

Cleburne County Commission Meeting Minutes
Regular Commission Meeting May 18, 2021
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

Mark Truett

Mr. Truett speaks to the Commission. He opposes the spraying of herbicides throughout the County. He explains the dangers he believes to be associated with the chemicals, and he voices his concerns with the lack of data available for the combining of the chemicals being used. He presents the Commission with a petition for the County to immediately and permanently end the spraying.

Greg Flanders

Mr. Flanders speaks to the Commission. He reminds the Commission that the spraying of herbicides has been rejected several times in the past. He is adamant that no amount of savings is worth the loss of life, and he believes the chemicals in the herbicides are a danger to our land, water, animals, plants, and health. He explains the horrors of agent orange, and he pleads with the Commission to reverse the decision to spray.

Consent Agenda

The Commission passes the May 2021 Consent Agenda including:

Action as related to **Resolution #5124- 1-7 & 9** May 2021 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 #5124-1

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

April 13, 2021 and April 22, 2021

as presented.

Resolution #5124-2

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

Vacancies:

Hospital Board

Chris Davis

Resolution #5124-3

Whereas, the Commission has previously passed a Continuity of Operations Plan for the duration of the State of Emergency declared as a result of the COVID-19 situation or until the May meeting, whichever comes first; and

Whereas, we have reached the May meeting and the State of Emergency is still active.

Therefore, the Cleburne County Commission extends the Continuity of Operations Plan for the duration of the State of Emergency, or the Commission's June meeting, whichever comes first.

Resolution #5124-4

Whereas, budget needs sometimes change during the course of the year.

Therefore, the Cleburne County Commission authorizes the County Administrator to adjust the Revenue Commission Operations Budget as follows:

Health Insurance Line Increase - \$900

Resolution #5124-5

Whereas, having received notification from the State of Alabama Alcoholic Beverage Control Board of an Alcohol License being requested (Confirmation number 20210422103912256) by the Heflin Exxon, 8518 Highway 431, Heflin, AL; and

Whereas, the application received from the Board appears in order;

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

Resolution #5124-6

Whereas, having received notification from the State of Alabama Alcoholic Beverage Control Board of an Alcohol License being requested (Confirmation number 20210422110129283) by the Heflin Package Store, 8518 Highway 431, Suite B, Heflin, AL 36264; and

Whereas, the application received from the Board appears in order;

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

Resolution #5124-7

Whereas, EMS Director Tracy Lambert has inquired about the Gator SN W0064X4057263 and medical supplies previously used by Search and Rescue, and he believes they may be beneficial for the Cleburne EMS; and

Whereas, the Gator and equipment currently belongs the EMA Department.

Therefore, the Cleburne County Commission authorizes the Chairman to sign an MOU and transfer the aforementioned equipment to Cleburne EMS.

Resolution #5124-9

Whereas, Cleburne County currently uses AutoMARK electronic ballot marking machines; and

Whereas, said machines are outdated and in need of an upgrade; and

Whereas, the Secretary of State has offered to subsidize the County's initial cost for the acquisition of the ExpressVote system.

Therefore, the Cleburne County Commission authorizes the Chairman to proceed with the application process for the State's assistance in the procurement of the upgraded machines.

New Business:

A. Roadside Maintenance

Action as related to **Resolution #5125** Roadside Maintenance

Motion made by Commissioner Laura Cobb

In Support: None

In Opposition: None

Motion dies for lack of Second

Resolution #5125

Whereas, the Cleburne County Commission has passed a resolution to allow the County Engineer to outsource roadside maintenance during FY21; and

Whereas, Commissioner Cobb has requested that roadside maintenance in District 1 consist of non-chemical interventions only, such as mowing or brush cutting.

Therefore, the Cleburne County Commission approves this request and instructs the Engineer to discontinue the use of chemicals for roadside vegetation management within the territorial limits of District 1.

B. RAISE Grant

Action as related to **Resolution #5126** RAISE Grant

Motion 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

Resolution #5126

WHEREAS, Cleburne County Commission in Cleburne County, Alabama wishes to make application to the United States Department of Transportation for FY 2021 Rebuilding American Infrastructure with Sustainability and Equity Grant Fund Assistance for the County of Cleburne Alabama to conduct a Roads and Bridges improvement project: and

WHEREAS, the Cleburne County Commission, Alabama will submit an application to the United States Department of Transportation for grant assistance through Rebuilding American Infrastructure with Sustainability and Equity Grant (RAISE) program.

NOW, THEREFORE, BE IT RESOLVED that the Cleburne County Commission, Alabama, will apply to the United States Department of Transportation for FY 2021 Rebuilding American Infrastructure with Sustainability and Equity Grant Fund Assistance for the County of Cleburne Alabama to conduct a Roads and Bridges improvement project.

