**Cleburne County Commission Meeting Minutes**

 **Regular Commission Meeting** **September 18, 2023**

**Cleburne County Mountain Center**

**Roll Call**

Present:

Commissioner Laura Cobb

Commissioner Terry Hendrix

Commissioner Roger Hill

 Commissioner Emmett Owen

Absent:

 Chairman Ryan Robertson

**Comments from Officials or Board Members**

**Sheriff Jon Daniel:** Sheriff Daniel spoke to the Commission about the purchase of a K9 as well as a Tahoe and stated he spoke with the HRO about overtime budget to cover the costs.

**Revenue Commissioner, Joyce Fuller:** Mrs. Fuller informed the Commission she has collected 6.9 million dollars in property taxes.

**Mike Copeland, Cleburne County Water Authority:** Mr. Copeland states they have finished the CDBG project and have money left over. They plan to use the left over funds to provide water to a few residents who have requested it.

**Consent Agenda**

The Commission passes the September 2023 Consent Agenda Resolution #5369 1-2, but did not pass Resolution #5369-3, which was added to new business Line Item K: Transfer of Maintenance Worker Position

Action as related to **Resolution #5369 1-3** 2023 Consent Agenda:

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

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

In Opposition: None

Motion Passed

**Resolution #5369-1**

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

August 28, 2023

as presented.

**Resolution #5369-2**

Board Vacancies:

Hospital Board

District 2, District 3

**Resolution #5369-3**

Whereas, Maintenance Worker position currently reports to the Commissioner for District 2;

Whereas, the Commissioner for District 2 would like to have that duty report to the Commissioner for District 4;

 Therefore, the Cleburne County Commission agrees to allow for the transfer of the Maintenance Worker position to report directly to the Commissioner for District 4.

Acting Chairman, Terry Hendrix asks for a motion and second to approve to add the following item to the agenda of today’s meeting:

New Business – FY 24 Budget

Action as related to **Resolution #5370**

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

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

In Opposition: None

Motion Carries

**Resolution #5370**

The Commissioner approves to add to the agenda of today’s meeting the following items:

New Business – FY24 Budget

Acting Chairman, Terry Hendrix asks for a motion and second to approve to add the following item to the agenda of today’s meeting:

New Business – Fund the overtime portion of the Sheriff’s K9 expense

Action as related to **Resolution #5371**

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

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

In Opposition: None

Motion Carries

**Resolution #5371**

The Commissioner approves to add to the agenda of today’s meeting the following items:

New Business – Fund the overtime portion of the Sheriff’s K9 expense

Acting Chairman, Terry Hendrix asks for a motion and second to approve to add the following item to the agenda of today’s meeting:

New Business – Authorize Chairman to execute SLCGP documents

Action as related to **Resolution #5372**

Motion made by Commissioner Laura Cobb, Seconded by Commissioner Roger Hill

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

In Opposition: None

Motion Carries

**Resolution #5372**

The Commissioner approves to add to the agenda of today’s meeting the following items:

New Business – Authorize Chairman to execute SLCGP documents

Acting Chairman, Terry Hendrix asks for a motion and second to approve to add the following item to the agenda of today’s meeting:

New Business – Veteran’s Memorial Marker Project

Action as related to **Resolution #5373**

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

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

In Opposition: None

Motion Carries

**Resolution #5373**

The Commissioner approves to add to the agenda of today’s meeting the following items:

New Business – Veteran’s Memorial Marker Project

**New Business:**

* 1. **Create New Job Description for Revenue Commission Department**

Action as related to **Resolution #5374** Create New Job Description for Revenue Commission Department

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

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

In Opposition: None

Motion Passed

**Resolution #5374**

Whereas, the Revenue Commissioner has requested an additional job title with description be added to the County list of jobs;

Whereas, the position will be titled Appraisal Assistant/Collection Clerk and will have a pay grade of 11;

Whereas, the commission has been presented the job description of the new position;

Therefore, the Cleburne County Commission agrees to the addition of the new job position.

