

**Cleburne County Commission Meeting Minutes**  
**Regular Commission Meeting April 21, 2025**  
**Cleburne County Mountain Center**

**Roll Call**

Present:

Commissioner Emmett Owen  
Commissioner Terry Hendrix  
Commissioner Laura Cobb  
Commissioner Mark Truett  
Chairman Lane Kilgore

Absent: None

**Comments from Citizens**

**Justin Johnson – Rescue Squad:** discusses the by-laws for search and rescue. He states that foot searches will be done at the discretion of the Sheriff. He has the first training meeting scheduled for April 24<sup>th</sup> at the Knotty Pines Gun Club. He also has training meetings scheduled for May 3<sup>rd</sup> at the Abernathy Fire Department and the first manhunt training on June 7<sup>th</sup> in Sylacauga. He presented the Commission with the Rescue Squad's 501(3)(c). He asks the Commission for a letter of support that will allow them to get into the ADECA program for the purchase of equipment.

**Jim North:** Thanks to the Commission for the beaver control. He expresses issues that he and his fellow neighbors have about a landfill on an adjacent property. He presents the Commission with a signed petition from nearly 100 residents that want it closed. He states ADEM visited several times and fined the owner \$10,000, but that he still continues to burn materials.

*The County Attorney states that the County has no ability to regulate landfills. The Commission recommends that Mr. North and the other petition signees continue calling ADEM daily.*

Mr. North asks the Commission if they could also send a letter to ADEM.

**Ken Ward – Brightspeed Communications Affairs** discusses adding fiber internet that will reach the rural communities. He asks the Commission for a letter of support to be sent to ADECA.

### **Comments from Board Members or Officials**

**Economic Developer Tanya Maloney** informs the Commission that one letter of support can be created that can be given to whomever is requesting the support letter that the Commission would like to support, rather than creating several different letters.

### **Bid Openings**

**County Engineer Lee Estes opens bids for flood damaged roads:** He states only two contractors showed up to the bid opening. The one bid he recommends accepting is as follows:

Sunbelt for \$321,900, the County will provide the pipe and do the asphalt repair. The process will be 3 months.

### **Consent Agenda**

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The Commission passes the April 2025 Consent Agenda Resolution# 5542 1-5

Action as related to **Resolution #5542 1-5 April** 2025 Consent Agenda:

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

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

In Opposition: None

Motion Passed

### **Resolution #5542-1**

The Cleburne County Commission hereby resolves to approve the minutes of March 17, 2025, as presented.

**Resolution #5542-2**

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

Vacancies:

Library Board                      Pamela Payne

Board Resignation:

Hospital Board                      Adam Johnson

Board Appointments:

Library Board                      Stacy Hulsey

Hospital Board                      Kay Allen to fill the term of Adam Johnson

**Resolution #5542-3**

Whereas, having received notification from the State of Alabama Alcoholic Beverage Control Board of an Alcohol License being requested (20250319153906123) by Pritish Patel of Stop & Shop Package Store 17382 County Road 49, Muscadine, Alabama; 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 #5542-4**

Whereas, the Cleburne County Commission is currently self-tasked with the oversight of the Economic Developer; and

Whereas, the Commission wishes to allow the Economic Developer to establish the Cleburne County Economic Development Advisory Board;

Therefore, the Commission hereby resolves to create a five member "Cleburne County Economic Development Advisory Board" appointed by the Commissioner for each of the four districts and one by the County Chairman, to be led by the

Economic Developer, Tanya Maloney.

**Resolution #5542-5**

Whereas, Commissioner Mark Truett wishes to use \$200.00 of his discretionary funds for the Leadership trip to Montgomery being taken by the Chamber of Commerce;

Whereas, the Commission finds that this is an appropriate use of discretionary funds for a proper public purpose.

Therefore, the Cleburne County Commission agrees to allow the use of \$200.00 of Commissioner Truett's discretionary fund for this purpose.

