

**Cleburne County Commission Meeting Minutes**  
**Regular Commission Meeting February 22, 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

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

Consent Agenda – Resolution Presented for Adoption - 14

Action as related to **Resolutions #5303**

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

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

In Opposition: None

Motion Carries

**Resolution #5303**

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

Consent Agenda – Resolution Presented for Adoption - 14

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 – Opioid Settlement Agreement

Action as related to **Resolutions #5304**

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

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

In Opposition: None

Motion Carries

**Resolution #5304**

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

New Business – Opioid Settlement Agreement

**Comments from Citizens**

**April Smith and Tracy Berry**

Ms. Smith and Ms. Berry are with the Randolph County Animal Shelter. They tell the Commission the Randolph County Animal Shelter is a private, non-profit organization. It is funded through donations, tobacco tax, county commission, and the city of Roanoke. They carry their own insurance, pay their own taxes, and own their own building. They are monitored by the State.

**Comments from Officials**

**Adam Downs - Coroner**

Mr. Downs informs the Commission of the Expanded Infrastructure support for coroner, medical examiner, and medicolegal death investigator grant he has received from the NNPHI. The amount he is awarded is \$7,000.00 to go towards the purchases of field software, I-pads, camera, and a computer.

**Mike Copeland – Cleburne County Water Authority**

Informs the Commission the CDBG grant will close out at the end of March and asks for authorization for the Water Department to reapply for the grant in April or if the Commission is wanting to use it for something else. A decision needs to be made before the next Commission meeting. After a brief discussion, the Commission informs Mr. Copeland to gather up all the information and present it at the next work session. This will give him time to reapply before the application deadline. Mr. Copeland also informs the Commission that the advertisement, for bids on ARPA projects, was published in newspapers today. The bid opening will be held at 11:00AM on Wednesday, March 15<sup>th</sup> at the Water Department office.

**Consent Agenda**

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The Commission passes the February 2023 Consent Agenda including:

Action as related to **Resolution #5304 1-14 February 2023** Consent Agenda:

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 #5304-1**

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

January 17, 2022

as presented.

**Resolution #5304-2**

No new appointments

Vacancies: None

**Resolution #5304-3**

**Whereas**, in the February meeting of each year the Commission acknowledges the County Revenue Commissioner's ad valorem millage rates for the upcoming year,

**Therefore**, millage rates for Cleburne County are acknowledged as being assessed in the following amounts:

|                                     |      |
|-------------------------------------|------|
| General Fund                        | 5    |
| Public Building, Road & Bridge Fund | 2.5  |
| Hospital                            | 4    |
| Fire                                | 2    |
| County Wide School                  | 9    |
| School District 1 & 2               | 8    |
| Total County                        | 30.5 |

**Resolution #5304-4**

Whereas, a form from Alabama Alcoholic Beverage Control ("ABC") Board has been submitted to the County for the Commission to confirm whether there have been any changes to the County alcohol license fees;

Whereas, the fees currently in place are set at the maximum amount that Counties are allowed to charge;

Therefore, the Cleburne County Commission resolves to continue to charge the same alcohol license fees and report same to the ABC Board.

**Resolution #5304-5**

Whereas, regular preventative maintenance of County vehicles can be provided by the Engineer's Department;

Whereas, the service provided will be a cost savings to the various departments of the County;

Whereas, the Sheriff has requested that only certified mechanics be allowed to perform maintenance on Sheriff Department vehicles;

Therefore, the Cleburne County Commission is directing all Department Heads, other than the Sheriff, to use the Engineer's Department for regular vehicle preventative maintenance.

**Resolution #5304-6**

Whereas, the Cleburne County Engineer is responsible for regular vehicle maintenance for most of the County Departments;

Whereas, there are times that some of the vehicles need repairs beyond maintenance alone;

Whereas, the Engineer's Department is requesting to advertise a Request for Proposals dealing with repairs, other than regular maintenance, of fleet vehicles for the County;

Therefore, the Cleburne County Commission directs the Engineering Department request bids for the fleet repairs.

