

**Cleburne County Commission Meeting Minutes
Regular Commission Meeting June 20, 2023
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

Brandon Pollard

Mr. Pollard informs the Commission that he is a chronic pain sufferer and that he disagrees with the Opioid policies and the Opioid settlement money. He states he struggles to get the medicines he needs. He states he has been contacting to State legislature and the Governor to discuss changing Opioid policies.

Bid Openings

The County Engineer opened the following bids:

Bridge Bid

Residential Litter Pick Up

Dumpster Litter Pick Up at the Convenience Centers and County Buildings

The County Engineer received the following bids for Residential litter Pick up:

- ADSI
- Waste Management

The County Engineer received the following bids for Dumpster Litter Pick Up at the Convenience Centers and County Buildings:

- AL/GA Roll offs
- Waste Management
- Wise Environmental

Consent Agenda

The Commission passes the June 2023 Consent Agenda Resolution #5334-1, #5334-2, #5334-4, #5334-8, #5334-9, but did not pass Resolution #5334-3, #5334-5, #5334-6, #5334-7, #5334-10, #5334-11 which were added to new business Line Items A - F:

Action as related to **Resolution #5334-1 - 11** June 2023 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 #5334-1

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

May 15, 2023

as presented.

Resolution #5334-2

Board Vacancies:

Hospital Board

District 1, District 2, District 3

Board Resignation:

Hospital Board- Gary Cox- District 4

Board Appointments:

Hospital Board- Joseph R. Brown- District 4

Resolution #5334-3

Whereas, the Cleburne County Commission is concerned about the County Coroner appointing a family member as a Deputy Coroner;

Whereas, the County Attorney has presented his advice on the issue;

Whereas, the County Commission would like to receive confirmation of this opinion;

Therefore, the Cleburne County Commission tasks the County Attorney to obtain an Attorney General Opinion.

Resolution #5334-4

Whereas, the Cleburne County Commission and Jacksonville State University (JSU) currently have a contract for sharing the Mountain Center facility;
Whereas, JSU contributes a portion of the costs of utilities and maintenance of the facility, and these expenses have continued to increase each year;
Whereas the contract allows for evaluation and/or increase of the amount of contribution from JSU;
Whereas, the Chairman and County Administrator have met with JSU Officials to discuss the need to increase the amount of the contribution;
Therefore, the Cleburne County Commission resolves to increase the portion billed to JSU to \$28,500 per year for Fiscal Year 2024.

Resolution #5334-5

Whereas, the Cleburne County Commission has received notice from Avenu Insights, concerning overpayment of Sales Tax to the County by a business within the County;
Whereas, the overpayment will need to be researched to determine the amount, type of tax, etc.;
Whereas, there have been several attempts made to obtain information from Avenu Insights, with no response;
Therefore, the Cleburne County Commission tasks the County Attorney with sending a letter to Avenu Insights requesting the information needed.

Resolution # 5334-6

Whereas, the Cleburne County Commission has been made aware of a grant available through ADEM;

Whereas, the grant would reimburse the County for expenses involved in roadside litter removal;

Therefore, the Cleburne County Commission authorizes the County Engineer to apply for the grant.

Resolution # 5334-7

Whereas, the Cleburne County Commission has been made aware of a bridge grant available;

Whereas, a cost of having drawings made by an engineer, will be \$1200;

Therefore, the Cleburne County Commission authorizes the County Engineer to spend \$1200 on the drawings and apply for the grant.

Resolution #5334-8

Whereas, Old Hopewell Baptist Church is being used as a polling place;

Whereas, a fee of \$150 per year is being paid for most of the other poll locations;

Whereas, the Cleburne County Commission agrees to allow Chairperson Ryan Robertson to sign a Memorandum of Understanding with the church.

Therefore, the Cleburne County Commission resolves to allow Old Hopewell Baptist Church to be the poll place at the same cost and authorizes the Chairman to execute such Memorandum of Understanding.

Resolution #5334-9

Whereas, Chulafinee Baptist Church is being used as a polling place;

Whereas, a fee of \$150 per year is being paid for most of the other poll locations;

Whereas, the Cleburne County Commission agrees to allow Chairperson Ryan Robertson to sign a Memorandum of Understanding with the church.

Therefore, the Cleburne County Commission resolves to allow Chulafinee Baptist Church to be the poll place at the same cost and authorizes the Chairman to execute such Memorandum of Understanding.

Resolution #5334-10

Whereas, the polling location at Abel has been moved to Abel Baptist Church;

Whereas, the previous Abel polling location has an old building on the property, that is no longer useful;

Therefore, the Cleburne County Commission agrees to have the building removed.

Resolution #5334-11

Whereas, the polling location at the New Hopewell Community Building has been moved to Old Hopewell Baptist Church;

Whereas, the property and building at the New Hopewell Community Building is no longer needed by the County;

Therefore, the Cleburne County Commission agrees to sell or auction the property.