Commissioner Hendrix informs the Commission that there will be a percentage match, but it is unknown at this time what the amount will be.

Chairman Robertson asks if the Commission will be able to back out if match is too much.

C. Amend Purchase Approval Amount

Action as related to **Resolution #5127** Amend Purchase Approval Amount

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

Resolution #5127

Whereas, the Cleburne County Commission passed Resolution #4905-7 in the August 2018 meeting; and

Whereas, the resolution instituted a policy in which all items, excluding road department building materials, that require a purchase order in an amount equal to or exceeding \$15,000 must meet formal Commission approval by resolution before the purchase order may be awarded; and

Whereas, the Cleburne County Commission believes more oversight is needed.

Therefore, the Cleburne County Commission amends the amount listed in Resolution #4905-7 to \$5,000, rather than the previously approved amount of \$15,000.

D. Employee Contracts

Action as related to **Resolution #5128** Employee Contracts

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

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

In Opposition: Commissioner Terry Hendrix

Original Motion Passes.

Commissioner Hendrix makes motion to table, Commissioner Owen Seconds

In Support: Commissioner Terry Hendrix

In Opposition: Commissioners Laura Cobb, Emmett Owen, Roger Hill

Motion to table does not pass

Commissioner Hendrix does not believe he has enough information to proceed. Ms. Cobb says that this resolution allows Ms. Hicks to present the Commission with a contract to discuss.

Commissioner Hendrix says this is 3 individual contracts and he believes the negotiations would need to be done in an open meeting.

Attorney Jason Odom says that the final contract is the public document, but negotiations may be done with the employees privately. This resolution simply tasks Ms. Hicks with beginning the process. This allows Ms. Hicks to begin negotiations and advise the Commission.

Resolution #5128

Whereas, the Cleburne County Commission has retained the professional services of Ms. Hope Hicks to advise the Commission in labor and employment matters; and

Whereas, the positions of County Administrator, Emergency Manager, and Human Resource Officer are currently listed as "unclassified"; and

Whereas, the Cleburne County Commission believes it is necessary to begin to consider transitioning said positions from "unclassified" to "contract employees".

Therefore, the Cleburne County Commission tasks Ms. Hope Hicks with advising the Commission regarding said transition and to make contract recommendations for the aforementioned positions, should the Commission approve making said positions "contract employees".

Commissioner Cobb asks that the Commission reconsider Item A on New Business. She does not want spraying in her district, and she asks that the Commission respect her decision to end spraying. She explains the health concerns in her district, and she wants the Commission to consider that she needs to do what is best for the residents in District 1. She does not believe the Commission has a right to decide what is best for her district.

Commissioner Hendrix says that a local law disallows each district from being treated differently.

County Attorney Jason Odom says that the local law allows for a district to be treated differently if the Commission supports it. He says Commissioner Cobb can make a motion to add the resolution back to new business to be reconsidered.

Commissioner Cobb makes motion to add Item A. Roadside Maintenance to back to New Business.

Motion dies for lack of second

Reports from staff:

- A.** County Administrator Kim Brown updates the Commission about a General Fund balance of just over \$400,000 that has not been allocated in the FY21 budget. She informs the Commission that the American Rescue Funds have been claimed, but guidance for the spending of those funds has not been released by the State yet.

Commissioner Hendrix states that any projects the Commission may want done should be squeezed in by the end of the year before costs increase.

Commissioner Cobb believes the funds should be set aside for a project in her district.

- B.** County Engineer Lee Estes has no updates.

Commissioner Cobb asks County Engineer Lee Estes if more gravel will be brought out to CR296.

Commissioner Owens asks County Engineer Lee Estes to send him the Logging Ordinance.

- C.** County Attorney Jason Odom has no updates.

Chairman Robertson thanks the Commission for moving forward with the vote for the AutoMARKS voting system

Commissioner Hendrix reminds the Commission of the upcoming Watershed meeting, and he asks if we can make a blanket resolution to get rid of the watersheds.

Chairman Robertson states that the late Commission made an agreement that the County was responsible for maintenance.

County Attorney Jason Odom is going to review the Watershed documents and make a recommendation at the June meeting.

Old Business:

There is no Old Business to attend to this meeting.

Action as related to **Resolution #5129**

Motion 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

Resolution #5129

Meeting Adjourned.

Certified by:

Ryan Robertson – Chairman

Laura Cobb – District 1

Emmett Owen – District 2

Terry Hendrix – District 3

Roger Hill – District 4