

**AGENDA**  
**COOSA COUNTY COMMISSION**  
**November 16, 2022**  
**8:30a.m. Commission Meeting**  
**E911 Building**

**WELCOME**

**PUBLIC COMMENTS:**

**ELECTED OFFICIAL COMMENT:**

**CALL TO ORDER**

**COMMISSION ROLL CALL**

**INVOCATION, PLEDGE OF ALLEGIANCE**

**APPROVE AGENDA**

**APPROVAL OF MINUTES AND WAIVER OF READING MINUTES**

**AWARDS AND PRESENTATIONS**

**CONSENT AGENDA- MOTION AND SECOND TO APPROVE**

- (A) Motion for Chairman, Vice Chairman and Administrator to authorize, to issue and sign checks for payment of monthly expenses and payroll.
- (B) Motion to approve changes in employees: job description, salary, work hours, status (including budget approved raises).

**NEW BUSINESS**

- (1) Election of Commission Chairman—Nominations Open
- (2) Election of Commission Vice-Chair—Nominations Open
- (3) Establishment of Regular Meeting Date and Time—Chairman
- (4) Approval of Rules of Procedure for the Coosa County Commission—Attorney John K. Johnson
- (5) Approval for the Courthouse to be closed on Friday, November 25, 2022 for the Thanksgiving holiday—Administrator Amy Gilliland
- (6) Approval of the 2023 State Holiday schedule—Administrator Amy Gilliland
- (7) Approval of Proclamation to recognize Farm Week November 18—24, 2022—Revenue Commissioner Debra Lamberth
- (8) Approval for Chairman to sign the Cares Act CDBG-CV Certification—Administrator Amy Gilliland
- (9) Approval for Chairman to sign the Designation of Responsible Officials for CDBG-CV—Administrator Amy Gilliland
- (10) Approval of Resolution using ARPA funds for the County Road 71 project—Engineer Tad Eason
- (11) Approval for the Chairman to sign the ARPA fund Resolution for the County Road 71 project—Administrator Amy Gilliland
- (12) Approval for Chairman to sign ARPA fund Resolution for the purchase of Coosa County Rescue 22 Ambulance—Administrator Amy Gilliland
- (13) Approval to remove Highway department items and declare those items as surplus (see sheet attached)—Engineer Tad Eason
- (14) Approval of Donald (Tad) Eason's employment contract—Engineer Tad Eason

**OLD BUSINESS**

**STAFF REPORTS**

**Administrator –Sheriff’ Office phone system, Security door lock issues**

**Attorney**

**EMA**

**EMS**

**Courthouse Maintenance**

**Engineer**

**Safety Coordinator**

**DISCUSSION ITEMS BY COMMISSIONERS**

**ADJOURN**

**MINUTES****COOSA COUNTY COMMISSION****NOVEMBER 16, 2022****8:30 A.M.****ELECTED OFFICIAL COMMENT****CALL TO ORDER**

THE COOSA COUNTY COMMISSION MET AT THE E911 BUILDING NOVEMBER 16, 2022 FOR ITS REGULAR MEETING WITH CHAIRMAN BERTHA K. MCELRATH PRESIDING.

**COMMISSION ROLL CALL**

COMMISSION ROLL CALL: HERE –CHAIRMAN BERTHA MCELRATH, COMMISSIONER BRANDON DAVIS, COMMISSIONER RONNIE JOINER, AND VICE-CHAIR LAMAR DAUGHERTY. COMMISSIONER JOHN FORBUS.

**INVOCATION AND PLEDGE OF ALLEGIANCE**

INVOCATION WAS GIVEN BY COMMISSIONER CHAIRMAN BERTHA MCELRATH. THE PLEDGE OF ALLEGIANCE WAS SAID BY ALL IN ATTENDANCE.