**Resolution #5542-6**

Whereas, Commissioners Laura Cobb and Emmett Owen wish to use \$6,039.00 from each of their discretionary funds, for a total amount of \$12,078.00 for the purchase of a van to be used for the Cleburne County High School band;

Whereas, the Commission finds that this is an appropriate use of discretionary funds for a proper public purpose.

Therefore, the Cleburne County Commission agrees to allow the use of \$6,039.00 from each of their discretionary funds, for a total amount of \$12,078.00 of Commissioner Cobb's and Commissioner Owen's discretionary funds for this purpose.

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**Resolution #5542-7**

Whereas, the Cleburne County Commission meeting for August is scheduled for August 18, 2025;

Whereas, the Commission will be attending the Annual ACCA convention on that date;

Whereas, the Commission wishes to change the August meeting date from August 18, 2025, to the Thursday before, August 14, 2025;

Therefore, the Cleburne County Commission resolves to allow the August meeting date to be changed.

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**Resolution #5542-8**

Whereas, the Workforce Innovation and Opportunity Act (WIOA), Public Law 113-128 is now in effect across the United States including the state of Alabama;

Whereas, to date Cleburne County has been part of one sixty-five (65) county area (all Alabama counties except for Jefferson and Mobile) for the purpose of implementing federally funded workforce development programs;

Whereas, the State Workforce Development Board has adopted a structure which divides the State of Alabama into seven (7) regions which is designed to give local areas and counties more representation and input in identifying workforce needs and recommendations for solutions regarding workforce development;

Whereas, responsibility for implementation of the WIOA within the State of Alabama has now been given to the Alabama Department of Commerce who will assist and support the seven (7) regions and local boards in workforce development efforts;

Whereas, under the new structure Cleburne County will be part of a seven-county region (Region 2) including Calhoun, Cleburne, Cherokee, Clay, Etowah, Randolph, and Talladega counties; and

Whereas, this Commission wishes to endorse, support and approve the structure as described above and enthusiastically participate in Region 2 as well as the local board which shall be constituted to govern Region 2.

Therefore, be it resolved that this Commission hereby approves the organizational structure as described above and the inclusion of Cleburne County in Region 2 as described above.

Furthermore, be it resolved that Commission Chair Lane Kilgore is hereby authorized to execute and deliver such documents and instruments which he may deem necessary, appropriate, desirable, or convenient to consummate the aforementioned structure and transition and to perform any other acts which he deems necessary, appropriate, desirable, or convenient to consummate the aforementioned resolution.

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**Resolution #5542-9**

Whereas, the Cleburne County Commission feels there is a need to establish a line of credit for upcoming projects;

Whereas, there is a need to research the terms for a line of credit from both hometown banks and larger banks;

Therefore, the Cleburne County Commission tasks the County Administrator, Lisa Copeland to gather information for establishing a line of credit from both hometown banks and larger banks.

**Resolution #5542-10**

Whereas, Commissioner Emmett Owen wishes to use \$806.99 of his discretionary funds to reimburse the County Engineer for the job fair expenses;

Whereas, the Commission finds that this is an appropriate use of discretionary funds for a proper public purpose.

Therefore, the Cleburne County Commission agrees to allow the use of \$806.99 of Commissioner Owen's discretionary fund for this purpose.