**Resolution #5304-7**

Whereas, the Cleburne County Engineer is requesting to bid out motorgrading of dirt roads in the County;

Therefore, the Cleburne County Commission agrees that the motor grading be bid out and directs the Engineer to solicit same.

**Resolution #5304-8**

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Whereas, the Cleburne County Sheriff's Department requests the Cleburne County Commission to authorize surplus of vehicles that are no longer useful as follows:

2008 Chevrolet Tahoe VIN: 1GNEC03018R257093 (Bad motor, missing body parts)

2014 Ford Explorer VIN: 1FM5K8AR2EGA65342 (Bad transmission, missing body parts)

Therefore, the Cleburne County Commission hereby authorizes the surplus of this equipment.

**Resolution #5304-9**

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Whereas, the Cleburne County Sheriff's Department has successfully hired 3 School Resource Officers (SRO)s;

Whereas, one of the new SROs is already a certified SRO, but needs Continuing Education, and the other 2 need the SRO Certification;

Whereas, attendance at the National School Resource Officer training in June 2023, will achieve the training needed;

Therefore, the Cleburne County Commission directs that the officers attend this training and consents to amend the budget to pay for same.

**Resolution #5304-10**

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**RESOLUTION FOR THE ALLOCATION OF FUNDS FROM THE COUNTY'S AWARD OF AMERICAN RESCUE PLAN ACT LOCAL AND TRIBAL CONSISTENCY FUND FOR EQUIPMENT TO FACILITATE THE DELIVERY OF GOVERNMENT SERVICES**

**WHEREAS**, Cleburne County, Alabama, (the "County") has received an award from the American Rescue Plan Act Local and Tribal Consistency Funds ("LATCF funds"); and

**WHEREAS**, Cleburne County Commission (the "Commission") is charged with ensuring that the County's LATCF funds are expended in accordance with state and federal law; and

**WHEREAS**, the County may expend LATCF funds for programs, services, and capital expenditures which fulfill a governmental purpose; and

**WHEREAS**, the provision of law enforcement services within the County, generally, and through resource officers in the County's public schools serves a governmental purpose to provide for the health and well-being of residents of the County; and

**WHEREAS**, the Commission has determined that in order to effectively provide these services it is necessary to procure three (3) additional law enforcement vehicles to facilitate the hiring and equipping of three (3) additional law enforcement officers to serve as resource officers for the County's public school system; and

**WHEREAS**, the County has identified, through a process consistent with the state's competitive bid law, Stivers as a qualified vendor from which to purchase these law enforcement vehicles at a cost of \$38,320.00 each; and

**WHEREAS**, the Commission has determined that the expenditure of LATCF funds to purchase these vehicles is a reasonable, necessary, and eligible use of these funds and has conditionally agreed to allocate LATCF funds to cover the cost of acquiring these vehicles.

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

1) The Commission hereby allocates \$114,960.00 of the County's LATCF funds for the purchase of the law enforcement vehicles described herein.

2) Notwithstanding any provision in this Resolution to the contrary, the LATCF funds allocated herein may not be used for lobbying activities, to include any direct or indirect payments for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device intended or designed to influence in any manner a Member of Congress, a jurisdiction, or an official of any government, to favor, adopt, or oppose, by vote or otherwise, any legislation, law, ratification, policy, or appropriation, whether before or after the introduction of any bill, measure, or resolution proposing such legislation, law, ratification, policy, or appropriation.

3) Expenditure of the funds allocated herein is contingent on the continued appropriation and availability of LATCF funds for this purpose.

#### **Resolution #5304 -11**

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Whereas, the Cleburne County Commission has a 2010 Ford Explorer, that is used by County employees for traveling for training, etc.;

Whereas, the vehicle needs the hood and top repainted;

Whereas, the service will cost \$1500;

Therefore, the Cleburne County Commission agrees to spend \$1500 to repaint a portion of the vehicle.