**APPROVE AGENDA**

MOTIONED BY COMMISSIONER VICE-CHAIR LAMAR DAUGHERTY TO APPROVE THE AGENDA AND TO AMEND ITEM NUMBER 6-STATE HOLIDAY SCHEDULE. SECONDED BY COMMISSIONER JOHN FORBUS. UNANIMOUSLY APPROVED

**APPROVAL OF MINUTES AND WAIVER OF READING MINUTES**

MOTIONED BY COMMISSIONER VICE-CHAIR LAMAR DAUGHERTY TO APPROVE THE MINUTES AND WAIVER OF READING MINUTES. SECONDED BY COMMISSIONER JOHN FORBUS. UNANIMOUSLY APPROVED

**CONSENT AGENDA**

MOTIONED BY COMMISSIONER RONNIE JOINER TO APPROVE FOR THE CHAIRMAN, VICE-CHAIR AND ADMINISTRATOR TO AUTHORIZE, TO ISSUE AND SIGN CHECKS FOR PAYMENT OF MONTHLY EXPENSES AND PAYROLL. SECONDED BY VICE-CHAIR LAMAR DAUGHERTY. UNANIMOUSLY APPROVED

MOTION TO APPROVE CHANGES IN EMPLOYEES: JOB DESCRIPTION, SALARY, WORK HOURS, STATUS (INCLUDING BUDGET APPROVED RAISES). UNANIMOUSLY APPROVED



## Coosa County Sheriff's Office

### MICHAEL HOWELL, SHERIFF

296 School Street • P. O. Box 279  
Rockford, Alabama 35136  
Office: 256-377-4922 • Fax 256-377-1244  
Jail fax 256-377-2690

Email: [office@coosaso.com](mailto:office@coosaso.com) \* Website: [www.coosacountvso.org](http://www.coosacountvso.org)




# MEMO

To: Coosa County Commission  
From: Coosa County Sheriff's Office  
Date: November 9, 2022  
Re: Tadarius Jamal Parker  
Time: 8:30 a.m.

Message: End of Probation

Effective November 4, 2022, Tadarius J. Parker has completed his six (6) months' probation period. His rate of pay should increase to \$15.07, and he is eligible to receive his leave hours.

This memorandum for the record will remain in effect until further notice.

  
\_\_\_\_\_  
Michael Howell, Sheriff

11/14/2022  
\_\_\_\_\_  
Date

**NEW BUSINESS**

MOTIONED BY VICE-CHAIR LAMAR DAUGHERTY THE APPROVAL OF RULES OF PROCEDURE FOR THE COOSA COUNTY COMMISSION. SECONDED BY COMMISSIONER JOHN FORBUS. UNANIMOUSLY APPROVED.

**Sample Language for Minutes****TESTING OF COMMUNICATIONS EQUIPMENT**

The communications equipment was tested immediately before the meeting and was determined to be sufficiently compliant with these requirements: (1) All participants will be able to hear one another at the same time, and (2) Interested members of the public who are present at the physical meeting location will be able to hear those who are participating electronically in the meeting.

**CALL OF ROLL TO ESTABLISH QUORUM**

Administrator Z called Roll to establish a quorum, and the following Commissioners were present: Chairman A (in person), Commissioner B (in person), Commissioner C (in person), Commissioner D (in person), and Commissioner E (via teleconference / video conference).

A quorum was physically present at the meeting. Commissioner E was unable to be physically present due to illness and opted to participate electronically in accordance with county policy and Act #2022-421.

## **County Commission Organizational Meeting**

### **Required First County Commission Meeting**

**Ala. Code § 11-3-1(e)** requires the county commission to meet on the Wednesday 8 days following the election of its members.

- In 2022, this meeting will be held on **Wednesday, November 16.**
- This meeting shall be held in lieu of any regular or other meeting of the county commission.
- The commission cannot meet between the election and this meeting except in a declared emergency.
- The law does not prescribe what time the meeting shall take place.
- Regular meeting dates, times, and locations must be posted in the courthouse and the members of the news media, who have filed a written request, must be advised of the regular meeting dates when those dates are established.

### **Required and Recommended Agenda Items**

**Ala. Code § 11-3-8(a)** requires the county commission to establish its regular meeting days during this "organizational meeting."

- The commission may alter its meeting date schedule as warranted in the future.
- The commission may also call special or emergency meetings under procedures set out in **Ala. Code § 11-3-8(b).**

Where the chair of the county commission is elected by the body, that also generally takes place during this meeting.