**B. Organizational Chart Change for Revenue Commission Department**

Action as related to **Resolution #5375** Organizational Chart Change for Revenue Commission Department

Motion made by Emmett Owen, Seconded by Laura Cobb

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

In Opposition: None

Motion Passed

**Resolution #5375**

Whereas, the Revenue Commissioner requests a change in his department’s organizational chart;

Whereas, the request will add a position titled Appraisal Assistant/Collection Clerk to the Revenue Commission Property Appraisal and Mapping Departments;

Therefore, the Cleburne County Commission agrees to allow the change in the Revenue Commissioner’s Department Organizational Chart;

**C. ARSEA – Retired Employee Bonus**

Action as related to **Resolution #5376** Retired Employee Bonus

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

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

In Opposition: Commissioner Terry Hendrix voted present

Motion Passed

**Resolution #5376**

Whereas, the Cleburne County Commission has been contacted by the Alabama Retired State Employees Association (ARSEA)/ the Alabama Public Employees Advocacy League (APEAL), concerning an option to provide a one-time bonus to Retired County Employees;

Whereas, Act# 2023-107 was recently passed by the Legislature and signed into law by Gov. Ivey, to authorize this bonus;

Whereas, information from ARSEA/APEAL reports that the number of retired employees that will benefit from this bonus is 31, with the estimated cost being to the County Commission being $14,094;

Therefore, the Cleburne County Commission agrees to provide funds necessary to the Employees’ Retirement System to cover the cost of the one-time lump sum payment as provided for in the Act, not to exceed the aforementioned amount.

**D. Animal Shelter Expenditures**

Action as related to **Resolution #5377** Animal Shelter Expenditures

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

*The Cleburne County Attorney, Jason Odom, suggested to the Commission they should table this resolution until a contract with the City is in place.*

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

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

In Opposition: None

Motion passed to Table

 **Resolution #5377**

Whereas, the Cleburne County Commission previously agreed to earmark $200,000 in funds, to come from the General Fund, for the building of an animal shelter;

Whereas, the project is set to begin;

Therefore, the Cleburne County Commission agrees to allow for funds to be paid out for the building of the animal shelter.

**E. County Policy Change – Health Insurance**

Action as related to **Resolution #5378** County Policy Change – Health Insurance

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

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

In Opposition: None

Motion Passed

 **Resolution #5378**

Whereas, the Cleburne County Commission policy regarding employee health insurance, allows for the insurance start-date beginning the first day of employment;

Whereas, the Commission would like to delay that start-date by up to 30 days;

Whereas, the Local Government Health Insurance Board (LGHIB), only allows for a delay to last until the first day of the second month after employment;

Whereas, the change in policy for LGHIB, can be officially requested in November 2023, to be effective starting January 1, 2024;

Therefore, the Cleburne County Commission resolves to change its’ employee health insurance policy and allow for the delay in employee health insurance coverage, starting with employees hired in January 2024.

**F. Deputy Coroner**

Action as related to **Resolution #5379** Deputy Coroner

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

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

In Opposition: Roger Hill

Motion Passed

 **Resolution #5379**

Whereas, the Coroner for Cleburne County has asked that he appoint Sawyer Downs as a Deputy Coroner;

Whereas, the County Attorney has provided information to the Commission to relieve concerns with the familial relation of the Coroner to the appointee;

Therefore, the Cleburne County Commission agrees to the appointment of Sawyer Downs as a Deputy Coroner.

**G. Rescind Resolution #1068**

Action as related to **Resolution #5380** Rescind Resolution #1068

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

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

In Opposition: None

Motion Passed

 **Resolution #5380**

Whereas, the Cleburne County Commission previously passed Resolution #1068, to allow for the purchase of a Ford Bronco, for a 911 vehicle;

Whereas, the vehicle has been unavailable;

Therefore, the Cleburne County Commission agrees to rescind Resolution #1068.

**H. LATCF Fund Division**

Action as related to **Resolution #5381** LATCF Fund Division

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 #5381**

Whereas, the Cleburne County Commission has received Local Assistance and Tribal Consistency Funds (LATCF);

Whereas, a portion of the funds have been used for County Services, with a remaining balance of $259,934.36;

Therefore, the Cleburne County Commission agrees to divide this fund equally between the four districts, at $64,983.59 for each district, to be approved by the IAC and the Commission, before the expenditure.

