

Cleburne County Commission Meeting Minutes
Regular Commission Meeting January 17, 2023
Cleburne County Mountain Center

Roll Call

Present:

Chairman Ryan Robertson
Commissioner Laura Cobb
Commissioner Emmett Owen
Commissioner Terry Hendrix
Commissioner Roger Hill

Absent:

None

Comments from Citizens

Zeta Fredrick

Mrs. Fredrick discusses animal shelter funds. An animal shelter is needed, and vet bills need to be cheaper. The details need to be put down on paper before going forward.

Melissa Christopher

Mrs. Christopher discusses animal shelter funds. She speaks about non-profit funds for shelter. She states food and volunteers have already been established. She asks the Commission to provide the start up cost and lease to 501(C)(3).

*Commissioner Terry Hendrix asks if it is a 501(C)(3)?
Mrs. Christopher says she is waiting for approval.*

*Commissioner Terry Hendrix asks about Insurance?
Mrs. Christopher says she will get insurance.*

*Commissioner Laura Cobb asks if it is going to be a no kill shelter?
Mrs. Christopher says it will be a no kill shelter.*

Commissioner Emmett Owen says he spoke to the Mayor and he is interested in helping.

Comments from Officials

Patrick Nolan – Chief Deputy

Mr. Nolan informs the Commission that they have hired a third SRO and will be placed in a 2013 Tahoe, the other 2 SRO vehicles have high mileage. There are no more backup vehicles available. The deputies would have to double up on patrols. He asks for a resolution for 3 Ford Explorers are needed for the Sheriff Department totaling \$144,268.95.

*Commissioner Emmett Owen asks if it would be a vehicle a year?
Mr. Nolan says at the least it would be.*

Commissioner Terry Hendrix asks if the 3 vehicles include the one from the previous budget. Why do the SRO's need a patrol vehicle, if they are supposed to be stationed at the schools?

Mr. Nolan says it is for out of school hours; extra help at the other schools. They are stationed at the schools to show that an Officer is there.

Chairman Ryan Robertson

Asks about Condrey pay grade payback questions for the Sheriff's office employees. Commissioner Terry Hendrix states it doesn't need to be addressed right now.

Commissioner Terry Hendrix

Speaks about the dog pound resolution. There have been no open meetings, contracts, no 501 (C)(3), too many loose ends. He asks Commissioner Laura Cobb to table the resolution for a later date to have an open meeting.

Commissioner Emmett Owen agrees and says the city of Heflin would most likely want to help and let the citizens get involved.

Commissioner Laura Cobb states it has been spoken about before and is in need.

Commissioner Roger Hill agrees that it is a need, but also more questions need answers.

Consent Agenda

The Commission passes the January 2023 Consent Agenda including:

Action as related to **Resolution #5296 1-4 January 2023** Consent Agenda:

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

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

In Opposition: None

Motion Passed

Resolution #5296-1

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

December 19, 2022

as presented.

Resolution #5296-2

No new appointments

Vacancies: None

Resolution #5296-3

Whereas, the Cleburne County Commission has identified the bridge at 0.5 mile marker on County Road 863 is in need of repair; and

Whereas, the funds currently available to the County are insufficient to address such repair; and

Whereas, a resident/the residents who is/are directly affected by the usage of said bridge has/have agreed to donate \$300,000 towards the repairs of such bridge; and

Whereas, the Commission finds that the acceptance of these funds definitely serves a public purpose, so long as the project is scheduled and performed according to the County's "Unit System" to serve the welfare of the entire County; and

Now, therefore be it resolved that the County Commission does hereby accept said \$300,000.00 donation, with a specific earmark on such funds for the project

CCP 15-75-22, and directs the County Engineer to add said project to the County's current project list with the appropriate prioritization to ensure that said project neither interferes with not displaces any other ongoing projects.

Resolution #5296-4

Whereas, Cleburne County Commission previously earmarked \$300,000 of its ARPA Funds to county projects; and

Whereas, the Commission agreed to purchase a MF6713, equipment for EMS, and a Boom Mower; and

Whereas, the total for these purchases is \$324,142.54, which is \$24,142.54 more than agreed upon; and

Therefore, the difference of \$24,142.54 will be funded from ARPA funds, that were divided evenly between the four districts. The amount added to the \$300,000 earmarked amount will divided equally between District 2 and District 3. These portions will be reimbursed to the District 2 and District 3 discretionary funds from LATCF Funds, at a later date agreed upon by the Commission.

