

**Cleburne County Commission Meeting Minutes**  
**Regular Commission Meeting November 13, 2024**  
**Cleburne County Mountain Center**

**Roll Call**

Present:

Commissioner Emmett Owen  
Commissioner Terry Hendrix  
Commissioner Laura Cobb  
Commissioner Mark Truett  
Chairman Ryan Robertson

Absent: None

**Comments from Citizens**

**Comments from Board Members or Officials**

Economic Developer, Tanya Maloney, states she has sent a copy of web proposals to Department Heads and Commissioners to review and vote on which each prefer, she needs to know by Friday. She states she has a resolution for the creation of an Economic Board that she would like to be added to the agenda for tonight's meeting. She states the County Attorney has the Legislative Draft; she just needs the Commission's approval to be able to send it to Montgomery by the end of November.

Chairman Ryan Robertson asks for a motion and a second to add to New Business Item C the Creation of an Economic Board?

Commissioner Emmett Owen makes a motion, seconded by Commissioner Laura Cobb

All in Favor, motion carries

Chairman Ryan Robertson informs the Commission that Chad Robinson states Calhoun County has implemented a plan for Rehab facilities and for the Commission to think about doing the same for Cleburne County.

Commissioner Terry Hendrix states he would like to add a resolution to tonight's agenda to task the County Attorney to find out what plan Calhoun County has implemented.

Chairman Ryan Robertson asks for a motion and a second to add to New Business Item D to Task the County Attorney to gather information on the plan Calhoun County has for implementing Rehab Services?

Commissioner Terry Hendrix makes a motion, seconded by Commissioner Emmett Owen  
All in Favor, motion carries

Commissioner Emmett Owen states he has been doing work at the Chamber of Commerce, he would like to use \$17,000 of his Discretionary money to pave the parking lot.

Chairman Ryan Robertson asks for a motion and a second to add to New Business Item E to allow Commissioner Emmett Owen to use a portion of his discretionary money to paint the parking lot at the Chamber of Commerce?

Commissioner Emmett Owen makes a motion, seconded by Commissioner Laura Cobb  
All in Favor, motion carries

## **Consent Agenda**

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The Commission passes the October 2024 Consent Agenda Resolution #5499 1-7

Action as related to **Resolution #5499 1-7** 2024 Consent Agenda:

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

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

In Opposition: None

Motion Passed

### **Resolution #5499-1**

The Cleburne County Commission hereby resolves to approve the minutes of October 21, 2024, as presented.

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**Resolution #5499-2**

November 13, 2024, Board Vacancies: None

**Resolution #5499-3**

Whereas, the Revenue Commissioner claims that there should have been an adjustment to the base-salary of her position in 2002;

Whereas, the Revenue Commissioner has provided information to the County Commission to support claims that she is owed back-pay for her 15 years in office, due to the adjustment not having been added to the base-salary;

Whereas, the Cleburne County Commission tasked the County Attorney to research the legality of this claim;

Whereas, the County Attorney reported that there is an Attorney General Opinion that places a 2-year limitation on back-pay;

Whereas, the adjustment to the Revenue Commissioner's base pay will cause the current base-pay to be \$69,768.72 and the Revenue Commissioner's new salary will be \$79,285.43;

Whereas, the total amount of backpay is \$3,109.24;

Therefore, the Cleburne County Commission agrees to pay the County portion of the Revenue Commissioner's back pay and adjust the amount of the salary budgeted annually by \$1,554.62, starting with Fiscal Year 2025.

**Resolution #5499-4**

Whereas, the Cleburne County Commission tasked the Human Resource Officer to create an employee evaluation form adding department specific questions;

Whereas, the new employee evaluation form is to be used by all Department Heads;

Therefore, the Cleburne County Commission hereby accepts the employee evaluation form proposed by the Human Resource Officer.

#### **Resolution #5499-5**

Whereas, Alabama Code, Section 11-3-8 requires County Commissions to establish regular meeting dates during the first meeting in November following the election of any of the members of the Commission.

Now Therefore, be it Resolved that the Cleburne County Commission hereby sets its standard monthly meeting date for the 3<sup>rd</sup> Monday of each month at 5 PM. Agenda setting meetings, when necessary, will be held the 1<sup>st</sup> Monday of each month at 10 AM. Both meetings will be held at the Cleburne County Mountain Center located at 6751 Highway 78 in Heflin, Alabama.

#### **Resolution #5499-6**

**Whereas**, the Cleburne County Engineer wishes to amend the County Transportation Plan to enter into an agreement with Calhoun County to extend their paving project over the Calhoun County line into Cleburne County on CR 94 next year;

**Whereas**, the cost of the project would be \$40,080.34 and will come out of the Engineer's Gasoline Tax budget;

**Therefore**, the Cleburne County Commission agrees to amend the County Transportation Plan allowing the Cleburne County Engineer to enter into an agreement with Calhoun County for the paving project next year.

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#### **Resolution #5499-7**

**Whereas**, the Cleburne County Engineer wishes to enter into an agreement with the USDA Wildlife Services for beaver control;

**Whereas**, the USDA Wildlife Services does not have a budget, the service is cost-only for each call;

**Whereas**, the Cleburne County Engineer has set a budget of \$5,000.00 of his Gasoline Tax budget;

**Therefore**, the Cleburne Commission agrees to allow the Cleburne County Engineer to enter into an agreement with the USDA Wildlife Services for beaver control.