- If the county commission rotates the chair, a schedule setting out the rotation should be distributed to all commission members.
- It is also recommended that a vice chair be elected or appointed at this meeting as authorized in **Ala. Code § 11-3-20.**

### **Meeting Rules of Procedure**

Alabama's Open Meetings Law requires the county commission to adopt written rules of procedure. See **Ala. Code § 36-25A-5.**

- The commission's rules of procedure shall remain in place until and unless amended by the body.
- The "organizational meeting" shall be conducted pursuant to previously-adopted rules.
- Any changes in the rules shall not take effect until the next commission meeting following adoption.

Here are the allowed uses for the Capital Improvement Fund per Code of Alabama Section 11-29-6:

...Such funds shall only be used by counties for the following purposes:

- a. Public buildings; counties may expend such funds for the construction, furnishing, equipping, and renovation of public buildings including, without limitation, jails, courthouses and courthouse annexes, juvenile facilities, and paying rentals to public corporations for the use of public buildings. Such funds may also be expended for the purpose of purchasing land for public buildings.
- b. Solid waste; counties may expend such funds for the purchase of land for sanitary landfills, the purchase of solid waste handling and disposal equipment including collection vehicles and landfill compaction equipment, and other solid waste handling and disposal equipment and/or facilities.
- c. Public utilities; counties may expend such funds for public water and waste water treatment facilities and drainage facilities. Such expenditures may include the purchase of land and rights-of-way, and the purchase of equipment and supplies necessary for the installation and maintenance of such public facilities.
- d. Roads and bridges; up to 50 percent of the funds received by counties may be expended for the construction, maintenance, reconstruction, restoration, or resurfacing of county roads and bridges.
- e. Bonds and warrants; counties may expend such funds for the payment of any valid obligation of a county that is evidenced by bonds, notes, warrants, or other instruments now or hereafter authorized by law to be issued for any of the purposes enumerated in clauses a, b, c, and d of this paragraph.
- f. Public health; counties may expend funds for the operation and maintenance of the county health department.
- g. Pensions and security; counties may expend funds for the operation and maintenance of the county human resources department.

Thank you,

MOTIONED BY VICE-CHAIR LAMAR DAUGHERTY THE APPROVAL FOR THE COURTHOUSE TO BE CLOSED ON FRIDAY, NOVEMBER 25, 2022 FOR THE THANSVGIVING HOLIDAY. SECONDED BY COMMISSIONER RONNIE JOINER. UNANIMOUSLY APPROVE

MOTIONED BY COMMISSIONER JOHN FORBUS THE APPROVAL OF THE 2023 STATE HOLIDAY SCHEDULE ADD FRIDAY AFTER THANKSGIVING. SECONDED BY COMMISSIONER BRANDON DAVIS. UNANIMOUSLY APPROVED



## STATE OF ALABAMA

### 2023

## OFFICIAL STATE HOLIDAYS

Sunday, January 1.....	New Year's Day (Observed Monday, January 2)
Monday, January 16.....	Martin Luther King, Jr & Robert E. Lee's Birthday
Monday, February 20.....	George Washington & Thomas Jefferson's Birthday
Tuesday, February 21.....	Mardi Gras*
Monday, April 24.....	Confederate Memorial Day
Monday, May 29.....	National Memorial Day
Monday, June 5.....	Jefferson Davis' Birthday
<del>Monday</del> <sup>June 20</sup> Tuesday, July 4.....	Fourth day of July
Monday, September 4.....	Labor Day
Monday, October 9.....	Columbus Day & Fraternal Day & American Indian Heritage Day
Saturday, November 11.....	Veterans' Day (Observed Friday, November 10)
Thursday, November 23.....	Thanksgiving**
Friday, December 1.....	Mrs. Rosa L. Parks Day*** (Commemoration Only)
Monday, December 25.....	Christmas Day

- \* Mardi Gras is observed only in Baldwin and Mobile Counties. All other State Employees are granted one personal leave day each year if in employment status on January 1.
- \*\* Upon designation by the Governor.
- \*\*\* December 1 of each year is designated as Mrs. Rosa L Parks Day to commemorate her accomplishments. Each resident of this state is requested to observe the day with appropriate activities.