New Business:

A. Purchase of an F250

Action as related to **Resolution #5297** Purchase of an F250

Motion made by Commissioner Emmett Owen, Seconded by Commissioner Roger Hill

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

In Opposition: None

Motion Passed

Resolution #5297

RESOLUTION FOR THE ALLOCATION OF FUNDS FROM THE COUNTY'S AWARD OF AMERICAN RESCUE PLAN ACT LOCAL AND TRIBAL CONSISTENCY FUND FOR EQUIPMENT TO FACILITATE THE DELIVERY OF GOVERNMENT SERVICES

WHEREAS, Cleburne County, Alabama, (the "County") has received an award from the American Rescue Plan Act Local and Tribal Consistency Funds ("LATCF funds"); and

WHEREAS, Cleburne County Commission (the "Commission") is charged with ensuring that the County's LATCF funds are expended in accordance with state and federal law; and

WHEREAS, the County may expend LATCF funds for programs, services, and capital expenditures which fulfill a governmental purpose; and

WHEREAS, the maintenance and construction of county-owned roads serves a governmental purpose to provide for the health and well-being of citizens and others traveling within and through the County; and

WHEREAS, the Commission has determined that in order to ensure the timely and effective construction and maintenance of these roads it is necessary to purchase the following equipment: a truck suitable for the transport of county engineering and road department personnel to and from road construction sites; and

WHEREAS, the County engineer has advised the Commission that a suitable pick-up truck, namely a 2023 Ford F250 Super Crew 4X4 pickup truck (the "pickup truck"), is available for purchase by the County through a state master agreement with Stivers Ford Lincoln at a cost of \$45,792; and

WHEREAS, the Commission has determined that the expenditure of LATCF funds to purchase the foregoing road construction and maintenance equipment is a reasonable, necessary, and eligible use of these funds.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION as follows:

1) The County shall allocate up to \$45,792 of its LATCF funds to cover the cost of purchasing the pickup truck from Stivers Ford Lincoln.

2) Notwithstanding any provision in this Resolution to the contrary, the LATCF funds allocated herein may not be used for lobbying activities, to include any direct or indirect payments for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device intended or designed to influence in any manner a Member of Congress, a jurisdiction, or an official of any government, to favor, adopt, or oppose, by vote or otherwise, any legislation, law, ratification, policy, or appropriation, whether before or after the introduction of any bill, measure, or resolution proposing such legislation, law, ratification, policy, or appropriation.

3) Expenditure of the funds allocated herein is contingent on the continued appropriation and availability of LATCF funds for this purpose.

B. Purchase of 2 Tahoes

Action as related to **Resolution #5298** Authorized signature

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

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

In Opposition: None

Motion passed to table

Resolution #5298

RESOLUTION FOR THE ALLOCATION OF FUNDS FROM THE COUNTY'S AWARD OF AMERICAN RESCUE PLAN ACT LOCAL AND TRIBAL CONSISTENCY FUND FOR EQUIPMENT TO FACILITATE THE DELIVERY OF GOVERNMENT SERVICES

WHEREAS, Cleburne County, Alabama, (the "County") has received an award from the American Rescue Plan Act Local and Tribal Consistency Funds ("LATCF funds"); and

WHEREAS, Cleburne County Commission (the "Commission") is charged with ensuring that the County's LATCF funds are expended in accordance with state and federal law; and

WHEREAS, the County may expend LATCF funds for programs, services, and capital expenditures which fulfill a governmental purpose; and

WHEREAS, the provision of law enforcement services within the County, generally, and as resource officers in the County's public schools serves a governmental purpose to provide for the health and well-being of residents of the County; and

WHEREAS, the Commission has determined that in order to effectively provide these services it is necessary to procure additional law enforcement vehicles, and related necessary equipment (including, lights, cage, laptop stand, brush guard, radio, and graphics) for use by additional law enforcement personnel to be hired to implement the County's obligations to provide three (3) additional law enforcement officers to serve as resource officers for the County's public school system; and