## **New Business:**

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### **A. Amend Resolution #5467**

A. Action as related to **Resolution #5467** Amend Resolution #5467

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

*Commissioner Terry Hendrix states the amount needs to be changed from \$70,000 to \$72,000.*

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

In Opposition: None

Motion Carries

### **Resolution #5467**

## **A RESOLUTION REQUESTING THE ALABAMA LEGISLATURE TO INTRODUCE LEGISLATION TO ENACT A LOCAL ACT TO INCREASE THE SALARIES OF CERTAIN ELECTED OFFICIALS**

**WHEREAS**, the Cleburne County Commission is in support of legislation

concerning the increase in Elected Officials Salary Amounts;

**WHEREAS**, the Commission agrees that they wish to change the base pay of the Revenue Commissioner and Sheriff to \$72,000.00 annually; and

**WHEREAS**, this would go into effect the next elected term.

**NOW THEREFORE BE IT RESOLVED** by the Cleburne County Commission as follows:

**Section 1.** The Commission requests its local legislative delegation to introduce and support local legislation in the Alabama Legislature amending the base pay of the Revenue Commissioner and Sheriff to \$72,000.00 annually.

**Section 2.** A draft bill shall be prepared and advertised as required for introduction by the local delegation.

**Section 3.** A copy of the resolution and the draft bill shall be immediately forwarded to the local legislative delegation for their review and consideration.

**PASSED AND ADOPTED** this the 13<sup>th</sup> day of November, 2024.

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## **B. Equipment Purchase - ARPA**

Action as related to **Resolution #5500** Equipment Purchase - ARPA

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

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

In Opposition: None

Motion Carries

### **Resolution #5500**

#### **RESOLUTION FOR THE ALLOCATION OF AMERICAN RESCUE PLAN ACT FUNDS FOR EQUIPMENT TO FACILITATE THE DELIVERY OF GOVERNMENT SERVICES**

**WHEREAS**, Cleburne County, Alabama, (the "County") has received an award of Coronavirus State and Local Fiscal Recovery Funds under the American Rescue Plan Act from the U.S. Department of the Treasury ("Treasury"), the whole of which has been duly designated as revenue replacement funds ("ARPA revenue replacement funds") in accordance with the Final Rule issued by Treasury on January 6, 2022; and

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

**WHEREAS**, the County may expend ARPA revenue replacement funds for government services, including the purchase of equipment needed to facilitate and improve government services; and

**WHEREAS**, government services provided by the County include the maintenance and construction of county-owned roads, including adjacent rights-of-way; and

**WHEREAS**, the Commission has determined that in order to ensure the timely and effective construction and maintenance of these roads and rights-of-

way it is necessary to purchase the following equipment: an MF5312 Tractor and three (3) 12' Batwing Bushwhacker Bush Hogs; and

**WHEREAS**, the County has identified a suitable tractor and (3) bushhogs available through procurement methods consistent with state procurement laws and any federal requirements pertaining to the expenditure of ARPA revenue replacement funds, from Coblenz Equipment at a cost of \$42,000 and (3) batwing Bushwhacker bush hogs at a cost of \$41,018.45, and

**WHEREAS**, the Commission has determined that the expenditure of ARPA revenue replacement funds to purchase the foregoing road construction and maintenance equipment is reasonable, necessary, and eligible use of these funds.

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

1) The County shall allocate up to \$42,000 of its ARPA revenue replacement funds to cover the cost of purchasing the tractor from Coblenz Equipment and up to \$41,018.45 of its ARPA revenue replacement funds to cover the cost of purchasing three Bushwhacker Bushhogs from Huddleston Equipment.

2) Notwithstanding any provision in this Resolution to the contrary, the ARPA revenue replacement funds allocated herein may not be used for the following:

- a. To make deposits into a pension fund;
- b. To service debt or replenish rainy day funds;
- c. To satisfy settlements and judgments; or
- d. To fund programs, services, or capital expenditures that undermine efforts to stop the spread of COVID-19.

3) Expenditure of the funds allocated herein is 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. Creation of Economic Board**

Action as related to **Resolution #5501** Creation of Economic Board



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

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

In Opposition: None

Motion Carries

### **Resolution #5501**

Whereas, the Cleburne County Commission is invested in the economic and industrial development of Cleburne County;

Whereas, the Commission would like to establish a board that will oversee the efforts of the economic developer, hired by the county;

Therefore, the Cleburne County Commission is in support of legislation creating the Cleburne County Economic Development Authority.

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### **D. Rehab Facilities**

Action as related to **Resolution #5502** Rehab Facilities

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

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

In Opposition: None

Motion Carries

### **Resolution #5502**

Whereas, the Commission agrees Cleburne County is in need of rehab facilities;

Whereas, Calhoun County has implemented a plan for rehab services;

Therefore, the Cleburne County Commission hereby tasks the County Attorney with gathering information about the plan Calhoun County will be using for rehab facilities.

### **E. Paving of Chamber of Commerce Parking Lot - Discretionary Funds**

Action as related to **Resolution #5502** Paving of Chamber of Commerce Parking Lot - Discretionary Funds

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

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

In Opposition: None

Motion Carries

### **Resolution #5503**

Whereas, Commissioner Emmett Owen wishes to use \$17,000.00 of his discretionary funds for paving the Chamber of Commerce parking lot;

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 \$17,000.00 of Commissioner Owen's discretionary fund for this purpose.

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

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- A. The County Administrator, Lisa Copeland not present.  
*Commissioner Laura Cobb asks the Finance Officer, Tracy Williamson how the FY22 financials are coming along?*  
*Finance Officer, Tracy Williamson states they have been working with Melissa and everything is moving along smoothly.*
  - B. The County Engineer, Lee Estes states he has no updates.  
*Commissioner Terry Hendrix asks when he will know about the beaver control?*  
*County Engineer, Lee Estes states he will be meeting with them on Monday.*
  - C. The County Attorney, Jason Odom not present.
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**Old Business:** None

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

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Action as related to **Resolution #5504**

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

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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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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Mark Truett – District 4

