

Cleburne County Commission Meeting Minutes
Regular Commission Meeting June 10, 2019
Cleburne County Mountain Center

Roll Call

Present:

Commissioner Laura Cobb
Commissioner Emmett Owen
Commissioner Terry Hendrix
Commissioner Jake Durham

Absent:

Chairman Ryan Robertson

Vice-Chairman Commissioner Terry Hendrix chairs this meeting in the absence of Chairman Ryan Robertson

Scheduled Public Hearings

A. Road Closure

The meeting is open at this time for anyone wishing to speak on behalf of County Road #812.

Ms. Revonda Bowen addresses the Commission on concerns of closing County Road #812.

County Engineer Lee Estes explains the road closure for County Road #812 is to vacate the road maintenance and that there will be no blockage of Ms. Bowens access to her property.

Commissioner Jake Durham states that the intent is not to block access from property owners to County Road #812, but rather to vacate road maintenance.

The Commission closes the public hearing.

Commissioner Emmett Owen states that there will remain clear access to the property of County Road #812, but there will be no further maintenance.

Consent Agenda

The Commission passed the June 2019 Consent Agenda including:

Action as related to **Resolution #4967 – 1-5, 7-9** June 2019 Consent Agenda:

Motion made by Commissioner Jake Durham, Seconded by Commissioner Emmett Owen

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

In Opposition: None

Motion Passed

Resolution #4967-1

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

May 13, 2019

as presented.

Resolution #4967-2

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

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

Resignations:	None
Vacancies:	None

Resolution #4967-3

Whereas, the Cleburne County Commission has asked to approve all purchase orders over \$15,000.

Therefore, the Cleburne County Commission hereby approves the following requests:

<u>Cleburne County Engineer</u>	
B&B Tire	\$21,947.00
Thompson Cat	\$19,562.08
Southeastern Environmental	\$19,500

Resolution #4967-4

Whereas, Commissioner Cobb is of the opinion that a Campground Ahead sign will be beneficial, and

Whereas, the District 1 Commissioner has agreed to apply up to \$200 from her discretionary funds toward the project.

Therefore, the Commission authorizes this application of funds, recognizing it as having a valid public purpose, being in agreement with the County's Discretionary Fund Policy adopted September 16th, 2013, and a valid use of the earmarked Tobacco Tax that funds the Commissioner's discretionary allocations.

Resolution #4967-5

Whereas, Commissioner Cobb believes the completion of the walking track at the Rosewood Community Center is a worthy investment; and

Whereas, the District 1 Commissioner has agreed to apply up to \$1900.00 from her discretionary funds toward the project.

Therefore, the Commission authorizes this application of funds, recognizing it as having a valid public purpose, being in agreement with the County's Discretionary Fund Policy adopted September 16th, 2013, and a valid use of the earmarked Tobacco Tax that funds the Commissioner's discretionary allocations.

Resolution #4967-7

Whereas, establishing separate checking accounts for the Federal Aid Exchange Funds and the County Rebuild Alabama Act is necessary for accounting for the receipts and expenditures in each of the funds.

Therefore, the Cleburne County Commission authorizes the Chief Finance Administrator to work with Metro Bank as necessary to create the two new checking accounts.

Resolution #4967-8

Whereas, budget needs can change during the course of the year due to unforeseen circumstances; and

Whereas, the County Engineer's Office needs an increase to his Highway and Traffic budget for the exchange of Mack Truck's;

Therefore, the Cleburne County Commission approves an increase to the Highway and Traffic budget for both expenditures and revenues in the amount of \$251,000.

Resolution #4967-9

Whereas, budget needs can change during the course of the year due to unforeseen circumstances; and

Whereas, the County Emergency Manager needs an increase to her Emergency Management budget for the replacement of the Coleman Lake Siren;

Therefore, the Cleburne County Commission approves an increase to the Emergency Management budget for both expenditures and revenues in the amount of \$25,500.

New Business:

A. EARPDC (Transportation)

Resolution #4968

Whereas, the Cleburne County Commission recognizes the need for a public transportation program; and

Whereas, the Cleburne County Commission is recognized as a member of the Cleburne County Transportation Steering Committee; and

Whereas, the Cleburne County Commission recognizes that the requirements to obtain Section 5311 funds from the Alabama Department of Transportation includes a local match of 50% for operating expenses and 20% for administration and capital expenses; and

Whereas, the Cleburne County Commission recognizes that the local match will be a shared cost with other participating municipalities being responsible for providing an appropriate allocation of local non-federal funds to secure the operating of the Section 5311 Nonurbanized Area Public Transportation Program.

Now, therefore, be it resolved that the Cleburne County Commission hereby commits the amount of \$41,843 as local non-federal match for capital, administrative and operations expenditures under the Section 5311 Nonurbanized Area Public Transportation program during Fiscal Year 2020.

Be it further resolved that the Commission Chairman is authorized to execute an agreement with the East Alabama Regional Planning and Development Commission for provision of transit services in Cleburne County and that the Chairman is also authorized to execute any certifications and assurance required in conjunction with the program.