**PROCLAMATION FOR COOSA COUNTY  
ALABAMA FARM-CITY WEEK  
November 18 - 24, 2022**

For nearly 65 years, the American people have joined together during Thanksgiving week to observe Farm-City Week, a time set aside to express gratitude for the bounty with which God has blessed our land. Throughout the week, Americans recognize the hard work and achievements of the farmers, rural townspeople, and city residents who make our nation's agricultural production and distribution system so successful. This cooperation between rural and city dwellers for mutual benefit truly helps to ensure our country's well-being.

America's farmers have provided nutritious food and fiber to sustain our people through many decades of progress. Farmers' productivity has increased steadily, thanks largely to their initiative in supporting and adopting science-based methods and materials. Because of this productivity, American farmers are able to meet the needs of our nation and a growing world.

American agriculture, and the many service industries that depend upon it, is a story of extraordinary labor creating extraordinary abundance. The American farmer has an impact on every aspect of life, from big cities to small towns and all routes in between. At this time of year, it is only fitting that all Americans offer a special sign of thanks to those who grow, harvest, and bring the fruits of sun, seed, and soil to our nation's tables.

NOW, THEREFORE, I, Bertha K. McElrath, Chairperson of the Coosa County Commission, by virtue of the authority vested in me do hereby, proclaim the week of November 18 through November 24, 2022, as ALABAMA FARM-CITY WEEK. I call upon all citizens of Coosa County to join with citizens across this great State in recognizing the accomplishments of our productive farmers, who work diligently to create abundance, wealth and strength for our State and Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this 16<sup>th</sup> day of November in the year of our Lord two thousand twenty-two.

Bertha Kelly McElrath

3909

MOTIONED BY VICE-CHAIR LAMAR DAUGHERTY THE APPROVAL CHAIRMAN BERTHA MCEL RATH  
SIGNING THE CARES ACT CDBG-CV CERTIFICATION. SECONDED BY COMMISSIONER RONNIE  
JOINER. UNANIMOUSLY APPROVED

GRANTEE NAME: Coosa County CommissionAGREEMENT NO: CV-NC-20-033

**CARES Act CDBG-CV  
CERTIFICATION**

Signature Bertha K. McElrathFEIN NO. 63-6001482Typed Name Bertha K. McElrathDUNS NO. 070512017Title Chairman, Coosa County CommissionSignature Amy GillilandTyped Name Amy GillilandTitle County Administrator

This is to certify that the above signatures are authorized to sign Form 001 State CDBG-CV, Request for Payment of CARES Act CDBG-CV funds. Any one of the three signatures on this certification may be accepted on Form 001 State CDBG-CV (Revised 04/21).

Signature Bertha K. McElrath

Mayor or Chairman

Coosa County

City or County

11/9/2022

Date

MAILING ADDRESS for general information:

Coosa County CourthouseP.O. Box 10Rockford, AL 35136Phone Number: 256-377-1350

MAILING ADDRESS for CHECKS  
(if bank, include account number, bank's  
name and address):

Coosa County CourthouseP.O. Box 10Rockford, AL 35136

MOTIONED BY CHAIRMAN BERTHA MCEL RATH THE APPROVAL CHAIRMAN BERTHA MCEL RATH  
SIGNING THE DESIGNATION OF RESPONSIBLE OFFICIALS FOR CDGB-CV.CDBG CERTIFICATION.  
SECONDED BY VICE-CHAIR LAMAR DAUGHERTY. UNANIMOUSLY APPROVED

### DESIGNATION OF RESPONSIBLE OFFICIALS FOR CDBG-CV

Grantee Coosa County Commission Project Number CV-NC-20-033

All general CDBG-CV correspondence will be mailed to the Mayor/Chairperson at the community's official address. Please provide an email address for the Mayor/Chairperson if one is available or any special mailing instructions. Also, if correspondence is to be copied to a project management person, please complete the appropriate information below.