**I. Agreement with Town of Ranburne**

Action as related to **Resolution #5382** Agreement with Town of Ranburne

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

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

In Opposition: None

Motion Passed

 **Resolution #5382**

Whereas, the Town of Ranburne has received a grant from the Alabama Department of Transportation (ALDOT) for $245,429.00, for improvements to Frank Ledbetter Memorial Drive;

Whereas, the awarded grant must be expended for construction purposes only and can be done with existing annual bids that are in place for the Cleburne County Commission;

Whereas, the ALDOT is agreeable to the Town entering a Cooperative Agreement with the Cleburne County Commission to perform the work;

Whereas, the Town of Ranburne has resolved to pay the Cleburne County Commission based on detailed purchase orders submitted to the Town of Ranburne, for work performed on this project;

Therefore, the Cleburne County Commission agrees to allow the County Engineer to perform this work for the Town of Ranburne.

**J. Agreement with Randolph County**

Action as related to **Resolution #5383** Agreement with Randolph County

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

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

In Opposition: None

Motion Passed

 **Resolution #5383**

RESOLUTION AND AGREEMENT TO PARTICPATE IN A JOINT BIDDING PROGRAM FOR ASPHALT

Whereas, the Alabama Legislature enacted Act No. 2000-153 during the 2000 Regular Session, which act authorizes two or more counties in the state to enter into agreements for the joint bidding and purchase of items required to be bid under Alabama’s competitive bid law (Code of Alabama 1975, §41-16-50 et seq.); and

Whereas, the Randolph County Commission has agreed to administer a joint bidding program for Randolph and Cleburne Counties for the joint bidding of liquid asphalt as required under Alabama’s competitive bid law; and

Whereas, pursuant to Code of Alabama 1975, §41-16-50, each county desiring to participate in a joint bidding program is required to adopt a similar resolution, signifying its desire to participate and its agreement to the terms and conditions of participation; and

Whereas, the Randolph and Cleburne County Commissions desire to join and participate in this joint bidding program for liquid asphalt and understand and agree to the procedures as set out below:

That the Randolph County Commission shall provide administrative services to the program, and in this regard, shall

Oversee the development of written specifications for each item to be bid,

Provide notice by mail to respective bidders for each item to be jointly bid as required by law,

Open bids pursuant to the bid specifications at its office at 12 East Broad Street Southeast in Wedowee, Alabama, and

Provide other services as necessary

That in order to participate, the Cleburne County Commission shall forward to the Randolph County Commission the names and addresses of each person or company who has submitted a written request to be included in solicitations of bids for a particular item (its “vendor lists”), and that following receipt of said vendor lists, the Randolph County Commission shall mail appropriate bid specifications to each applicable person or company if that particular item is being bid, as provided in Code of Alabama 1975, §41-16-54.

That in compliance with Code of Alabama 1975, §41-16-54, the Cleburne County Commission shall not be eligible to purchase an item under the contract awarded through the program unless it has provided the Randolph County Commission with its vendor list for liquid asphalt, if such a list is held by the county.

That the Randolph County Commission will provide the Cleburne County Commission with a notice of solicitation for bids and in compliance with Code of Alabama 1975, §41-16-54, each County Commission shall post said notice on a bulletin board in the county’s purchasing office or courthouse.

That in compliance with Code of Alabama 1975, §41-16-54, each county agrees that it shall not be eligible to purchase an item under a contract awarded through this program, unless it has posted such notice.

That following the opening of bids, the Randolph County Commission shall serve as the awarding authority for the program and shall determine the lowest responsible bidder and award any contract bid through the program at a regular meeting of the Randolph County Commission as announced at the opening of bids.

That participation in the county joint bidding program is strictly voluntary, and that, subject to the conditions set out in paragraphs 2, 3, 4, and 5, once a contract has been awarded through the program, the Randolph County Commission and Cleburne County Commission may purchase liquid asphalt during the contract period under the terms of and at the price established under the contract, but shall not be required to purchase under the contract awarded through this program.

That if either county decides to purchase an item other than through the program, it must separately bid that item if such bidding is required by Alabama’s competitive bid law.