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Chairman Lane Kilgore asks for a motion and a second to add tasking Lisa to create a letter of support to New Business Item G

Commissioner Emmett Owen makes a motion, seconded by Commissioner Mark Truett

All in favor, motion carries

Chairman Lane Kilgore asks for a motion and a second to add Economic Development MOA

Commissioner Emmett Owen makes a motion, seconded by Commissioner Terry Hendrix

All in favor, motion carries

## **New Business:**

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### **A. Accept New Waggoner Contract**

Action as related to **Resolution #5543** Accept New Waggoner Contract

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

*Commissioner Terry Hendrix asks what they are agreeing to?*

*County Attorney Jason Odom states it is the previous contract Economic Developer Tanya Maloney sent out, they are lobbying for us*

Commissioner Terry Hendrix makes a motion to table, seconded by Commissioner Emmett Owen

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

In Opposition: None

Motion Tabled

### **Resolution #5543**

Whereas, the Cleburne County Engineer and the Cleburne County Economic Developer requests that the County Commission enter an agreement with Waggoner Engineering, Inc.;

Whereas, the Cleburne County Commission has expressed an interest in the implementation of a strategic program of ongoing federal, state, and local funding assistance to address its pressing needs;

Therefore, the Cleburne County Commission resolves to enter an agreement with Waggoner Engineering, Inc. and authorizes its Chairman to sign on behalf of the County.

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**B. Terminate previous Waggoner Contract**

Action as related to **Resolution #5544** Terminate previous Waggoner Contract

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

In Support: None

In Opposition: Commissioners Emmett Owen, Laura Cobb, Terry Hendrix, and Mark Truett

Motion Fails

**Resolution #5544**

Whereas, the Cleburne County Commission has agreed to enter a new agreement with Waggoner Engineering, Inc;

Whereas, the Cleburne County Commission wishes to terminate the current Waggoner Engineering, Inc agreement;

Therefore, the Cleburne County Commission, hereby directs the County administration to deliver termination notification to Waggoner Engineering, Inc.



### **C. Conflict of Interest**

Action as related to **Resolution #5545** Conflict of Interest

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

Motion made to change wording made by Commissioner Terry Hendrix, Seconded by Commissioner Emmett Owen

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

In Opposition: None

Motion Carries

### **Resolution #5545**

Whereas, the Cleburne County Commission does not have a Conflict-of-Interest Policy in place;

Whereas, the Economic Developer finds it would be beneficial to the County to have a policy in place;

Therefore, the Cleburne County Commission hereby resolves to allow the Economic Developer to work with the County Attorney to develop a Conflict-of-Interest Policy to be put in place.

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### **D. Task HRO – Conflict of Interest**

Action as related to **Resolution #5540** Task HRO – Conflict of Interest

Dies for a lack of Motion

### **Resolution #5546**

Whereas, the Cleburne County Commission has allowed for a Conflict-of-Interest Policy to be put into place;

Whereas, the Commission feels the policy should be added to the Employee Handbook;

Therefore, the Cleburne County Commission hereby tasks the Human Resource Officer to ask the County Attorney if the policy should be added to the Employee Handbook.

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### **E. Sheriff Surplus**

Action as related to **Resolution #5547** Sheriff Surplus

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

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

In Opposition: None

Motion Carries

### **Resolution #5547**

Whereas, the Cleburne County Sheriff informs the Commission that a 2021 Chevrolet Tahoe (VIN: 1GNSCLED7MR457846) was totaled in an accident;

Whereas, the insurance company has stated that the amount that they will pay on the claim for the vehicle is \$\_\_\_\_\_;

Whereas, if the insurance company does not take possession of the vehicle, the County Sheriff wishes to surplus the vehicle;

Therefore, the Cleburne County Commission hereby authorizes the surplus of the Vehicle

### **F. Task Administrator – Letter of Support**

Action as related to **Resolution #5548** Task Administrator – Letter of Support

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

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

In Opposition: None

Motion Carries

### **Resolution #5548**

Whereas, the Commission has received several requests for a Letter of Support for various endeavors;

Whereas, the Economic Developer informed the Commission that one generic letter could be created and given to whomever the Commission chooses to support;

Therefore, the Cleburne County Commission tasks the County Administrator to create a Letter of Support.

