

**Cleburne County Commission Meeting Minutes**  
**Regular Commission Meeting February 18, 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**

**John Merrill**, Director of public policy and strategic markets for Alabama updates the Commission on the Bridge Project. He also discusses with the Commission his plans for 2 more projects, for which he will be asking for Senator Tuberville's help. He also discusses with the Commission a project to make the Courthouse more ADA compliant and any other updates the Commission would like to make to the Courthouse. They will meet for a Courthouse assessment.

**Comments from Board Members or Officials**

**Revenue Commissioner Joyce Fuller** discusses with the Commission the County is on target with collecting delinquent property taxes.

**County Coroner Adam Downs** discusses with the Commission and the Attorney about the resolution presented for today's meeting for indigent remains.

**Consent Agenda**

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The Commission passes the February 2025 Consent Agenda Resolution# 5522-1 , 5522-3. Resolution# 5522-2 has been moved to New Business Item G.

Action as related to **Resolution #5522-1 and #5522-3** February 2025 Consent Agenda:

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

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

In Opposition: None

Motion Passed

**Resolution #5522-1**

The Cleburne County Commission hereby resolves to approve the minutes of January 21, 2025, as presented.

**Resolution #5522-2**

February 18, 2025, Board Vacancies: None

**Resolution #5522-3**

Whereas, Cleburne County does not have an indigent burial program;

Whereas, the Cleburne County Coroner would like to allow a charge for the release of Indigent remains to family members;

Therefore, the Cleburne County Commission tasks the County Attorney to consult with the County Coroner about the legalities of charging for the release of indigent remains and any necessary policy.

## **New Business:**

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### **A. No Spray**

Action as related to **Resolution #5523** No Spray

Motion made by Commissioner Laura Cobb

Motion Dies for lack of Second

### **Resolution #5523**

Whereas, the Cleburne County Commission has discussed the advantages and disadvantages of spraying herbicides on County right-of-ways;

Therefore, the Cleburne County Commission agrees to no longer spray for weed control on right-of-ways.

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### **B. Spray for specific types of grass**

Action as related to **Resolution #5524** Spray for specific types of grass

Motion made by Commissioner Mark Truett, Seconded by Commissioner Laura Cobb

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

In Opposition: Commissioner Laura Cobb

Motion Carries

### **Resolution #5524**

Whereas, the Cleburne County Commission has agreed to remove glyphosate, for weed control on right-of-ways;

Whereas, Commissioner Mark Truett believes that using a specific spray to target Broadleaf, Johnson grass, and woody brush could possibly eliminate the need to use a pre-emergent;

Therefore, the Cleburne County Commission agrees to no longer use the pre-emergent spray and will use the spray that will target only the Broadleaf, Johnson grass, and woody brush.

### **C. Increase Engineer Budget**

Action as related to **Resolution #5525** Increase Engineer Budget

Dies for Lack of Motion

### **Resolution #5525**

Whereas, the Cleburne County Commission has agreed to remove glyphosate, for weed control on right-of-ways;

Whereas, the County Engineer has stated that an herbicide, not containing glyphosate, can be used but the alternative chemical is more expensive;

Whereas, the County Engineer department will need an increase to the budget for this increased expense;

Therefore, the Cleburne County Commission agrees to increase the County Engineer Department budget by \$13,000 for the cost of the alternative chemical.

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#### **D. Jail Improvements**

Action as related to **Resolution #5526** Jail Improvements

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

*Commissioner Emmett Owen states the amount for the doors needs to change from \$66,000.00 to \$67,000.00 and the amount for the roof needs to change from \$15,000.00 to \$16,000.00.*

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

Commissioner Laura Cobb Abstains

Motion Carries

#### **Resolution #5526**

Whereas, the Cleburne County Jail is in need of building improvements;

Whereas, the cost of replacing the roof is \$16,000.00 and the cost of replacing the doors is \$67,000.

Whereas, Commissioner Emmett Owen would like to use money in the Capital Improvement fund to replace the roof and doors;

Therefore, the Cleburne County Commission proposes that the County Administrator and the County Attorney discuss using funds, from the Capitol Improvement fund, to replace the roof and doors at the Cleburne County Jail.