Action as related to **Resolution #4968** – EARPDC (Transportation)

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

In Support: Commissioners Laura Cobb, Emmett Owen, Jake Durham

In Opposition: Terry Hendrix

Motion Passed

B. Equipment Purchase

Resolution #4969

Whereas, the County Engineer has requested funds for the purchase of an Etnyre Centennial Distributor; and

Whereas, the Cleburne County Commission has agreed to loan the requested amount to the Highway and Traffic Fund from the Reserve Fund for said purchase; and

Whereas, the County Engineer is to repay the loan from future Highway and Traffic Revenues until it has been returned in full.

Therefore, the Cleburne County Commission authorizes the Chief Finance Administrator to make the necessary transfers for the purchase of the aforementioned equipment.

Whereas, the County Engineer has requested funds for the purchase of an Etnyre Centennial Distributor; and

Whereas, the Cleburne County Commission has agreed to loan the requested amount to the Highway and Traffic Fund from the Reserve Fund for said purchase; and

Whereas, the County Engineer is to repay the loan from future Highway and Traffic Revenues until it has been returned in full.

Therefore, the Cleburne County Commission authorizes the Chief Finance Administrator to make the necessary transfers for the purchase of the aforementioned equipment.

Action as related to **Resolution #4969** – Equipment Purchase

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

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

In Opposition: None

Motion Passed

C. Consent Agenda Item #6 – Bid - Landfill Cap Improvements and Installation of Storm water Management Diversions

Resolution #4970

Whereas, the Cleburne County Commission has solicited bids for Landfill Cap Improvements and Installation of Storm water Management Diversions; and

Whereas, the County Engineer has made his recommendation.

Therefore, the Cleburne County Commission hereby awards the bid as follows: Ricky Cobb.

Action as related to **Resolution #4970** – Consent Agenda Item #6

Motion made by Commissioner Emmett Owen, Seconded by Commissioner Jake Durham

In Support: Commissioners Emmett Owen, Terry Hendrix and Jake Durham

In Opposition: None

To Abstain: Commissioner Laura Cobb

Motion Passed

Commissioner Jake Durham makes a motion to add to the agenda of this meeting a resolution to vacate County Road #812. A second is made by Commissioner Emmett Owen.

Resolution #4971

The Commission adds to the agenda of this meeting a resolution to vacate County Road #812 Closure.

Action as related to **Resolution #4971** – County Road #812 Closure

Motion made by Commissioner Jake Durham, Seconded by Commissioner Emmett Owen

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

In Opposition: None

Motion Passed

Commissioner Laura Cobb questions whether landowners, having property on either side of a vacated road, have the authority to barricade that portion.

Jason Odom County Attorney states that the land owner can block/barricade a portion of a closed road as long as they do not prohibit any other land owner from their property.

Commissioner Emmett Owen questions whether easements are needed.

Ms. Bowen has questions regarding her property lines and access to her property once the road is closed.

County Engineer has reviewed property maps supplied by the Revenue Commission Office, and he reassures Ms. Bowen and the Commission.

Resolution #4972

County Road Closure

Whereas, the Cleburne County Commission has completed the statutory requirements to provide official public notice of its intent to vacate County Road 812 from the intersection of County Road 431 South approximately 1,070 feet, or 0.2 miles to the County line; and

Whereas, the Commission held a public hearing regarding this intent during its regularly scheduled meeting on June 10, 2019; and

Whereas, the names of all land owners whose properties abut the roads to be vacated are as follows: James Wilson, Willie Sprayberry, Revonda Bowen and Ronald White; and

Whereas, the Commission deems the vacation of said roads in the public interest.

Therefore, the Commission hereby resolves to vacate County Road 812 from the intersection of County Road 431 South approximately 1,070 feet, or 0.2 miles to the County line.

Furthermore, the Commission tasks the County Engineer with conducting the publishing and filing of said vacation as required by law and delegates the authority required to draw this issue to closure including implementing whatever means necessary to invest or reinvest the abutting landowners with title to the vacated portions of the road.

Action as related to **Resolution #4972** – County Road #812 Closure

Motion made by Commissioner Jake Durham, Seconded by Commissioner Laura Cobb

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

In Opposition: None

Motion Passed

Reports from staff:

- A. Chief Finance Administrator Kim Brown gives the Commission each a folder containing the following: a listing of all county employee cell phone users requested by Commissioner Terry Hendrix, an email and some financial information regarding the county coroner budget, and bank quotes for future possible loans.
- B. County Engineer Lee Estes reports to the Commission that he is closing County Road #49 for the bridge replacement project and gives a brief on road maintenance. Recent rain has caused some problems for dirt roads.
- C. County Attorney Jason Odom briefs the Commission on the class action lawsuit of Federal Payment in Lieu of Taxes being approved by the courts. He has submitted the forms for the disbursement of the settlement of funds.

Old Business:

There is not any Old Business for this meeting

Commissioner Emmett Owen gave a brief on the courthouse projects.

There is not any further business to come today before the Commission for the meeting.

Adjourn the meeting

Action as related to Resolution #**4973**

Motion made by Commissioner Jake Durham, and Seconded by Commissioner Laura Cobb

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

In Opposition: None

Motion Passed

Resolution #4973

The meeting is adjourned.