

Cleburne County Commission Meeting Minutes
Regular Commission Meeting September 14, 2021
Cleburne County Mountain Center

Roll Call

Present:

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

Absent:

Commissioner Roger Hill

Awards and Presentations

- A. Commissioner Roger Hill
- B. Chairman Ryan Robertson

Commissioner Hill's award will be given at the October meeting.

Scheduled Public Hearings

Certify Title III Funds

Consent Agenda

The Commission passes the September 2021 Consent Agenda including:

Action as related to **Resolution #5159- 1-4** September 2021 Consent Agenda:

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

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

In Opposition: None

Motion Passed

Resolution #5159-1

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

August 10, 2021

as presented.

Resolution #5159-2

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

Resignations:

Hospital Board

Melissa Cofield

Vacancies: None

Board Appointments: Theresa Mulkey

Resolution #5159-3

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

Whereas, QCHC's interest in the agreement was previously assigned to QCHC of Alabama, Inc., a related entity; and

Whereas, Section 10.6 of the Agreement states that the Agreement "may be amended or revised only in writing and signed by all parties"; 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 parties mutually desire to extend the term of the Agreement for a term beginning October 1, 2021 and ending September 30, 2022; and

Therefore, the parties hereby mutually agree to extend and amend the terms of the Agreement as follows and authorizes the Chairman to sign the agreement:

EXTENSION

The parties hereby agree to extend the Agreement for a renewal term beginning on October 1, 2021 and ending September 30, 2022.

AMENDMENTS

Section 7.1 shall be amended to reflect the amount owed to QCHC by the County shall be \$102,252.00 for the year beginning October 1, 2021 and ending September 30, 2022, which may be payable in twelve (12) monthly installments of \$8,521.00 by the County to QCHC.

Resolution #5159-4

Whereas, the Commission is asked to renew its Long Term Detention Subsidy Contract in conjunction with the State Department of Youth Services each year.

Therefore, the Cleburne County Commission authorizes the Chairman to make this designation and sign any and all paperwork related to the renewal of this agreement / contract.

Add to New Business the Step It Up Initiative

Motion made by Commissioner Cobb, Seconded by Commissioner Hendrix

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

In Opposition: None

Add to New Business the Reclassification of CR 41

Motion made by Commissioner Hendrix, Seconded by Commissioner Owen

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

In Opposition: None

Add to New Business the closure of CR 603

Motion made by Commissioner Hendrix, Seconded by Commissioner Owen

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

In Opposition: None

Add to New Business the resurfacing of CR 66

Motion made by Commissioner Cobb, Seconded by Commissioner Owen

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

In Opposition: None

New Business:

A. Surplus 2002 Arctic Cat

Action as related to **Resolution #5160** Surplus 2002 Arctic Cat

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

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

In Opposition: None

Motion Passed

Resolution #5160

Whereas, the Cleburne County Commission is authorized to declare property as surplus when said property is deemed to be of no further use or value to the County; and

Whereas, the following item has been stolen from the State Forestry Department:

- 2002 Arctic Cat 500 SN 4UF02ATV02T217

Therefore, the Cleburne County Commission declares the equipment to be surplus property, and authorizes the County Administrator to remove the item from the list of active assets.

B. Accept HRO resignation

Action as related to **Resolution #5161** Accept HRO resignation

In Support:

In Opposition:

Commissioners to discuss during Executive Session

Resolution #5161

Whereas, the Human Resource Officer has submitted her letter of resignation.

Therefore, the Cleburne County Commission accepts the resignation, and authorizes the advertising of the vacancy.

C. Approve severance package

Action as related to **Resolution #5162** Approve severance package

In Support:

In Opposition:

Commissioners to discuss during Executive Session

Resolution #5162

Whereas, the Cleburne County Commission has passed Resolution #5153 authorizing Ms. Hope Hicks to negotiate a severance package with County Administrator Ms. Brown in exchange for her global release of any claims Ms. Brown may have against the County Commission; and

Whereas, the terms are agreeable to both parties.

Therefore, the Cleburne County Commission authorizes the Chairman to sign the severance package agreement.

D. Approve FY22 Budget

Action as related to **Resolution #5163** Approve FY22 Budget

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

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

In Opposition: None

Motion to table until the September 21st Special Called Meeting

Resolution #5164

Whereas, it is the responsibility of the Cleburne County Commission to pass a yearly budget for the upcoming fiscal year in a September meeting,

Therefore, after review and deliberation, the Cleburne County Commission hereby adopts the attached fiscal year 2021 budget, Version _____.