WHEREAS, the Commission has determined that the expenditure of LATCF funds to purchase the foregoing equipment is a reasonable, necessary, and eligible use of

these funds and has conditionally agreed to allocate LATCF funds to cover the cost of acquiring these vehicles.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION as follows:

1) The Sheriff, in coordination with the County Administrator, is authorized to issue an invitation to bid for the vehicles, and any related necessary equipment, or to otherwise identify a resource from which the vehicles and equipment may be purchased consistent with the requirements of state of Alabama's competitive bid law as set forth in Article 3 of Chapter 16, Title 41, Code of Alabama 1975, as in effect at the time the equipment is acquired.

2) The Commission hereby conditionally allocates up to _____ for the purchase of two vehicles and related equipment using the County's LATCF funds for the purchase of the vehicles and related equipment

3) *Expenditure of the funds allocated herein is expressly contingent on a determination by the County Administrator that methods undertaken to procure the vehicles and equipment are fully in accord with the State of Alabama's competitive bid law, as set forth in Article 3 of Chapter 16, Title 41, Code of Alabama 1975, as in effect at the time the vehicles and equipment are acquired.*

4) *Should the actual cost of the vehicles and equipment, as determined in accordance with the state's competitive bid law, exceed the amount of LATCF funds allocated herein, expenditure of these funds shall be conditioned on the Commission allocating additional funds sufficient to cover the actual cost of acquiring the vehicles and equipment.*

5) Notwithstanding any provision in this Resolution to the contrary, the LATCF funds allocated herein may not be used for lobbying activities, to include any direct or indirect payments for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device intended or designed to influence in any manner a Member of Congress, a jurisdiction, or an official of any government, to favor, adopt, or oppose, by vote or otherwise, any legislation, law, ratification, policy, or appropriation, whether before or after the introduction of any bill, measure, or resolution proposing such legislation, law, ratification, policy, or appropriation.

6) Expenditure of the funds allocated herein is contingent on the continued appropriation and availability of LATCF funds for this purpose.

C. Purchase of Deputy Equipment

Action as related to **Resolution #5299** Purchase of Deputy Equipment

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

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

In Opposition: None

Motion passed

Resolution #5299

RESOLUTION FOR THE ALLOCATION OF FUNDS FROM THE COUNTY'S AWARD OF AMERICAN RESCUE PLAN ACT LOCAL AND TRIBAL CONSISTENCY FUND FOR EQUIPMENT TO FACILITATE THE DELIVERY OF GOVERNMENT SERVICES

WHEREAS, Cleburne County, Alabama, (the "County") has received an award from the American Rescue Plan Act Local and Tribal Consistency Funds ("LATCF funds"); and

WHEREAS, Cleburne County Commission (the "Commission") is charged with ensuring that the County's LATCF funds are expended in accordance with state and federal law; and

WHEREAS, the County may expend LATCF funds for programs, services, and capital expenditures which fulfill a governmental purpose; and

WHEREAS, the provision of law enforcement services within the County, generally, and as resource officers in the County's public schools serves a governmental purpose to provide for the health and well-being of residents of the County; and

WHEREAS, the Commission has determined that in order to effectively provide these services it is necessary to procure the equipment listed below for use by County law enforcement personnel; and

SCHOOL RESOURCE OFFICER EQUIPMENT (Per quotes from vendors)		
ITEM:	COST PER ITEM:	TOTAL COST (3):
UNIFORMS (SHIRT, PANT, BOOTS)	\$ 516.95	\$ 1,550.85
VEST	\$ 850.00	\$ 2,550.00
PORTABLE RADIO	\$ 1,565.00	\$ 4,695.00
BODY CAMERA	\$ 731.00	\$ 2,193.00
TASER	\$ 1,742.70	\$ 5,228.10
LAPTOP & THERMAL PRINTER	\$ 2,014.00	\$ 6,042.00
TOTAL	\$ 7,419.65	\$ 22,258.95

WHEREAS, the Commission has determined that the expenditure of LATCF funds to purchase the foregoing equipment is a reasonable, necessary, and eligible use of these funds.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION as follows:

1) The County shall allocate up to \$22,258.95 of its LATCF funds to cover the cost of purchasing the equipment described herein; provided, however, that the expenditure of said funds shall be contingent on the determination by the County Administrator that methods undertaken to procure this equipment are fully in accord with the State of Alabama's competitive bid law, as set forth in Article 3 of Chapter 16, Title 41, Code of Alabama 1975, as in effect at the time the equipment is acquired.