That following the award of a contract under this joint bid program, purchases of liquid asphalt through the program by the Randolph County Commission shall be made directly from the successful bidder by the county pursuant to its own purchasing policy, and that the Randolph County Engineer, Justin Rush, shall serve as the joint purchasing agent representing the program.

That following the award of the contract under this joint bid program, purchases of liquid asphalt through this program by the Cleburne County Commission shall be made directly from the Randolph County Commission by the following process:

All liquid asphalt shall be picked up at the Randolph County Highway Department located at 817 Woodland Avenue Northwest in Wedowee, AL.

At least 30 minutes notice shall be given to the Randolph County Engineer prior to pick up to ensure an employee is available for dispensing of the materials.

The Randolph County Highway Department shall be in charge of the billing/invoicing to the Cleburne County Commission on a weekly basis.

All billing shall be calculated by multiplying the awarded contract bid price by the amount of liquid asphalt dispensed.

The amount of liquid asphalt dispensed shall be calculated by the capacity of each truck load / the gauge located on Randolph County’s tar tank / the gauge located on Cleburne County’s tar truck.

All invoices will be mailed via USPS to the Cleburne County Commission at P.O. Box 908, Heflin, Alabama, 36264.

All invoices shall also be emailed to Lisa Copeland at lcopeland@cleburnecounty.us and Travis Heard at heardt@randolphcountyalabama.gov.

All invoice payments shall be considered due upon receipt and late after 30 days. Late payments may be assessed a 5% late fee.

All payments should be made via check clearly listing the invoices paid and mailed to the Randolph County Commission at PO Box 228, Wedowee, AL 36278.

That the Randolph and Cleburne County Commissions shall remain a member of the program so long as they desire and agree to participate in this joint bidding agreement under its terms and conditions, and that either Commission desiring to terminate its participation shall give at least thirty (30) day’s notice of its intent to terminate.

That at the expiration of the thirty days termination notice, the joint bidding program shall cease to exist, and neither county shall be eligible to make purchases under the terms nor at the cost of the contract awarded through this program.

That following termination of this joint bidding program, each county will be required to bid liquid asphalt on its own under the requirements of Alabama’s competitive bid law.

That this resolution, once adopted by each county commission, shall serve as its agreement and contract with the other participating county for the joint biding of liquid asphalt required to be bid under Alabama’s competitive bid law.

That in order for a county to purchase an item through this joint bidding program, it must have joined the program by adopting this resolution prior to the solicitation of bids for liquid asphalt, but that once the county has joined the program, it shall remain a member, and subject to the conditions set out in paragraphs 2, 3, 4, and 5 above, shall be eligible for the purchase of all items thereafter bid under the program until and unless it terminates its participation as set out in paragraphs 11, 12, and 13 above.

Be it resolved by the cleburne County Commission that it agrees to all terms and conditions of the county joint bidding program as set out above, and desires to participate in said program.

Be it further resolved that it is the intent of the Cleburne County Commission by adoption of this resolution to enter into a joint bidding agreement with the Randolph County Commission.

Be it further resolved that a copy of this resolution be immediately forwarded to the Cleburne County Commission with a request for them to join us in the joint bidding venture until the program is terminated under the procedures set out in paragraphs 11, 12, and 13 above.

**K. Transfer of Maintenance Worker Position**

Action as related to **Resolution #5384** Transfer of Maintenance Worker Position

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

*Commissioner Emmett Owen would like to change from answering to the District 4 Commissioner to the Administrator.*

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

In Opposition: None

Motion Passed

 **Resolution #5384**

Whereas, Maintenance Worker position currently reports to the Commissioner for District 2;

Whereas, the Commissioner for District 2 would like to have that duty report to the County Administrator;

Therefore, the Cleburne County Commission agrees to allow for the transfer of the Maintenance Worker position to report directly to the County Administrator.

**L. FY24 Budget**

Action as related to **Resolution #5385** FY24 Budget

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

All in Favor: Commissioners, Terry Hendrix, Laura Cobb, Roger Hill, and Emmett Owen

In Opposition: None

Motion Tabled

 **Resolution #5385**

Whereas, it is the responsibility of the Cleburne County Commission to pass a yearly budget for the upcoming fiscal year in a September meeting,

Therefore, after review and deliberation, the Cleburne County Commission hereby adopts the attached fiscal year 2024 budget, Version\_\_\_\_.

