

Cleburne County Commission Meeting Minutes
Regular Commission Meeting June 14, 2022
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

Marcia Busby, DHR

Ms. Busby gives the Commission a brief report on expenses and asks the Commission for \$1,000 per year to help with mandatory purchases.

Commissioner Owen asks if all the Commissioners would agree to give \$250 each out of their discretionary funds.

All Commissioners agree.

Yolanda Watkins, Avenu Insights

Ms. Watkins gives the Commission reports and a brief statement on Sales Tax for Fiscal Years 2021 and 2022.

Commissioner Hendrix asks Ms. Watkins how Avenu enforces payment deadlines.

Ms. Watkins states that Avenu sends letters and makes phone calls.

Commissioner Hendrix asks if Avenu could notify the County for non-payment.

Ms. Watkins states she can send a delinquent report each month.

John Daniel – Chief Deputy

Mr. Daniel spoke to the Commission about 4 school resource officers to help with the safety of the school staff and children. He gave the Commission a report for two proposals to help supply the officers.

1st proposal - \$203,000 (new vehicles and equipment)

2nd proposal - \$78,000 (used vehicles and equipment)

Public Hearing

Vacation of County Road 290

County Engineer Lee Estes states all property owners are okay with vacation of the road.

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

All in favor.

Motion carries.

Consent Agenda

The Commission passes the June 2022 Consent Agenda including:

Action as related to **Resolution #5247 1-4** June 2022 Consent Agenda:

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

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

In Opposition: None

Motion Passed

Resolution #5247-1

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

May 10, 2022

as presented.

Resolution #5247-2

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

Vacancies:

DHR Board (2)

Library Board (1)

Resolution #5247-3

Whereas, the Cleburne County Commission recognizes the importance of the educational resources and professional services provided by East Alabama EMS, Inc. over the last 40+ years;

Whereas John E. Blue, II, CEO of East Alabama EMS, Inc. has explained that they are in the process of contract renewal with the Alabama Department of Public Health;

Whereas regional support will help with the effort to secure said contract;

Therefore, the Cleburne County Commission hereby declares its support for the East Alabama EMS, Inc., with a letter signed by the Chairman.

Resolution #5247-4

Whereas, the Cleburne Engineer has solicited bids for the County Road 41 Project: and

Whereas, the County Engineer has made his recommendations. Therefore, the Cleburne County Commission hereby awards the bid as follows:

Chilton Contractors, Inc.

New Business:

A. Materials in County storage

Action as related to **Resolution #5248** Materials in County storage

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

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

In Opposition: None

Motion Passed.

Resolution #5248

Whereas, the Cleburne County Commission has materials in storage, in several locations, that are no longer useful due to being damaged or obsolete;

Whereas, the County's storage areas have become overcrowded, and need to be cleared out;

Whereas, the materials in storage have been placed there by all of the departments;

Therefore, the Cleburne County Commission, requests each Department Head complete a "Disposal of Equipment" Form and return it within 90 days.

B. EMS Equipment – ARPA Funds

Action as related to **Resolution #5249** EMS Equipment – ARPA Funds

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 Passed.

Resolution #5249

RESOLUTION FOR THE EXPENDITURE OF AMERICAN RESCUE PLAN ACT FUNDS FOR GOVERNMENT SERVICES

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 ("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 revenue replacement funds; and

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

WHEREAS, the Cleburne County Commission (the "Commission") has determined that there is a need to ensure the provision of emergency response services in all areas of the County and in particular to ensure adequate emergency response/transport services to citizens and others accessing the County's recreational hiking, climbing, and camping areas, including areas located in Cheaha State Park and the Talladega National Forest; and

WHEREAS, the Cleburne County Hospital Board, a not-for-profit public corporation, d/b/a the Cleburne County Emergency Medical Service ("CCEMS"), has received a grant award to fund the purchase of an additional emergency response/transport vehicle capable of accessing these areas of the County; and

WHEREAS, CCEMS has acquired this vehicle; and

WHEREAS, the vehicle is equipped to access these areas, and to treat and transfer individuals in these areas in need of emergency assistance, but is not equipped with equipment reasonably needed to fully respond to cardiac arrest emergencies and to monitor and transmit cardiac activity information to health care professionals located in emergency healthcare treatment facilities; and

WHEREAS, the County wishes to use ARPA revenue replacement funds to acquire this equipment and enter into an agreement with the CCEMS to use this equipment to carry out a project on behalf of the County to provide emergency response services to its citizens and other visitors to the County's scenic and remote areas; and

WHEREAS, the Commission recognizes that using ARPA revenue replacement funds to equip CCEMS to carry out this project on behalf of the County will provide a direct benefit to a significant portion of the citizens of the County by facilitating the delivery of these services; and

WHEREAS, the Commission has further determined that, pursuant to Article III, Section 43.02 of the Constitution of Alabama of 1901, it is within the authority of the County to provide these 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 \$55,000 of its ARPA revenue replacement funds to facilitate the provision of the government services described herein.