E. Adopt Division G Multi-Jurisdictional Hazard Mitigation Plan

Action as related to **Resolution #5164** Adopt Division G Multi-Jurisdictional Hazard Mitigation Plan

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

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

In Opposition: None

Motion Passed

Resolution #5164

Whereas, the Division G Multi-Jurisdictional Hazard Mitigation Plan has been updated in accordance with FEMA requirements at 44 C.F.R. 201.6; and

Whereas, the County of Cleburne participated in the updating of a multijurisdictional plan, the Division G Multi-Jurisdictional Hazard Mitigation Plan; and

Whereas, the County of Cleburne is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the plan and the actions in the plan; and

Whereas, the County of Cleburne has reviewed the plan and affirms that the plan will be updated o less than every five years.

Therefore, the Cleburne County Commission adopts the Division G Multi-Jurisdictional Hazard Mitigation Plan and resolves to execute the actions in the plan.

F. Apply for Chief Ladiga Trail Grant

Action as related to **Resolution #5165** Apply for Chief Ladiga Trail Grant

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

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

In Opposition: None

Motion Passed

Resolution #5165

WHEREAS, Cleburne County, AL proposes to have constructed recreational resources at Cleburne County's Chief Ladiga Trail to provide for the health and well-being of the general public; and

WHEREAS, Cleburne County, AL intends to make application to the Alabama Department of Economic and Community Affairs for grant assistance to construct a paved walking trail and other amenities from the Recreational Trails Program; and

WHEREAS, the total proposed project costs total \$389,760.00 The County is applying for Recreational Trails Program assistance in the amount of \$311,808.00 of the total proposed project costs, which will be used to construct a paved walking trail and other amenities at Cleburne County, Alabama.

NOW THEREFORE BE IT RESOLVED, that Cleburne County, Alabama will hold in reserve \$62,902.00 of the proposed project costs for the purpose of matching the Recreational Trails Program assistance, with an additional amount of \$15,050.00 of In-Kind work and

BE IT FURTHER RESOLVED, that in the event a grant is awarded, Cleburne County, Alabama understands that it will sign assurances to comply with all applicable Federal and State laws, rules, and regulations and that the property acquired and/or developed with Land and Water Conservation Fund assistance will be maintained for public outdoor recreation in perpetuity as required by Section 6(f)(3) of the Land and Water Conservation Fund Act of 1965.

Commissioner Hendrix asks County Engineer which fund the money would be coming out of

County Engineer Lee Estes states it will be the Gasoline Fund

Chairman Robertson states that it is not determined in the resolution on which fund

G. Make Emergency Manager position classified

Action as related to **Resolution #5165** Make Emergency Manager position classified

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

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

In Opposition: None

Motion Passed

Resolution #5165

WHEREAS, the position of Emergency Manager has previously been an "Unclassified" position; and

WHEREAS, the Commission wishes to afford the Emergency Manager the benefits and protections available to employees in the "Classified" service; and

WHEREAS, the Current Emergency Manager, Crystal Cavender, has expressed her willingness and acceptance of the proposed reclassification;

NOW THEREFORE, BE IT RESOLVED that the position of Emergency Manager is hereby reclassified as a position in the Classified Service, with an effective date of _____. Said reclassified position shall report directly to the Commission.

Effective October 1, 2021

H. Sales Agreement for 2 acres of land in Ranburne

Action as related to **Resolution #5166** Sales Agreement for 2 acres of land in Ranburne

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

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

In Opposition: None

Motion Passed

Resolution #5166

WHEREAS the Cleburne County Commission desires to establish an additional "Convenience Center" in the Ranburne area of the County as a valid public purpose and asset to the citizens of the County located in the Ranburne area, and

WHEREAS the County Engineer was tasked with locating appropriate property for said project, and

WHEREAS the County Engineer has located a two (2) acre parcel of land which will adequately support the new convenience center, and

WHEREAS the purchase price and terms are mutually beneficial to the parties.

NOW THEREFORE BE IT RESOLVED that the acquisition of property is approved, pending the receipt of a clean Title Opinion and after receipt of same the Commission Chairman is authorized to execute the sales contract for the proposed parcel of land, along with any and all other documents required to effectuate said transfer.

I. Step It Up Initiative

Action as related to **Resolution #5167** Step It Up Initiative

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

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

In Opposition: None

Motion Passed

Resolution #5167

WHEREAS, approximately two million people who have serious mental illnesses are admitted each year to jails across the nation, and almost three-quarters of these adults have drug and alcohol use problems; and

WHEREAS, the Stepping Up Initiative is a national program with the goal to reduce the numbers of individuals in jails with mental illness; and

WHEREAS, county jails spend two to three times more on adults with mental illnesses that require interventions compared to those without treatment needs; and

WHEREAS, through the Stepping Up Initiative, the National Association of Counties, The Council of State Governments Justice Center, and the American Psychiatric Association Foundation are encouraging public, private, and nonprofit partners to reduce the number of people with mental illnesses in jails; and

NOW, THEREFORE BE IT RESOLVED, that the Cleburne County Commission supports the national Stepping Up Initiative and commends all efforts to utilize the comprehensive resources available.