#### MAYOR/CHAIRPERSON

Name Bertha K. McElrath, Chairman  
Address 9709 US Hwy 231, P.O. Box 10  
City/State/Zip Rockford, AL 35136  
Telephone Number 256-377-1350  
E-Mail Address kellybertham3@gmail.com

#### CDBG-CV MANAGEMENT PERSON

Name Najsha Corbett, Community Development Project Director  
Address 1130 Quintard Ave Suite 300, P.O. Box 2186  
City/State/Zip Anniston, AL 36202  
Telephone Number 256-237-6741 Ext: 171  
E-Mail Address najsha.corbett@earpdc.org

#### DESIGNATION OF EQUAL OPPORTUNITY OFFICER

Name Amy Gilliland, County Administrator  
Address 9709 US Hwy 231, P.O. Box 10  
City/State/Zip Rockford, AL 35136  
Telephone Number 256-377-1350  
E-Mail Address 1coosacountyadm@gmail.com

#### DESIGNATION OF LABOR STANDARDS OFFICER

Name Amy Gilliland, County Administrator  
Address 9709 US Hwy 231, P.O. Box 10  
City/State/Zip Rockford, AL 35136  
Telephone Number 256-377-1350  
E-Mail Address 1coosacountyadm@gmail.com

Signed Bertha Kelly McElrath

MOTIONED BY VICE-CHAIR LAMAR DAUGHERTY TO APPROVE OF RESOLUTION USING ARAP FUNDS FOR THE COUNTY ROAD 71 PROJECT. SECONDED BY COMMISSIONER RONNIE JOINER. UNANIMOUSLY APPROVED

MOTIONED BY VICE-CHAIR LAMAR DAUGHERTY THE APPROVAL FOR THE CHAIRMAN TO SIGN THE ARPA FUND RESOLUTION FOR THE COUNTY ROAD 71 PROJECT. SECONDED BY COMMISSIONER RONNIE JOINER. UNANIMOUSLY APPROVED

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

**WHEREAS**, Coosa 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 has 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, 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

**WHEREAS**, the County may expend designated Revenue Replacement funds for government services; and

**WHEREAS**, the County has determined that there is a need to provide construction and maintenance to ensure safe public roads that it is within the authority of the County to provide these services;

**WHEREAS**, the County has determined that the procurement of materials and services to support a Highway Department project on County Road 71 is a necessary, reasonable, and proportionate measure to facilitate the provision of these government services; and

**WHEREAS**, the County has procured these materials and services in a manner consistent with state laws and guidelines, including compliance the Public Works Law, codified as Title 39 of the Code of Alabama 1975 and the Competitive Bid Law, codified as § 41-16-50, *et seq.*, Code of Alabama 1975, as applicable.

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

1) The County shall use up to \$344,028.00 of ARPA funds, which are hereby designated as Revenue Replacement funds, to facilitate the provision of the government services to provide appropriate maintenance and construction for the County Road 71 project.

3) The Coosa County Commission is hereby authorized to expend these funds to purchase goods and services as described herein from appropriately procured vendor to facilitate the provision of these services.

4) The ARPA Program Director is charged with ensuring that Revenue Replacement funds allocated and expended to provide these government services will not be used in such a way as to frustrate

COVID-19 mitigation guidance issued by the Centers for Disease Control, or for any other use prohibited by the Final Rule or any applicable state or federal law.

5) Expenditure of these funds, as authorized by this Resolution, shall be 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.

**IN WITNESS WHEREOF**, the Coosa County Commission has caused this Resolution to be executed in its name and on its behalf by its Chairman on the 16th day of November, 2022.

