

Cleburne County Commission Meeting Minutes
Regular Commission Meeting August 12, 2019
Cleburne County Mountain Center

Roll Call

Present:

Chairman Ryan Robertson
Commissioner Laura Cobb
Commissioner Emmett Owen
Commissioner Terry Hendrix
Commissioner Jake Durham

Absent:

None

Chairman Ryan Robertson asks the Commission to consider adding Mr. Larry Bell to the agenda of today's meeting to allow him to address the Commission.

Action as related to **Resolution #4982**

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

In Support: Commissioners Laura Cobb, Emmett Owen, Terry Hendrix, and Jake Durham

In Opposition: None

Motion Passed

Resolution #4982

The Cleburne County Commission approves to add Mr. Larry Bell to the agenda of today's meeting to allow him to address the Commission.

Comment from Citizens

- A. Victor Cooley addresses the Commission with concerns of the odor near his home. He questions the contamination of wells, creeks and drinking water.
- B. Larry Bell discusses the permit which was issued for the dumping of the material which is causing the odor in the area of his residence and asks if there is a bond to clean up the site.

The County Attorney advises that everyone needs to know that facilities such as this are governed by the Alabama Department of Public Health's Community Environmental Protection Division. The Cleburne County Commission, nor any other Counties, has regulatory authority over such systems. Any and all inquiries need to be directed to the Department of Public Health, as they handle all permitting and regulation of such facilities. He informs the concerned citizens that the Regulation of "unsanitary sewage" was one of the issues that could have been included as a power of the County had the "Limited Self-Governance" measure passed last year. However, with its failure at the ballot box, the County has zero ability to get involved in this issue.

Commissioner Emmett Owen explains the legislative procedure which the Commission has to follow in order to introduce a bill to give them authority to act on items such as this.

Commissioner Laura Cobb expresses her concern and informs that she has a water contamination issue in her District and she feels the government is to protect the people.

Chairman Ryan Robertson explains that the County Health Department and ADEM should be monitoring this endeavor and advises the constituents to call upon their state Representative and Senator. Ryan gives the phone numbers for Ginny Shaver, Randy Price and Bob Fincher.

Consent Agenda

The Commission passed the August 2019 Consent Agenda including:

Action as related to **Resolution #4983 – 1-9 August** 2019 Consent Agenda:

Motion made by Commissioner Jake Durham, Seconded by Commissioner Laura Cobb

In Support: Commissioners Laura Cobb, Emmett Owen, Terry Hendrix and Jake Durham

In Opposition: None

Motion Passed

Resolution #4983-1

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

July 8, 2019

as presented.

Resolution #4983-2

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

Resignations: None

Vacancies: None

Resolution #4983-3

Whereas, the County Commission has been approached by a citizen to request that the County vacate County Road 489; and

Whereas, a Public Hearing is necessary before considering the request.

Therefore, the Cleburne County Commission agrees to schedule a Public Hearing to take place at the September Commission meeting, and authorizes the County Engineer to post notifications as required.

Resolution #4983-4

Whereas, the Cleburne County Commission must from time to time seek bids for certain supplies and equipment in order to ensure efficient and effective operations of county initiatives while ensuring all state purchasing laws are abided by.

Therefore, the Cleburne County Commission authorizes the County Engineer to seek bids for the following annual maintenance supplies:

Bituminous Treatment Resurface
Mirco Surface
Liquid Asphalt

Resolution #4983-5

Whereas, the Cleburne Engineer has solicited bids for Microsurface Paving and Scrub Seal for County Road 24; and

Whereas, the County Engineer has made his recommendation.

Therefore, the Cleburne County Commission hereby awards the bids as follows:

Microsurface Seal - Whitaker Contracting Corp
Scrub Seal – Charles E Watts Inc

Resolution #4983-6

Whereas, budget needs can change during the course of the year due to unforeseen circumstances; and

Whereas, the budget needs an increase for the following items:

Replacement of Courthouse Roof with Insurance Proceeds
Landfill Improvements
County Road Projects

Therefore, the Cleburne County Commission approves the following budget increases:

General Fund Expenditures & Revenues in the amount of \$335,000
Landfill Expenditures in the amount of \$37,000
Secondary Road Expenditures in the amount of \$137,000

Resolution #4983-7

Whereas, the ACCA Legislative Committee consists of 67 members, granting each county an equal voice on Association legislative efforts; and

Whereas, it's time for the county to select its representative for the 2019-2020 ACCA Legislative Committee; and

Whereas, the ACCA by-laws require a county to submit the name of its chosen representative only after approval by a majority vote of the Commission;

Therefore, the Cleburne County Commission appoints Terry Hendrix to serve on the 2019-2020 ACCA Legislative Committee.

Resolution #4983-8

Whereas, the Cleburne County Emergency Manager has been invited to join the 7 County Region Mass Notification System; and

Whereas, Cleburne County Commission's participation and commitment of funds is needed in writing.