New Business:

A. Task County Attorney with AG opinion

Action as related to **Resolution #5335** Task County Attorney with AG opinion

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

In Support: None

In Opposition: All

Motion Dies

Resolution #5335

Whereas, the Cleburne County Commission is concerned about the County Coroner appointing a family member as a Deputy Coroner;

Whereas, the County Attorney has presented his advice on the issue;

Whereas, the County Commission would like to receive confirmation of this opinion;

Therefore, the Cleburne County Commission tasks the County Attorney to obtain an Attorney General Opinion.

B. Avenu Insights

Action as related to **Resolution #5336** Avenu Insights

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

In Support: None

In Opposition: All

Motion Dies

Resolution #5336

Whereas, the Cleburne County Commission has received notice from Avenu Insights, concerning overpayment of Sales Tax to the County by a business within the County;

Whereas, the overpayment will need to be researched to determine the amount, type of tax, etc.;

Whereas, there have been several attempts made to obtain information from Avenu Insights, with no response;

Therefore, the Cleburne County Commission tasks the County Attorney with sending a letter to Avenu Insights requesting the information needed.

C. Litter Removal

Action as related to **Resolution #5337** Litter Removal

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

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

In Opposition: None

Motion Carries

Resolution #5337

Whereas, the Cleburne County Commission has been made aware of a grant available through ADEM;

Whereas, the grant would reimburse the County for expenses involved in roadside litter removal;

Therefore, the Cleburne County Commission authorizes the County Engineer to apply for the grant.

D. Bridge Grant

Action as related to **Resolution #5338** Bridge Grant

Substitute Resolution #5334-7 for the resolution presented to the Commission by the County Engineer

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

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

In Opposition: None

Motion Carries

Resolution #5338

**CLEBURNE COUNTY COMMISSION
RESOLUTION TO PARTICIPATE IN THE JOINT APPLICATION FOR THE BRIDGE
INVESTMENT PROGRAM GRANT FUNDING OPPORTUNITY**

WHEREAS, the Cleburne County Commission (County) is committed to improving bridge conditions and the safety, efficiency, reliability of the movement of people and freight over bridges; and

WHEREAS, the County desires to improve the condition of bridges that it maintains by means of replacement, rehabilitation, preservation, or protection using potential funds from a Planning Grant as part of the Federal Bridge Investment Program; and

WHEREAS, Section 11118 of the Infrastructure Investment and Jobs Act (Pub. L. 117-58, November 15, 2021; also referred to as the "Bipartisan Infrastructure Law" or "BIL") authorized and appropriated \$2.487 Billion in federal funds to be awarded by the US Department of Transportation (DOT) for FY 2023 for the Bridge Investment Program; and

WHEREAS, the purpose of seeking a Planning Grant is to get technical assistance from an engineering consultant, AECOM of Birmingham, to prepare a joint application to seek funds to make a more complete application for a Bridge Grant; and

WHEREAS, the County desires to join and participate in a joint application with Blount, Bullock, Butler, Calhoun, Chambers, Cherokee, Chilton, Choctaw, Cleburne, Coffee, Cullman, Elmore, Etowah, Greene, Hale, Henry, Jackson,

Lamar, Lauderdale, Lawrence, Lee, Macon, Madison, Marion, Marshall, Mobile, Perry, Pike, Shelby, St. Clair, Sumter, Tuscaloosa, and Winston County (Partnership) to develop, through the help of an engineering consultant AECOM of Birmingham, a Planning Grant for the Bridge Investment Program; and that the County understands and agrees to the following:

- 1) The expected cost to participate in the joint Planning Grant application is \$1212. per county; and
- 2) That the total amount for the Planning Grant application to be paid to AECOM is \$40,000; and
- 3) That the Partnership must identify a "lead applicant", which will be Lauderdale County, as the primary point of contact for the grant application to serve as the administrator of the grant application and resulting grant funds; and
- 4) That, the County agrees to provide the local cost of \$1212. to the lead applicant prior to July 31, 2023; and
- 5) That the County understands that the \$1212. cost does not guarantee we will be awarded a Planning Grant; and
- 6) That, if the Planning Grant application is successful, it is understood that upon the consultant's recommendation it may be determined that some projects may not be included in the future Bridge Grant application; and
- 7) That this resolution, once adopted by the County, shall serve as its agreement with all other counties participating in the joint application.

BE IT RESOLVED BY THE CLEBURNE COUNTY COMMISSION that it agrees to all terms and conditions of the partnership with Blount, Bullock, Butler, Calhoun, Chambers, Cherokee, Chilton, Choctaw, Coffee, Cullman, Elmore, Etowah, Fayette, Franklin, Greene, Hale, Henry, Jackson, Lamar, Lauderdale, Lawrence, Lee, Lowndes, Macon, Madison, Marengo, Marion, Marshall, Mobile, Perry, Pike, Shelby, St. Clair, Sumter, Tuscaloosa, Wilcox and Winston Counties set out above, and desires to participate in the joint application for a Bridge Investment Program Planning Grant.