Commissioner Cobb thanks the Committee for all their hard work

J. Reclassify CR 41

Action as related to **Resolution #5168** Reclassify CR 41

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

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

In Opposition: None

Motion Passed

Resolution #5168

WHEREAS, the County Commission of Cleburne County, Alabama, is desirous of amending the highway functional classification system in Cleburne County as follows:

Reclassify Cleburne County Road 41 from Alabama Highway 46 to the intersection of Cleburne County Road 10 from a rural local road to a Minor Collector.

K. Closure of CR 603

Action as related to **Resolution #5169** Closure of CR 603

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

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

In Opposition: None

Motion Passed

Resolution #5169

Whereas, the Cleburne County Commission recognizes the need to occasionally evaluate the infrastructure system of the County to better serve its citizens; and

Whereas, the Cleburne County Commission has the legal authority to vacate public roads.

Therefore, the Cleburne County Commission authorizes the County Engineer to take all necessary steps to begin the process of closing County Road 603.

County Engineer Lee Estes informs the Commission he will have to get with all the residents that live off CR 603.

L. Resurface CR 66

Action as related to **Resolution #5170** Resurface CR 66

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

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

In Opposition: None

Motion Passed

Resolution #5170

Whereas, the conditions of the County Road 66 are such that a Resurfacing treatment is needed, and

Whereas, the Commission's budget is currently insufficient to cover the costs of such project; and

Whereas, there are funds available in the "Rebuild Alabama Grant" which could potentially be used for such project,

Now therefore, be it resolved, that the Commission tasks the County Engineer to make application for a "Rebuild Alabama Grant" specifically for the Resurfacing of County Road 66.

Reports from staff:

- A.** County Administrator Kim Brown is not present.
- B.** County Engineer Lee Estes request a PO for Southeast Environmental Compliance for \$7,620 for Annual Landfill Analysis.

M. Approve Purchase Order request

Action as related to **Resolution #5171** Approve Purchase Order request

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

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

In Opposition: None

Motion Passed

Resolution #5171

Whereas, the Cleburne County Commission has asked to approve all purchase orders over \$5,000.

Therefore, the Cleburne County Commission hereby approves the request for Southeast Environmental Compliance for \$7,620.

C. County Attorney Jason Odom has no updates.

Attorney Hope Hicks suggests the Commission go into Executive Session.

N. Executive Session

Action as related to **Resolution #5172** Executive Session

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

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

In Opposition: None

Motion Passed

Resolution #5172

The Commission goes into Executive Session.

Regular meeting is back in session.

Add to agenda New County Administrator Lisa Copeland

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

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

In Opposition: None

Item B from New Business

Accept HRO resignation

Action as related to **Resolution #5161** Accept HRO resignation

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

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

In Opposition: None

Motion Passed

Resolution #5161

Whereas, the Human Resource Officer has submitted her letter of resignation.

Therefore, the Cleburne County Commission accepts the resignation, and authorizes the advertising of the vacancy.

Item C from New Business

Approve severance package

Action as related to **Resolution #5162** Approve severance package

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

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

In Opposition: None

Amended Motion Passed

Resolution #5162

Whereas, the Cleburne County Commission has passed Resolution #5153 authorizing Ms. Hope Hicks to negotiate a severance package with County Administrator Ms. Brown in exchange for her global release of any claims Ms. Brown may have against the County Commission; and

Whereas, the terms are agreeable to both parties.

Therefore, the Cleburne County Commission authorizes the Chairman to sign the severance package agreement of \$27,500.

O. New County Administrator

Action as related to **Resolution #5173** New County Administrator

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

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

In Opposition: None

Motion Passed

Resolution #5173

Whereas, the Cleburne County Commission advertised for applicants for the position of County Administrator, and

Whereas, applicants were received and the Commission conducted interviews of qualified applicants on September 2, 2021, and

Whereas, the Commission wishes to offer the position to Mrs. Lisa Copeland.

Now Therefore, be it resolved that the Commission offers the position of the County Administrator to Mrs. Lisa Copeland as a Class 13 position with starting pay of \$30.42 per hour with an effective date of October 1, 2021.

Old Business:

Action as related to **Resolution #5174**

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

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

In Opposition: None

Motion Passed

Resolution #5173

Meeting Adjourned.

Certified by:

Ryan Robertson – Chairman

Laura Cobb – District 1

Emmett Owen – District 2

Terry Hendrix – District 3

Not Present

Roger Hill – District 4