Therefore, the Cleburne County Commission authorizes the Cleburne County Emergency Manager to sign a Letter of Intent and forward to the primary point of contact, Gadsden / Etowah County Emergency Management.

Resolution #4983-9

Whereas, QCHC, Inc. a/k/a Quality Correctional Health Care, ("QCHV") and Cleburne County, Alabama ("County"), previously entered into a Health Services Agreement (the "Agreement"); and

Whereas, Section 6.1 of the Agreement states that the Agreement "may be extended for additional one-year terms if mutually agreeable to both parties"; and

Whereas, the County desires the services of physicians and associated medical care providers due to their high degree of professional skill in accordance with AIA Code 41-16-21(a); and

Therefore, the County has chosen to extend the Agreement with this provider and authorizes the Chairman to sign.

New Business:

A. Create Environmental Management Position

Action as related to **Resolution #4984**

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

In Support: Commissioners Laura Cobb, Emmett Owen, Terry Hendrix and Jake Durham

In Opposition: None

Motion Passed

Resolution #4984

Whereas, the County Engineer has opened a Convenience Center; and

Whereas, the responsibilities have demanded ongoing personnel presence; and

Whereas, the County Engineer believes the position should be filled with a full time Environmental Manager classified at a pay grade 6.

Therefore, the Cleburne County Commission authorizes the Human Resources Officer to create the position of Environmental Manager, and develop an appropriate job description.

Furthermore, the Cleburne County Commission authorizes the County Engineer to advertise and fill the newly created position.

B. Create Assistant Engineer Position

Action as related to **Resolution #4985**

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

In Support: Commissioners Laura Cobb, Emmett Owen, Terry Hendrix and Jake Durham

In Opposition: None

Motion Passed

Resolution #4985

Whereas, the County Engineer has approached the Commission with the benefits for employing an Assistant Engineer; and

Whereas, the need for personnel presence has grown with the ongoing projects;

Therefore, the Cleburne County Commission authorizes the Human Resource Officer to create the position of Assistant County Engineer classified at a pay grade 11, and develop an appropriate job description.

Furthermore, the Cleburne County Commission authorizes the County Engineer to advertise and fill the newly created position.

C. E911 Agreement for Dispatching Fees

The resolution requested for approval is as follows:

Whereas, the Cleburne County Commission wishes to enter into a cooperative agreement with the E911 Board for the purpose of dispatching services for the Sheriff's Department and the Volunteer Fire Departments; and

Whereas, the E911 Board has presented the attached agreements for consideration;

Therefore, the Cleburne County Commission agrees to the provisions listed in the agreements and authorizes the Chairman to sign

Commissioner Emmett Owen made a motion to table this resolution request and Commissioner Terry Hendrix made a second.

The Commission discusses inviting the E911 Board to their next work session to further discuss this endeavor.

Therefore, Commissioner Emmett Owen amends his motion and Commissioner Terry Hendrix amends his second made to table the resolution request and agrees to move it forward to the September meeting for further discussion.

Action as related to **Resolution #4986**

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

In Support: Commissioners Laura Cobb, Emmett Owen, Terry Hendrix and Jake Durham

In Opposition: None

Motion Passed

Resolution #4986

The Commission approve to move forward the request to enter into a cooperative agreement with the E911 Board for the purpose of dispatching services for the Sheriff's Department and the Volunteer Fire Departments to the September 3, 2019 Work Session.

- D. Alcoholic License Transfer for The Store – Item #10 from the Consent Agenda of today's meeting

Action as related to **Resolution #4987**

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

In Support: Commissioners Laura Cobb, Emmett Owen, Terry Hendrix and Jake Durham

In Opposition: None

Motion Passed

Resolution #4987

Whereas, the Cleburne County Commission has received a Notice of Transfer for The Store, located at 5280 County Road 49, Ranburne, AL 36273; and

Whereas, the transfer request received from the Board appears to be in order;

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

Reports from staff:

- A. Chief Finance Administrator Kim Brown does not have any new updates at this time.
- B. County Engineer Lee Estes updates the Commission on the Resolution required to designate the portion of the revenue of the newly imposed gas tax prior to the end of the month of August 2019.
- C. County Attorney Jason Odom does not have any new updates at this time.

Old Business:

There is no Old Business for this meeting

There is not any further business to come today before the Commission for the meeting.

Chairman Ryan Robertson states the meeting will be continued till the date of August 28, 2019, to designate the portion of the revenue of the newly imposed gas tax prior to the end of the month of August 2019.

Action as related to **Resolution #4988**

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

In Support: Commissioners Laura Cobb, Emmett Owen, Terry Hendrix and Jake Durham

In Opposition: None

Motion Passed

Resolution #4988

The meeting is continued until August 28, 2019, to designate the portion of the revenue of the newly imposed gas tax prior to the end of the month of August 2019.