

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

Roll Call

Present:

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

Absent:

Commissioner Emmett Owen

Speakers

Awards

Consent Agenda

The Commission passes the July 2023 Consent Agenda including:

Action as related to **Resolution #5347 1-3** July 2023 Consent Agenda:

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

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

In Opposition: None

Motion Passed

Resolution #5347-1

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

June 20, 2023
June 23, 2023
July 10, 2023

as presented.

Resolution #5347-2

Board Vacancies:

Hospital Board

District 2, and District 3

Board Appointments

Hayley Williams – District 1

Resolution #5347-3

Whereas, the Cleburne County Engineer has advertised and received bids for dumpster service in the County;

Whereas, the County Engineer recommends award of the contract, for dumpster service, to the lowest bidder, Wise Environmental;

Therefore, the Cleburne County Commission agrees to reward the contract to Wise Environmental.

New Business:

A. Industrial Development Agreement

Action as related to **Resolution #5348** Industrial Development Agreement

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

In Support: Commissioners Laura Cobb, Roger Hill

In Opposition: Commissioner Terry Hendrix
Commissioner Terry Hendrix makes a motion to amend the resolution to state a 1 year deal instead of a 3 year deal, motion dies for lack of a second, original resolution carries.

Original Motion Passed

Resolution #5348

Whereas, the Cleburne County Commission desires to assist the City in their efforts to fund economic and industrial development.

Therefore, the Cleburne County Commission agrees to allocate the sum of \$50,000 each year for fiscal years 24, 25, and 26.

B. Award of Residential Garbage Collection Contract

Action as related to **Resolution #5349** Award of Residential Garbage Collection

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

In Support: Commissioners Roger Hill, and Terry Hendrix

In Opposition: Commissioner Laura Cobb

Motion Passed

Resolution #5349

Whereas, the Cleburne County Engineer has advertised and received bids for residential garbage collection services in the County;

Whereas, the County Engineer recommends award of the contract, for residential garbage collection, to the lowest bidder, Waste Management;

Therefore, the Cleburne County Commission agrees to award the contract to Waste Management.

C. Resurface CR 57 using ARPA funds

Action as related to **Resolution #5350** Resurface CR 57 using ARPA funds

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

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

In Opposition:

Motion Passed

Resolution #5350

RESOLUTION FOR THE EXPENDITURE OF AMERICAN RESCUE PLAN ACT FUNDS FOR GOVERNMENT SERVICES: COUNTY ROAD 57

WHEREAS, Cleburne County, Alabama (the "County") has received American Rescue Plan Act fiscal recovery funds ("ARPA funds") and is charged with ensuring that such funds are expended in accordance with state and federal law; and

WHEREAS, under the Final Rule published by the United States Department of Treasury dated January 6, 2022, the County had the option to designate a standard allowance of up to \$10,000,000 of its ARPA funds, not to exceed the County's total ARPA funds award of \$2,896,093, as revenue replacement ("ARPA revenue replacement funds"); and

WHEREAS, the Final Rule provides that the designation of this standard allowance is a one-time, irrevocable election that must be made for the period of performance of the ARPA funds award; and

WHEREAS, the County has duly made this election and designated its entire ARPA fund award as ARPA revenue replacement funds; and

WHEREAS, the County may expend ARPA revenue replacement funds for government services; and

WHEREAS, the Cleburne County Commission (the "Commission") has determined that there is a need to provide pay-go construction and maintenance services to ensure the safety and accessibility of County roadways

WHEREAS, the Commission has further determined it is within the authority of the County to provide these government services; and

WHEREAS, the Commission has determined that providing these services is a necessary, reasonable, and proportionate measure to facilitate the provision of these government services.

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

1) The County shall conditionally allocate up to \$447,266 of its ARPA revenue replacement funds to be expended for pay-go construction and maintenance on County Road 57 (the "project").

2) Expenditure of the funds allocated herein is contingent on compliance with state competitive bid laws and any federal procurement requirements applicable to the expenditure of ARPA revenue replacement funds.