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## **E. Open Records Request Procedures**

Action as related to **Resolution #5527** Open Records Request Procedures

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

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

In Opposition: None

Motion Carries

## **Resolution #5527**

WHEREAS, it is the policy of the Cleburne County Commission ("Commission") to comply with Alabama's Open Records Act, as amended by Ala. Act No. 2024-278, effective October 1, 2024, to allow Alabama residents to inspect and take a copy of public records within the custody and control of the Commission, subject to the payment of reasonable fees and to appropriate

protections for private, confidential, privileged, and other nonpublic information;  
and

WHEREAS, the Open Records Act, as amended by Act No. 2024-278, sets forth the general framework for responding to requests by Alabama residents to inspect and take a copy of a public record ("Public Records Requests"); and

WHEREAS, the Open Records Act, as amended by Act No. 2024-278, further provides that an Alabama resident "may request access to a public record by following the written procedures for accepting such requests established by the public officer having custody of the public record"; and

WHEREAS, the Commission desires to designate a public officer to carry out the directives of the Open Records Act, as amended by Act No. 2024-278, as they pertain to public records in the custody and control of the Commission and to develop and recommend to the Commission the adoption of procedures for accepting Public Records Requests.

NOW, THEREFORE BE IT RESOLVED, by this Resolution that the Cleburne County Commission hereby designates Lisa Copeland to serve as the Public Officer of Cleburne County to carry out the directives of the Open Records Act, as amended by Act No. 2024-278, as they pertain to public records in the custody and control of the Commission and to develop and recommend to the Commission from time-to-time the adoption of procedures for accepting Public Records Requests.

#### **F. Public Officer for Records Request**

Action as related to **Resolution #5528** Public Officer for Records Request

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

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

In Opposition: None

Motion Carries

**Resolution #5528**

WHEREAS, it is the policy of the Cleburne County Commission ("Commission") to comply with Alabama's Open Records Act, as amended by Ala. Act No. 2024-278, effective October 1, 2024, to allow Alabama residents to inspect and take a copy of public records within the custody and control of the Commission, subject to the payment of reasonable fees and to appropriate protections for private, confidential, privileged, and other nonpublic information; and

WHEREAS, the Open Records Act, as amended by Act No. 2024-278, sets forth the general framework for responding to requests by Alabama residents to inspect and take a copy of a public record ("Public Records Requests"); and

WHEREAS, the Open Records Act, as amended by Act No. 2024-278, further provides that an Alabama resident "may request access to a public record by following the written procedures for accepting such requests established by the public officer having custody of the public record"; and

WHEREAS, by Resolution adopted on February 18, 2025 the Commission designated Lisa Copeland, County Administrator to serve as the Public Officer of Cleburne County to carry out the directives of the Open Records Act, as amended by Act No. 2024-278, as they pertain to public records in the custody and control of the Commission and to develop and recommend to the Commission from time-to-time the adoption of procedures for accepting Public Records Requests; and

WHEREAS, the Public Officer so designated has recommended the adoption of procedures for accepting Public Records Requests, which are set forth in full in the attachment to this Resolution and are incorporated by reference herein.



NOW, THEREFORE BE IT RESOLVED, by this Resolution that, effective February 18, 2025, the Cleburne County Commission hereby adopts the procedures for accepting Public Records Requests as set forth in the attachment to this Resolution, the provisions of which are incorporated by reference herein.

### **G. Board Vacancies**

Action as related to **Resolution #5529** Board Vacancies

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

*Commissioner Laura Cobb would like to amend the resolution to add Blake McMahon to be reappointed to the Mental Health Board and to appoint Lane Kilgore and Jon Daniel to the Mental Health Board*

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

In Opposition: None

Motion Tabled

### **Resolution #5529**

February 18, 2025, Board Reappointment: Mental Health Board: Blake McMahon

Board Appointment: Mental Board: Lane Kilgore and Jon Daniel

Chairman, Lane Kilgore asks for a motion and second to add the following to New Business as Items H, I, J, K.

- H. License Inspector
- I. Commissioner Laura Cobb Discretionary funds
- J. Commissioner Emmett Owen Discretionary funds
- K. Approval of Subdivision Plat

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

#### **H. License Inspector**

Action as related to **Resolution #5530** License Inspector

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

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

In Opposition: None

Motion Carries

## **Resolution #5530**

**Whereas**, Alabama Code §11-24-3(c) authorizes the County Commission to appoint a license inspector to enforce the provisions of any subdivision regulations adopted by the County Commission pursuant to the authority granted in Alabama Code §11-24-1 through 7; and

Whereas, Alabama Code §23-1-80.1(j) authorizes the County Commission to appoint a license inspector to enforce the provisions of any ordinance adopted by the County Commission pursuant to the authority granted in Alabama Code §23-1-80.1(a); and

Whereas, Alabama Code §40-12-10(a) authorizes the County Commission to appoint a license inspector to enforce the provisions of Chapter 12 of Title 40 of the Code of Alabama as it relates to licenses issued by the Cleburne County Probate Judge's Office; and

