as presented.

**Resolution #4571-2**

The Cleburne County Commission hereby resolves to approve the August 2014 check registers.

**Resolution #4571-3**

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

Resignations:

Kay Allen – Cleburne County Hospital Board

Commission acknowledges the following vacancies:

Cleburne County Library Board, seat held by Mandy Johnson

Public Building Authority, seat held by Melissia Wood

Board Appointments:

Denise White - Cleburne County Hospital Board – expired term of Kay Allen

**Resolution #4571-5**

**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, an Annual Bid is utilized to accomplish those tasks;

**Therefore**, the Cleburne County Commission authorizes the County Engineer to solicit bids, as needed based on bids which expire or that are not renewed, for the following Annual Maintenance items: Bituminous Treatment Resurfacing. Bids are to be opened during the Work Session of the Commission on October 20<sup>th</sup>, 2014, and awarded in the Commission meeting in November 2014.

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**Resolution #4571-6**

**Whereas**, last year one in every four of the 821,268 Alabamians living in poverty experienced legal problems, with the majority of these civil problems being consumer issues (creditor harassment, utility non-payment, bankruptcy issues), health issues (Medicaid, government insurance, nursing home), family law issues (divorce, child support/custody, abuse), employment issues (unemployment benefits, pension, lost job), and housing issues (unsatisfactory repairs, foreclosure, eviction, poor living conditions); and

**Whereas**, 18 percent of the citizens in Cleburne County live in poverty; and

**Whereas**, each year the low-income citizens of Cleburne County lack access to legal assistance for their legal problems that are often critical to their safety and independence, forcing them to resolve complex legal problems on their own; and

**Whereas**, the need for legal aid in Alabama is dire, since unlike in the criminal defense system, funding for low-income Alabamians who need civil legal assistance has not yet been met, with the consequences being a lack of access to justice which is devastating for the poor and which weakens our democratic society as a whole; and

**Whereas**, there are fewer than 60 paid legal aid lawyers to serve the more than 422,119 low-income households in the State of Alabama; and

**Whereas**, although 14 percent of the members of the Cleburne County legal community donated their time and talents in free legal services each year, a huge unmet need for legal assistance remains for the disadvantaged in our area; and

**Whereas**, the State of Alabama continues to be impacted by the lingering national recession and high unemployment, resulting in significant budget cuts to numerous State programs and services, such indigent defense, and State agencies such as the judicial system; and

**Whereas**, as a result of these events and the continuing needs of Alabama's residents, the demand for pro bono services by members of the Alabama State Bar has never been greater; and

**Whereas**, sponsored by the Alabama State Bar and its Pro Bono Celebration Committee, with support from local bar associations statewide, Pro Bono Week 2014, from October 20<sup>st</sup> to 26<sup>th</sup>, 2014, will educate the public about the extensive work Alabama lawyers are doing donating their time to improve the lives of vulnerable members of our community, and will encourage more individuals in the legal community to get involved in pro bono work and financially support the legal aid system; and

**Whereas**, Pro Bono Week 2014 will feature legal aid clinics throughout the State, assisting Alabamians who greatly need legal assistance but cannot afford to pay for that help, and will also feature service projects throughout the State of Alabama helping lawyers and law students make volunteer connections with legal aid organizations serving Alabamians;

**Therefore**, the Cleburne County Commission does hereby proclaim October 20-26, 2014 to be PRO BONO WEEK, and urge all Cleburne County residents to recognize the contributions of our legal community helping those most in need.

**Resolution #4571-7**

**Whereas, the** District 2 Commissioner has been approached with a request from Heflin Elementary School for assistance in purchasing of running track improvements at a cost of \$5,000; and

**Whereas,** the District 2 Commissioner desires to apply \$5,000 from his discretionary fund towards these improvements.

**Therefore,** the Commission authorizes the application of funds, recognizing it as having a valid public purpose, being in agreement with the County's Discretionary Fund Policy adopted September 16, 2013, a valid use of the earmarked tobacco tax that funds the Commissioner's discretionary allocations and authorizes the County Administrator to proceed with the implementation of these improvements for said purpose.

**Resolution #4571-8**

**Whereas,** the county budget document is both a plan and a policy; and

**Whereas,** certain events may occur in the year that require the adjustment of this policy in order to permit the efficient and effective conducting of county government.

**Therefore,** in order to close out fiscal year 2014, the following budget additions are hereby made:

1. \$150 to the Veteran's Service office;
  2. \$15,000 to the Extension office; and
  3. \$5,500 to the Maintenance department
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Action:

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

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

In Opposition: None

Motion Passed

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**New Business:**

- A. Surplus trailer transfer

**Resolution #4572**

The Cleburne County Commission approves to transfer the 2006 surplus FEMA trailer to the Micaville Volunteer Fire Department to use as parts on their fire safety trailer which is used for training.

Action:

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

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

In Opposition: None

Motion Passed

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- B. Resolution Presented for Adoption - 4 transferred from the consent agenda of today's meeting - Adopt FY2015 budget

Commissioner Bobby Brooks made a motion to approve the FY2015 budget 2.0. version. There was not a second given, therefore the motion dies for lack of a second.

The Commission discussed funding for the Gasoline department, staffing for county departments, and changing the status of the Compliance Officer to a 24 hour a week part time position beginning October 1, 2014.

### **Resolution #4573**

**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 2015 budget, Version 2.0. with the Compliance Officer classified as a 24 hour per week part time position beginning October 1, 2014.

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Action:

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

In Support: Commissioners Laura Cobb, Emmett Owen

In Opposition: Bobby Brooks

Motion Passed

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### **Reports from staff:**

- A. County Administrator Steve Swafford did not have any updates.
- B. County Engineer Shannon Robbins briefed the Commission on receiving the letter from the state regarding grading of our county roads. He gave the Commission a report on completing: the projects at the Cleburne Library, Fruithurst School, and County Extension Office, and an update on the County Road #10 encroachment project. Shannon briefed the Commission on the progress of the RC&D grant for the Town of Fruithurst.
- C. County Attorney Doug Ghee gave the Commission an update on the environmental issue with the oil spill at the County Engineer Office and briefed the Commission on the proposed Personnel Board changes in the revised Personnel Manual.

Chairman Ryan Robertson asked the Commission to consider entering into executive session to discuss the possibility of a lawsuit.

### **Resolution #4574**

The Commission entered into executive session to discuss the possibility of a lawsuit.

Action:

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

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

In Opposition: None

Motion Passed

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**Resolution #4575**

The Commission amends the FY15 Budget approved in Resolution #4573 with the change of January 31, 2015 being the date in which the Compliance Officer department is reduced to 24 hours per week.

Action:

Motion made by Commissioner Laura Cobb, Seconded by Commissioner Bobby Brooks

In Support: Commissioners Laura Cobb, Emmett Owen, 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 #4576**

The meeting is adjourned.

Action:

Motion made by Commissioner Laura Cobb, and Seconded by Commissioner Bobby Brooks

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

In Opposition: None

Motion Passed

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