3) All bid documents and contracts awarded for the project shall include as terms and conditions the provisions of Attachment A to this Resolution.

4) All contractors selected pursuant to the competitive bid process shall be required to execute the certifications included in Attachment B to this Resolution, as well as submit a fully executed copy of the contractor's E-Verify Memorandum of Understanding for Employers that has been submitted through the E-Verify system.

5) If other funding sources are used to complete the project, ARPA funds expended for the project shall be separately tracked and accounted for.

6) Expenditure of ARPA revenue replacement funds, as authorized by this Resolution, is further contingent on the continued appropriation and availability of ARPA revenue replacement funds for this purpose and in no event shall be used for any expenses not obligated by December 31, 2024, and expended by December 31, 2026.

Chairman Ryan Robertson asks for a motion and second to approve to add the following item to the agenda of today's meeting:

New Business –

D.) Appointment of ACCA Legislative Committee Member

E.) Nominee for Cleburne County Board of Equalization

Action as related to **Resolutions #5351**

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

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

In Opposition: None

Motion Passed

Resolution #5351

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

New Business –

- D.) Appointment of ACCA Legislative Committee Member
- E.) Nominee for Cleburne County Board of Equalization

D. Appointment of ACCA Legislative Committee Member

Action as related to **Resolution #5352** Appointment of ACCA Legislative Committee Member

Motion made by Commissioner Terry Hendrix, Seconded by Commissioner Roger Hill

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

In Opposition: None

Motion Passed

Resolution #5352

Whereas, each County is tasked to submit the name of one Commissioner to serve on the ACCA Legislative Committee;

Whereas, the deadline for submission of a name is August 1st of each year;

Now Therefore, the Cleburne County Commission nominates Commissioner Laura Cobb to serve as the County's Representative to the ACCA Legislative Committee from August 1, 2023 – July 31, 2024.

E. Nominee for Cleburne County Board of Equalization

Action as related to **Resolution #5353** Nominee for Cleburne County Board of Equalization

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

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

In Opposition: None

Motion Passed

Resolution #5353

Whereas, the State Commissioner of Revenue has requested nominations from Cleburne County for Members of the Cleburne County Board of Equalization; and

Whereas, § 40-3-2, Code of Alabama sets forth specific qualifications for Board of Equalization members; and

Whereas, the Cleburne County Commission finds that the following nominees are duly qualified.

Now Therefore, the Cleburne County Commission hereby nominates the following individuals for consideration to serve on the Cleburne County Board of Equalization: Shelia Hunt, Samuel Jackson, and Harry Cole.

Reports from staff:

- A. County Administrator, Lisa Copeland, updates the Commissioners on the number of payrolls, transfers, A/P checks, and invoices that were done for the month of June. She states she prepared resolutions for the Emergency called meeting, the Special called meeting, and the regular Commission meeting. She provided records request to the City of Heflin. She states she gathered information for Examiners for the Revenue Commission Audit. She states she has begun FY23 Revenue & Expense Projections. She has met with JSU concerning scheduling for events. She states using the information from the HRO a total of 186 direct deposits for employees were made. She also provided A & E reports to Department heads and the Commissioners. She states she has completed 46 bank reconciliations.
- B. County Engineer Lee Estes is absent
- C. County Attorney Jason Odom has no updates.

Old Business:

There is no Old Business to attend to this meeting.

Discussion Items from the Chairman and Commission:

Commissioner Roger Hill asks to discuss Inmate housing with the Cleburne County Sheriff, Jon Daniel and the Jail administrator, Lane Kilgore.

Commissioner Terry Hendrix states he still has not had any responses from the USDA about who owns the Watersheds. The Commission and the County Attorney discuss possible next steps.

Action as related to **Resolution #5354**

Motion made by Commissioner Roger Hill, Seconded by Commissioner Terry Hendrix

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

In Opposition: None

Motion Passed

Resolution #5354

The meeting is adjourned.

Certified by:

Ryan Robertson – Chairman

Laura Cobb – District 1

Emmett Owen – District 2

Terry Hendrix – District 3

Roger Hill – District 4