Whereas, the Cleburne County Commission does desire that the enforcement of its subdivision regulations, logging ordinance, solid waste compliance, and licenses issued by the Probate Judge's Office, including the issuance of citations as authorized under the laws and ordinances, be delegated to County License Inspectors specifically charged with the enforcement of same; and

Whereas, the Cleburne County Commission does hereby appoint the below listed Cleburne County Engineering Department and Cleburne County Sheriff's Department personnel as County License Inspectors charged with the enforcement of the Cleburne County subdivision regulations, logging ordinance and licenses issued by the Probate Judge's Office:

Zach Biggers

Law Enforcement Tech

Jenny Merrill

Environmental Manager

Lee Estes

County Engineer

Therefore, be it resolved by the Cleburne County Commission that it does hereby appoints the above listed Cleburne County Engineering Department and Law Enforcement Personnel as County License Inspectors charged with the enforcement of the Cleburne County subdivision regulations, logging ordinance and licenses issued by the Probate Judge's Office, and all previously appointed individuals are hereby removed.

## **I. Commissioner Laura Cobb Discretionary Funds**

Action as related to **Resolution #5531** Commissioner Laura Cobb  
Discretionary Funds

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

*Commissioner Laura Cobb states Rosewood Community Center needs to be changed to Fruithurst Senior Center.*

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

In Opposition: None

Motion Carries

**Resolution #5531**

Whereas, Commissioner Laura Cobb wishes to use \$3,200.00 of her discretionary funds for furniture at the Fruithurst Senior Center;

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 \$3,200.00 of Commissioner Cobb's discretionary fund for this purpose.

#### **J. Commissioner Emmett Owen Discretionary Funds**

Action as related to **Resolution #5532** Commissioner Emmett Owen  
Discretionary Funds

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

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

In Opposition: None

Motion Carries

**Resolution #5532**

Whereas, Commissioner Emmett Owen wishes to use \$250.00 of his discretionary funds for the Extension Office to rent the JSU room;

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 \$250.00 of Commissioner Owen's discretionary fund for this purpose.

#### **K. Approval of Subdivision Plat**

Action as related to **Resolution #5533** Approval of Subdivision Plat

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

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

In Opposition: None

Motion Carries

**Resolution #5533**

Whereas, section 3.5 of the Cleburne County Subdivision Regulation requires that the Commission approve the Plat for any new subdivision, and

Whereas, the Cleburne County Engineer has reviewed and approved the proposed Hilltop Hideaway subdivision plat, and

Whereas, the developer has paid the requested fee as set forth in the Regulation;

Now Therefore, be it resolved that the Cleburne County Commission approves the Hilltop Hideaway subdivision plat and directs the County Engineer to work with the developer to complete all necessary paperwork and filings.

### **Reports from staff:**

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- A. The County Administrator, Lisa Copeland states the State Auditors came today, they will be back later next week. She states she and Tracy have been gathering all the requested information for them. She states Melissa will be coming on Thursday and again one day next week to train she and Tracy.
- B. The County Engineer, Lee Estes does not have any updates.
- C. The County Attorney, Jason Odom does not have any updates.

### **Old Business:**

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#### **A. CR 81 Speed Limit**

Action as related to **Resolution #5510** CR 81 Speed Limit

Dies for Lack of Motion

### **Resolution #5510**

Whereas, Commissioner Mark Truett has expressed his concerns of the current speed limit on CR 81;

Whereas, CR 81 is a narrow road and reducing the speed limit to 35 mph may prevent potential accidents from occurring;

Therefore, the Cleburne County Commission agrees to reduce the speed limit on CR 81 to 35 mph.

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

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Chairman, Lane Kilgore asks for a motion and second to add the following to New Business as Item L.

L. Waggoner Proposal

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

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### **L. Waggoner Proposal**

Action as related to **Resolution #5534** Waggoner Proposal

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

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



In Opposition: None

Motion Carries

**Resolution #5534**

Whereas, Waggoner has proposed additional projects related to the Courthouse interior and an ADA inspection with reports to be made to the Commission, and

Whereas, Waggoner has submitted a task order with pricing not to exceed \$12,000.00;

Now Therefore, the Cleburne County Commission accepts the proposal from Waggoner and authorizes the expenditure of not more than \$12,000.00 from the General Fund and authorizes the Chairman to sign any necessary documents.

Action as related to **Resolution #5535**

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

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

In Opposition: None

Motion Passed

Meeting Adjourned.

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