#### **Resolution #5304-12**

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Whereas, the Cleburne County Human Resource Officer has provided an estimate on the cost of potential increases in salaries, based on the pay study previously performed;

Whereas, the possible increase for employees would be performance based and would result in a "step up" within each employee pay grade;

Whereas, the Cleburne County Commission, expresses interest in the cost of this and other possible options;

Therefore, the Cleburne County Commission agrees to task the Human Resource Officer with gathering more information on options available for the possibility of later consideration.

**Resolution #5304-13**

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Whereas, the citizens of Cleburne County have voted to support "The Alabama Limited Self-Governance Act";

Whereas, the referendum allows for certain types of nuisance abatement ordinances;

Whereas, the County Attorney has previously provided general information for the drafting of such ordinances;

Therefore, the Cleburne County Commission agrees to task the County Attorney with proceeding with the steps needed, to start the process of creating a nuisance abatement ordinance.

**Resolution #5304-14**

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Whereas, the Cleburne County Commission previously passed Resolution #5296-3 accepting a donation to be earmarked for bridge project CCP15-75-22;

Whereas, the amount of the donation has changed from \$300,000.00 to \$2,000,000.00, with any additional left over from the bridge project to be used on the County Road for paving, etc. as needed;

Therefore, the Cleburne County Commission agrees to amend the resolution to accept \$2,000,000.00 for the project(s).

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**New Business:**

**A. Mowing Watershed Property**

Action as related to **Resolution #5306** Mowing Watershed Property

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 Passed

**Resolution #5306**

Whereas, a contract was received from RC&D, for mowing of watershed properties;

Whereas, the cost to mow these properties, is approximately \$20,000 plus the cost of fuel, for the 16 properties;

Whereas, many of the subject properties are on private property, not owned by the Commission, which raises concerns over potential violations of Section 94 of the Alabama Constitution;

Therefore, the Cleburne County Commission does not agree to fund the mowing of these properties.

**B. Change in Sheriff's Department Organizational Chart**

Action as related to **Resolution #5307** Change in Sheriff's Department Organizational Chart

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

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

In Opposition: None

*Motion Carries*

**Resolution #5307**

Whereas, the Cleburne County Sheriff requests that the Cleburne County Commission allow for a change in the Sheriff's Department Organizational Chart;

Whereas, the change would be to replace the position of Courthouse Security with a Courthouse Deputy;

Therefore, the Cleburne County Commission resolves to allow the change to the Sheriff's Department Organizational Chart.

**C. Change in the Jail Organizational Chart**

Action as related to **Resolution #5308** Change in Jail Organizational Chart

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

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

In Opposition: Commissioner Terry Hendrix

*Motion Carries*

**Resolution #5308**

Whereas, the Cleburne County Sheriff requests that the Cleburne County Commission allow for a change in the Jail Organizational Chart;

Whereas, the change would replace the part-time corrections officer with a full-time corrections officer, that will be responsible for work release inmates working for the County Commission.

Therefore, the Cleburne County Commission resolves to allow the change to the Sheriff's Department Organizational Chart, contingent on the work release program supervision being the primary duty of said position.

#### **D. Earmark Funds for Animal Shelter**

Action as related to **Resolution #5309** Earmark Funds for Animal Shelter

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

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

In Opposition: Commissioner Terry Hendrix, due to needing more information.

*Motion Carries*

#### **Resolution #5309**

Whereas, the Cleburne County Commission agrees that an animal shelter will provide a public service for County residents, by accepting stray and abandoned animals; and

Whereas, the Commission is aware of a volunteer group that is interested in the operation of an animal shelter; and

Whereas, the Cleburne County Commission recognizes the need for a building for use by the volunteer group to house the animals; and

Therefore, the Cleburne County Commission agrees to earmark \$200,000 in funds, to come from the General Fund, for the building of an animal shelter, for 6 months.

#### **E. Opioid Settlement Agreement**

Action as related to **Resolution #5309** Opioid Settlement Agreement

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

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

In Opposition: None

*Motion Carries*

#### **Resolution #5309**

#### **A RESOLUTION AUTHORIZING CLEBURNE COUNTY TO JOIN THE STATE OF ALABAMA AND OTHER LOCAL GOVERNMENTS AS PARTICIPANTS IN CURRENT AND FUTURE OPIOID SETTLEMENTS**

WHEREAS, the opioid epidemic continues to impact communities in the United States, the State of Alabama, and Cleburne County, Alabama.