2) Notwithstanding any provision in this Resolution to the contrary, the LATCF funds allocated herein may not be used for lobbying activities, to include any direct or indirect payments for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device intended or designed to influence in any manner a Member of Congress, a jurisdiction, or an official of any government, to favor, adopt, or oppose, by vote or otherwise, any legislation, law, ratification, policy, or appropriation, whether before or after the introduction of any bill, measure, or resolution proposing such legislation, law, ratification, policy, or appropriation.

3) Expenditure of the funds allocated herein is contingent on the continued appropriation and availability of LATCF funds for this purpose.

D. Funding for Animal Shelter

Action as related to **Resolution #5300** Funding for the Animal Shelter

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

Commissioner Terry Hendrix work session, have an open meeting for further discussion

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

In Opposition: None

Motion Passed to Table

Resolution #5300

Whereas, the Cleburne County Commission agrees that an animal shelter will provide a public service for County residents, by accepting stray and abandoned animals; and

Whereas, the Commission is aware of a volunteer group that is interested in the operation of an animal shelter; and

Whereas, the Cleburne County Commission recognizes the need for a building for use by the volunteer group to house the animals; and

Whereas, the County has property available beside the County jail, that can be used for the building; and

Therefore, the Cleburne County Commission agrees to use \$200,000 in funds, to come from Court Fees, for the building of an animal shelter on County property.

Reports from staff:

- A.** Mike Copeland, Cleburne County Water Authority, updates the Commission on water projects. Bid packages should be done this week. Finances are questionable because of prices going up.

Commissioner Terry Hendrix asks once the bid package is out, what is the turn around?

Mr. Copeland states 2-3 weeks.

Commissioner Terry Hendrix asks if it is because they are backed up on projects?

Mr. Copeland states yes.

- B.** County Administrator, Lisa Copeland, informs the Commission that the first payment from the Opioid Settlement has been received.

Commissioner Terry Hendrix states that a resolution needs to be made for the Opioid Money.

She updates the Commission on the ACAA classes she will be attending. She informs them A/E Reports will be out this week.

Commissioner Emmett Owen states he needs to be signed up for the ACAA class at Perdido in May.

- C.** County Engineer, Lee Estes, has no updates.

Commissioner Roger Hill asks Mr. Estes about a local contractor for litter pick up.

Mr. Estes states it is a bid out process.

Commissioner Emmett Owen suggests using inmates for litter pickup.

- D. County Attorney, Jason Odom, informs the Commission that we will receive a 2nd Opioid check in July for \$12,569.72. There are 5 more settlements we will receive money from.

Commissioner Terry Hendrix states the Opioid money needs to be put into an account for the use of jail medical.

Old Business:

There is no Old Business to attend to this meeting.

Discussion Items:

Commissioner Terry Hendrix states that Sheriff Maintenance bids need to be sent back out, 30 mile radius as suggested by ACAA Attorney, Meg Fiedler. County Engineer, Lee Estes states he would like it to be county wide.

County Engineer, Lee Estes, rebid for Engineer Dept and for Sheriff vehicle maintenance.

Commissioner Terry Hendrix states he wants the jail maintenance report at the next work session. He states he is trying to get the numbers for in house garbage.

Commissioner Laura Cobb states the AL Self Limited Governance won't do anything for manufactured homes. Could get something with nuisance ordinance if it's an abandoned trailer or building. County Attorney, Jason Odom, states unsanitary sewage is another ordinance, can do fines and fees.

Action as related to **Resolution #5301**

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

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

In Opposition: None

Motion Passed

Resolution #5301

Meeting Adjourned.

Certified by:

Ryan Robertson – Chairman

Laura Cobb – District 1

Emmett Owen – District 2

Terry Hendrix – District 3

Roger Hill – District 4