## **G. MOA – Economic Development & MC3**

Action as related to **Resolution #5549** MOA – Economic Development & MC3

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

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

In Opposition: None

Motion Carries

### **Resolution #5549**

THIS AGREEMENT, made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2025, by and between MC3 Development, LLC, hereinafter referred to as "MC3", and Cleburne County, Alabama, hereinafter referred to as "County". WHEREAS, MC3 wishes to build and operate a business in Cleburne County, Alabama, which will serve as a supplier to a pre-existing business in the County; and WHEREAS, County wishes to facilitate MC3's efforts by assisting with performing the "site prep" work for the new business; and WHEREAS, County intends to apply for funding to cover said site prep work through the "Growing Alabama" program, as authorized by the Growing Alabama Act, codified in §40-18 417.2 of the Alabama Code; and WHEREAS, MC3 and County agree that the definition of "site prep" for this project shall include and be limited to the following: (1) Clearing and grubbing; (2) Mass grading; (3) Establishment of a building pad for intended future building; (4) Installation of storm water drainage; (5) Installation of appropriate erosion control and site stabilization; and WHEREAS, County must own the property in question in order to be able to administer the funds received to accomplish the necessary site prep work. NOW THEREFORE, in consideration of the mutual covenants and conditions hereinafter contained, MC3 and County do agree, each with the other, as follows: 1. MC3 will purchase the property where the new business will be constructed and then convey said property to County by means of a Quitclaim Deed. 2. MC3 will obtain all necessary engineering drawings and maps detailing how the site prep will be conducted. 3. County, upon receipt of the

deed and all necessary drawings/maps, will submit its application for the Growing Alabama Tax Credit program by no later than May 13, 2025. 4. Upon receiving approval for the project, County will recruit all necessary funding for the project and will administer all work to complete the site prep to the standard required by the engineered drawings and maps. 5. Once the site prep project is completed and all funds have been expended or otherwise accounted for, County will convey the property back to MC3 by means of a Quitclaim Deed. 6. Should County be unable to obtain approval for the Growing Alabama Program or fail to obtain sufficient funds to complete the site plan project, County agrees that it will convey the property back to MC3 by means of a Quitclaim Deed. 7. This Agreement represents the entire and integrated Agreement between MC3 and County and supersedes all prior negotiations, representations or agreements, whether written or oral. This Agreement may only be amended, supplemented or modified by written instrument executed by both MC3 and County. WHEREFORE, the undersigned, by their signatures, certify that they have carefully read this Agreement, understand the terms and conditions contained herein, have proper authority to execute this Agreement, and do so as their own free act.

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#### **Reports from staff:**

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- A. The County Administrator, Lisa Copeland informs the Commission that she has sent each Commissioner the financial A & E Reports, she asks they review them before the next work session so they can ask any questions they may have. She states she is working to have FY23 ready to give to auditors when they are done with the FY22 audit. She states Melissa Woods will be back for a training session on Friday. She also states FY24 is close to being ready. She states the Sheriff Department is also being audited right now for FY21-FY25.
- B. The County Engineer Lee Estes informs the Commission that his clerk is on extended medical leave for an undetermined amount of time. He asks for a clerk position to be added to his organizational chart. The position would be temporary with the possibility of being permanent based on if Melinda chooses to retire upon her return to the office.

After much discussion, it has been decided the Commission Clerk will fill in on a part-time, temporary basis to assist in the Engineer office until further notice.

- C. The County Attorney, Jason Odom does not have any updates.

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

The Commission asks Jail Administrator, Clay Smith to come up with the average amount for EMS and bring it to the next work session. The Commission and Administrator discuss expected carryovers for next year's budget.

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Action as related to **Resolution #5550**

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

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

In Opposition: None

Motion Passed

The meeting has been continued to May 5<sup>th</sup> at 9:00AM to review the Letters of Support and Conflict of Interest policy.

Certified by:

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Lane Kilgore – Chairman

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Laura Cobb – District 1

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Emmett Owen – District 2

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Terry Hendrix – District 3

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Mark Truett – District 4