2) The final allocation and distribution of these funds are contingent on the following:

- a. The execution of a subaward agreement with CCEMS, prior to the purchase of the equipment described herein, setting forth the terms and conditions of the use of the equipment to provide emergency response services on behalf of the County; and
- b. The procurement of the equipment in accordance with the procurement requirements applicable to the use of federal awards.

3) Following the distribution of the equipment, its continued use by CCEMS shall be contingent upon compliance with the terms of the subaward agreement.

4) Expenditure of 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.

C. County Road 3 – ARPA Funds

Action as related to **Resolution #5250 County Road 3 – ARPA Funds**

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

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

In Opposition: None

Resolution #5250

RESOLUTION FOR THE EXPENDITURE OF AMERICAN RESCUE PLAN ACT FUNDS FOR GOVERNMENT SERVICES: COUNTY ROAD 3

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 (“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 revenue replacement funds; and

WHEREAS, the County may expend 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:

5) The County shall conditionally allocate up to \$452,302.55 to be expended for pay-go construction and maintenance on County Road 3 (the "project").

6) The final allocation and expenditure of these funds for the project are contingent on compliance with state and federal requirements for the procurement of goods and services for the project that are funded in whole or in part with ARPA funds, including federal requirements for competitive procurement of professional engineering and architectural services.

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

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

9) Expenditure of 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.

D. County Road 35 – ARPA Funds

Action as related to **Resolution #5251 County Road 35 – ARPA Funds**

Waive reading

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

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

In Opposition: None

County Road 35 – ARPA Funds

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

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

In Opposition: None

Resolution #5251

RESOLUTION FOR THE EXPENDITURE OF AMERICAN RESCUE PLAN ACT FUNDS FOR GOVERNMENT SERVICES: COUNTY ROAD 35

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 ("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 revenue replacement funds; and

WHEREAS, the County may expend 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:

10) The County shall conditionally allocate up to \$452,302.55 to be expended for pay-go construction and maintenance on County Road 35 (the "project").

11) The final allocation and expenditure of these funds for the project are contingent on compliance with state and federal requirements for the procurement of goods and services for the project that are funded in whole or in part with ARPA funds, including federal requirements for competitive procurement of professional engineering and architectural services.

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

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

14) Expenditure of 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.

E. Vehicle Maintenance Bids

Action as related to **Resolution #5252 Vehicle Maintenance Bids**

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.

Commissioner Hendrix makes motion to amend to say the Sheriff's Department will prepare specs for bid.

Commissioner Owen agrees.

Resolution #5252

Whereas, the Cleburne County Commission has previously tasked the Sheriff's Department to obtain bids for vehicle maintenance for their department;

Whereas, the Commission has reconsidered having the Sheriff's Department obtain the bids;

Therefore, the Commission resolves to have the County Administrator prepare the bid package for the maintenance of Sheriff's Department vehicles only. John Daniel has been asked to assist the County Administrator.

F. ARSEA

Action as related to **Resolution #5253 ARSEA**

No motion made.

In Support: None

In Opposition: None

Dies for lack of motion.

Resolution #5253

Whereas, the Cleburne County Commission has received a letter of request from Alabama Retired State Employees' Association (ARSEA)/ Alabama Public Employees' Advocacy League (APEAL);

Whereas, the request is for a one-time longevity bonus to their retirees';

Whereas, the estimated cost of the bonus for the Cleburne County Commission retirees is \$14,094;

Therefore, the Cleburne County Commission does not wish to grant this bonus.

G. Proclamation Amateur Radio

Action as related to **Resolution #5254 Proclamation Amateur Radio**

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

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

In Opposition: None

Amend to say Cleburne County Commission instead of Ryan Robertson, Probate Judge.

Motion Passed.