**M. Fund Overtime Portion of Sheriff’s K9 Expense**

Action as related to **Resolution #5386** Fund Overtime Portion of Sheriff's K9 Expense

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

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

In Opposition: None

Motion Passed

**Resolution #5386**

Whereas, the Cleburne County Sheriff is interested in the purchase of a K9 Deputy for Narcotics Detection;

Whereas, the Department of Labor requires that law wnforcement agencies must compensate a K9 handler for 30 minutes of overtime, for the care of the K9;

Whereas, the Sheriff has stated that the purchase of the K9 and all other related expenses will be paid, by the Sheriff, from the Sheriff’s Drug Fund;

Therefore, the Cleburne County Commission agrees to fund the overtime portion of the K9 expense by addition to the appropriate budget line.

**N. Authorize Chairman to execute SLCGP documents**

Action as related to **Resolution #5387** Authorize Chairman to execute SLCGP documents

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

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

In Opposition: None

Motion Passed

**Resolution #5387**

Whereas, the State and Local Cybersecurity Grant Program (SLCGP) allows the Department of Homeland Security (DHS) to make cybersecurity investments in local governments;

Whereas, the Alabama Office of information and Technology (OIT) and the Cybersecurity Committee (Committee) are developing a cybersecurity plan for the utilization of these grant funds;

Whereas, the Association of County Commissions of Alabama (ACCA) has completed a survey on behalf of the member counties to facilitate OIT and the Committee to determine local needs;

Whereas, the County must complete a document to be eligible for the grant, including the SLCGP Interest Survey and the SLCGP Local Consent Agreement;

Therefore, the Cleburne County Commission resolves to authorize its Chairman, Ryan Robertson, to execute these documents on behalf of the Commission.

**O. Veteran’s Memorial Marker Project**

Action as related to **Resolution #5388** Veteran’s Memorial Marker Project

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

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

In Opposition: None

Motion Passed

**Resolution #5388**

Whereas, a representative from Southern Farmhouse Company ( SFC) presented a possible project for Cleburne County;

Whereas, purpose of the project is to honor deceased individuals who have served honorably in one of the branches of the armed services of the United States of America;

Whereas, the design and placement of the markers, which will be placed along the streets and road of the Town of Ranburne, was explained;

Whereas, SFC will be responsible for the construction, placement, and maintenance of these markers and the collection of any fees associated;

Therefore, the Cleburne County Commission supports Southern Farmhouse Company in their pursuit of the project, known as the “Veteran’s Memorial Marker Project”.

**Reports from staff:**

1. The County Administrator, Lisa Copeland informs the Commission she has been working on budgets. She states she has been working with the Senator and HRO gathering information on the retired employee’s bonus. She also informed the Commission of all the AP checks she issued for the month. She states she has been working on budgets. She states she had a teams meeting with IAC about ARPA & LATCF funds. She states she is checking local banks for lower interest rates. She updates the Commission on how many AP, Payroll checks were processed for the month.
2. County Engineer Lee Estes states the County Service Treatment should be completed in a couple of weeks. He states the side arm tractors are back working. He states he is working on getting the signed garbage contracts.
3. County Attorney Jason Odom states he has not heard from the Health Department about the sewage and septic ordinance.

*Commissioner Laura Cobb states she will reach to them about it.*

*Commissioner Terry Hendrix asks if we are to bid out the animal shelter?*

*County Attorney, Jason Odom, states the City of Heflin bids out.*

**Old Business:**

There is no Old Business to attend to this meeting.

**Discussion Items from the Chairman and Commission:**

The Commissioners discuss the Budget and changes that need to be made before passing it.

Action as related to **Resolution #5389**

Motion made by Commissioner Laura Cobb, Seconded by Commissioner Roger Hill

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

In Opposition: None

Motion Passed

**Resolution #5389**

The meeting has been continued to Tuesday, September 26, 2023, to further discuss the budget.

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| Certified by: |  |
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|  |   | Ryan Robertson – Chairman  |
| Laura Cobb – District 1 |  | Emmett Owen – District 2  |

 Terry Hendrix – District 3 Roger Hill – District 4