WHEREAS, Cleburne County has suffered harm and will continue to suffer harm as a result of the opioid epidemic;

WHEREAS, the State of Alabama and some Alabama local governments have filed lawsuits against opioid manufacturers, distributors, and retailers (“Opioid Litigation”);

WHEREAS, the State of Alabama has entered into various Settlement Agreements and are likely to enter into additional agreements in the future which include the claims for the State of Alabama’s local governments;

WHEREAS Cleburne County finds the terms of the current Settlement Agreements acceptable and in the best interest of the community and anticipates the terms of the future Settlement Agreements to be similarly acceptable;

WHEREAS, the State of Alabama has prepared and presented Settlement Sign-On Agreements to the local governments and Cleburne County finds the terms of the Sign-On Agreement acceptable and in the best interest of the community;

WHEREAS, the current and future Settlement Agreements and Sign-On Agreements will detail the allocation of Settlement Funds, which Cleburne County finds acceptable and in the best interest of the community;

NOW, THEREFORE, BE IT RESOLVED BY THE CLEBURNE COUNTY COMMISSION:

Section 1. That Cleburne County finds that participation in the various Opioid Settlements, Settlement Agreement and Sign-On Agreement is in the best interest of Cleburne County and its citizens because such a plan would ensure an effective structure for the commitment of Settlement Funds to abate and seek to resolve the opioid epidemic.

Section 2. That Cleburne County hereby expresses its support for the Settlement of various Opioid claims and allocation and use of Settlement Funds as generally described in the Settlement Agreement and Sign-On Agreement.

Section 3. That the Cleburne County Commission Chairman (“Chairman”) is hereby expressly authorized to execute the Settlement Sign-On Agreements and is hereby authorized to execute any formal agreements necessary to implement the Settlements and plan for the allocation and use of Settlement Funds.

Section 4. That the Chairman is hereby expressly authorized to execute any formal agreement and related documents evidencing Cleburne County’s agreement to the settlement of claims and litigation related to the Opioid Epidemic.

Section 5. That the Chairman is authorized to take such other action as necessary and appropriate to effectuate Cleburne County's participation in any Settlement related to the Opioid Epidemic.

Section 6. This Resolution is effective upon adoption, the welfare of Cleburne County, Alabama requiring it.

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

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- A.** County Administrator, Lisa Copeland, informs the Commission that the Sheriff Department Maintenance bid advertisement was published in the newspapers today, it will be held on Friday, February 24th. As of now, there have not been any bids turned in. She informs the Commission we have received two opioid checks from Jansen. She also informs the Commission the Jail Loan will be paid off on June 1, 2024.
- B.** County Engineer, Lee Estes is absent
- C.** County Attorney, Jason Odom, did not have any updates

#### **Old Business:**

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There is no Old Business to attend to this meeting.

#### **Discussion Items:**

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Commissioner Terry Hendrix discusses with the Commission about who is responsible for the Cleburne County Watershed Dams. He states he has spoken with Vernon Abney from the USDA who says it is our responsibility, however he will not put that in writing nor will he meet for a discussion if our County attorney is present. The Commission tasks the County Administrator, Lisa Copeland, to gather information on the watersheds and draft a letter with the help of the County Attorney, Jason Odom.

Chairman, Ryan Robertson informs the Commission that the Probate Office will be closed March 16<sup>th</sup> and March 17<sup>th</sup> for the installation of the drop ceiling. He also states his Chief Clerk, April Brown will be retiring. A retirement party for her will be held on the JSU side of the Mountain Center on April 16<sup>th</sup> at 3:00 PM. Lori Jarrell will replace her as Chief Clerk. Kayla Thompson will be the new Recording Clerk. The Probate Office has advertised for a Tag Clerk position.

Action as related to **Resolution #5311**

February 22, 2023

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

Motion Passed

**Resolution #5311**

Meeting Adjourned.

Certified by:

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Ryan Robertson – 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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Roger Hill – District 4