Resolution #5254

Whereas, amateur radio operators are celebrating over a century of the miracle of the human voice broadcast over the airwaves; and

Whereas, Amateur Radio has continued to provide a bridge between peoples, societies and countries by creation friendships and the sharing of ideas; and

Whereas, Amateur Radio Operators have also provided countless hours of community services both in emergencies and to other local organizations throughout these decades; and

Whereas, these Amateur Radio services are provided wholly uncompensated; and

Whereas, the County also recognizes the services Amateur Radio's people also provide to our many Emergency Response organizations, including EMA, EMS, Fire and Rescue; and

Whereas, the same individuals have further demonstrated their value in public assistance by providing free radio communications for local parades, bike-a-thons, walk-a-thons, fairs and other charitable public events; and

Whereas, the County of Cleburne of the State of Alabama recognizes and appreciated the diligence of these "hams" who also serve as weather spotters in the Skywarn program of the National Weather Service; and

Whereas, the ARRL is the leading organization for Amateur Radio in the USA; and

Whereas, the ARRL Amateur Radio Field Day exercise will take place on June 25-26, 2022 and is a 24 hour emergency preparedness exercise and demonstration of the Radio Amateurs' skills and readiness to provide self-supporting communications without further infrastructure being required; now

Therefore, the Cleburne County Commission of Cleburne County Alabama, do hereby officially recognize and designate June 20-26, 2022 as Cleburne County Commission Amateur Radio Week in Cleburne County Alabama.

Add to Agenda the Retirement of Debbie Mathews

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

Motion Passed.

H. Retirement of Debby Mathews

Action as related to **Resolution #5255 Retirement of Debby Mathews**

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

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

In Opposition: None

Motion Passed.

Resolution #5255

Whereas, after 38 years with the Alabama Cooperative Extension System in the Cleburne County Extension Office, Ms. Debby Mathews will retire on June 30, 2022; and

Whereas, Ms. Mathews has been tremendously involved in her community throughout the years with multiple organizations; and

Therefore, be it resolved that the Cleburne County Commission expresses its deepest appreciation for the outstanding contributions made by Ms. Debby Mathews during her 38 years of public service; and extends its best wishes as she begins her well-earned retirement.

Add Alcohol License to agenda.

Motion made by Commissioner Laura Cobb Seconded by Commissioner Emmett Owen

All in favor.

Motion Carries.

I. Alcohol License

Action as related to **Resolution #5256 Alcohol License**

Motion made by Commissioner Emmett Owen Seconded by Commissioner Laura Cobb

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

In Opposition: None

Resolution #5256

Whereas, having received notification from the State of Alabama Alcoholic Beverage Control Board of an Alcohol License being requested (Confirmation number 20220401091318007) located at Cheaha Package Store 7303 US Highway 431, Heflin, AL 36264; and

Whereas, the application received from the Board appears in order;

Therefore, the Cleburne County Commission approves an alcohol license for the said location.

Add DHR Support to Agenda.

Each Commissioner gives \$250 of their discretionary money.

Motion made by Commissioner Laura Cobb Seconded by Commissioner Emmett Owen

All in favor.

Motion Carries.

J. DHR Support

Action as related to **Resolution #5257 DHR Support**

Motion made by Commissioner Emmett Owen Seconded by Commissioner Laura Cobb

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

In Opposition: None

Resolution #5257

Whereas, the Cleburne County DHR has requested to be added as an annual line item for funds of \$1,000 per fiscal year; and

Whereas, the funds would be essential in purchasing incidental office expenses and supplies; and

Therefore, the Commission has agreed that each Commissioner will give \$250 of their discretionary fund money to help with expenses

Reports from staff:

- A. County Administrator Lisa Copeland updates the Commission on ARPA Funds and the Opioid claims.
Commissioner Hendrix asks about grant writers and about getting a meeting at Metro Bank to discuss funds that are not being used.

B. County Engineer Lee Estes informs the Commission that he needs a new Chip Spreader that cost \$322,000 off the State Bid List.

Commissioner Hendrix asks about garbage pickup and discussing new options for Summer.

C. County Attorney Jason Odom updates the Commission on opioid case and watersheds.

Commissioner Emmett Owen states the A/C at the Courthouse needs to be replaced soon.

Commissioner Terry Hendrix asks County Administrator Lisa Copeland about Sales Tax contracts.

County Administrator Lisa Copeland states that applications are coming up.

Old Business:

There is no Old Business to discuss.

Action as related to **Resolution #5258**

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

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

In Opposition: None

Motion Passed

Resolution #5258

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