BE IT FURTHER RESOLVED that a copy of this resolution be immediately forwarded to the Lead Applicant by July 31st 2023.

E. Disposition of Abel Poll Building

Action as related to **Resolution #5339** Disposition of Abel Poll Building

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

Commissioner Laura Cobb asks if research has been done to make sure we have authority to remove it?

County Attorney, Jason Odom, states we do have authority to remove it.

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

In Opposition: None

Motion Carries

Resolution #5339

Whereas, the polling location at Abel has been moved to Abel Baptist Church;

Whereas, the previous Abel polling location has an old building on the property, that is no longer useful;

Therefore, the Cleburne County Commission agrees to have the building removed.

F. Sale/Auction of New Hopewell Community Building

Action as related to **Resolution #5340** Sale/Auction of New Hopewell Community Building

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

Commissioner Laura Cobb asks if research has been done to make sure we have authority to remove it?

Chairman Ryan Robertson states the Probate Judge's office has paperwork stating Cleburne County owns it, but there is not a deed.

County Attorney, Jason Odom, states if all records show Cleburne County owns it then we do have authority to sell or auction it.

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

In Opposition: None

Motion Carries

Resolution #5340

Whereas, the polling location at the New Hopewell Community Building has been moved to Old Hopewell Baptist Church;

Whereas, the property and building at the New Hopewell Community Building is no longer needed by the County;

Therefore, the Cleburne County Commission agrees to sell or auction the property.

Chairman, Ryan Robertson asks for a motion to add the Stormwater Project to New Business.

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

All in Favor
Motion carries

G. Stormwater Project

Action as related to **Resolution #5341** Stormwater Project

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

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

In Opposition: None
Motion Carries

Resolution #5341

**County of _____
State of Alabama**

WHEREAS, the County Commission of _____ County, Alabama (the "Commission") is desirous of constructing or improving, by force account, by contract or both, stormwater management solutions on sections of roads included in the _____ County Road System and described as follows:

[INSERT BRIEF DESCRIPTION OF THE PROJECT AND RELATED LOCATIONS]

WHEREAS, Ala. Acts, Act No. 2023-1, allocated a portion of the State's American Rescue Plan Coronavirus State and Local Fiscal Recovery Funds to be provided as state-wide matching grants for investments in water and sewer projects eligible under 31 CFR 35.6.(e)(1)(i), (ii), (iii), and (v), to include stormwater projects; and

WHEREAS, the Alabama Department of Environmental Management ("ADEM") is charged with the administration of the award of these funds to counties and other eligible entities; and

WHEREAS, ADEM has announced the availability of these funds for matching grants of up to \$150,000.00 per Alabama county to implement eligible stormwater projects; and

WHEREAS, the County intends to apply to ADEM for matching grant funding in the amount of \$150,000.00 for the construction of the above-referenced stormwater project; and

WHEREAS, the County wishes to commit sufficient funds and/or other resources to satisfy the thirty-five percent required local match for this grant funding.

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

1. The Commission hereby authorizes the submission of the grant application described herein and agrees to all of the provisions of any agreement which has been executed or will be executed covering the construction of the project and the award of grant funds by ADEM for the project.
2. The Commission further allocates and authorizes the use of up to \$_____ of its own funds and/or other resources to be used for the construction of the project.

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 May. She states she has worked with Avenu and Tree Brand to obtain information for a sales tax refund. She states she has provided Budget timelines and Budget request sheets. 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, states he has no updates.
- C. County Attorney, Jason Odom, states he has no updates.

Old Business:

There is no Old Business to attend this meeting.

Discussion Items:

Chairman, Ryan Robertson, states due to some county offices choosing to close on July 3rd, the July work session will be moved to July 10th. He also states due to a conference on the day of our regular August Commission meeting, it will be moved to August 28th.

Commissioner Emmett Owen states he has had several meetings about the animal shelter, and he has been elected to oversee the project and be in charge of obtaining PO's.

Commissioner Laura Cobb states she spoke with Robby Brown about feeding Inmates and dispatch. The City of Heflin only wants to pay \$20 for feeding inmates and do not want to pay for dispatch.

The Commission also discuss a new ACCA grant for historical buildings.

A

ction as related to **Resolution #5342**

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

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

In Opposition: None

Motion Passed

Resolution #5342

Meeting Adjourned.

Certified by:

Ryan Robertson – Chairman

Laura Cobb – District 1

Emmett Owen – District 2

Terry Hendrix – District 3

Roger Hill – District 4