Bertha K. McElrath  
Chairman, Coosa County Commission

MOTIONED BY VICE-CHAIR LAMAR DAUGHERTY THE APPROVAL CHAIRMAN BERTHA MCEL RATH SIGNING THE ARPA FUND RESOLUTION FOR THE PURPOSE OF COOSA COUNTY RESCUE 22 AMBULANCE. SECONDED BY COMMISSIONER JOHN FORBUS. UNANIMOUSLY APPROVED

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

**WHEREAS**, Coosa 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**, in accordance with the provisions of final rule published by the United States Department of Treasury dated January 6, 2022, the County has duly elected 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, as revenue replacement ("revenue replacement funds"); and

**WHEREAS**, the County may use revenue replacement funds to fund government services; and

**WHEREAS**, the County has determined that there is a need to support emergency response and assistance services in the County; and

**WHEREAS**, the County has determined that the procurement of the following ambulance is a necessary, reasonable, and proportionate measure to facilitate the provision of these government services:

2022 Ford E-350 with SEC from Southern Emergency Consultants, LLC, for the cost of \$218,794.00; and

**WHEREAS**, the County has identified the vendor from which to procure this ambulance in a manner consistent with state laws and federal guidelines, as required by the terms and conditions of the ARPA as it relates to the expenditure of revenue replacement funds; and

**WHEREAS**, contemporaneously the County has been awarded a rural provider equipment grant from the Alabama Council of Emergency Medical Services, Inc., a granting agent on behalf of the Alabama Office of Emergency Medical Services, to support the purchase of an ambulance; and

**WHEREAS**, consistent with the terms and conditions of the grant, the County has received reimbursement from the Alabama Council of Emergency Services, Inc., in the amount of \$164,095.50 to support the purchase of this ambulance; and

**WHEREAS**, the County intends to utilize ARPA funds to cover the County's portion of the matching contribution.

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

1) The County shall use up to \$54,698.50 of ARPA funds, which are hereby designated as revenue replacement funds, to facilitate the provision of the government services described herein.

2) The Coosa County Commission is hereby authorized to expend these funds to facilitate the provision of these services.

3) The ARPA Program Director is charged with ensuring that revenue replacement funds allocated and expended to provide these government services will not be used in such a way as to frustrate COVID-19 mitigation guidance issued by the Centers for Disease Control, or for any other use prohibited by the Final Rule or any applicable state or federal law.

4) Expenditure of these funds, as authorized by this Resolution, shall be 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.

**IN WITNESS WHEREOF**, the Coosa County Commission has caused this Resolution to be executed in its name and on its behalf by its Chairman on the 16<sup>th</sup> day of November, 2022

Bertha K. McElwain  
Chairman, Coosa County Commission

Nov. 16 Agenda

Meeting Date: 11/16/32

Department: Highway

Asset Number

Frederic H. Fisher

40050

APC Office Backup

400175

Computer Nexlink 3005

700165

Computer, Nexlink 1 25

700465

Computer.

700800

Disposition: \_\_\_\_\_

Proceeds: \_\_\_\_\_

## Motion

2<sup>nd</sup> \_\_\_\_\_



MOTIONED BY VICE-CHAIR LAMAR DAUGHERTY THE APPROVAL OF DONALD EASON'S  
EMPLOYMENT CONTRACT. SECONDED BY COMMISSIONER RONNIE JOINER.  
UNANIMOUSLY APPROVED

STATE OF ALABAMA     )  
                                  )  
COUNTY OF COOSA     )

## EMPLOYMENT CONTRACT

This agreement is made this the 16th day of November, 2022, between Coosa County, hereinafter referred to as County and **DONALD W. EASON**, hereinafter referred to as County Engineer.

### ARTICLE ONE

**TERM OF EMPLOYMENT:** The County herein employs the County Engineer and the County Engineer hereby accepts employment with the County for a period of time beginning upon the date of this Agreement and continuing until the end of the term of office of the current Commission, provided, however, that this Agreement may be terminated earlier as hereinafter provided. The County Engineer agrees to and shall reside in Coosa County during his term of employment.

### ARTICLE TWO

**DUTIES OF COUNTY ENGINEER:** The County Engineer is hereby employed as the County Engineer of Coosa County and is to perform the functions and duties commonly discharged by the County Engineer under the Unit System type of Government. The County Engineer shall have the following duties and responsibilities which shall include, but shall not be limited to, the following:

1. Those duties and functions listed in Exhibit A, Job Description, attached hereto.
2. Report directly to the County Commission and its Chairman.
3. In conducting the duties and obligations of the County Engineer of Coosa County, the  
County Engineer understands that all of his official duties are subject to review and approval of the Coosa County Commission.

### ARTICLE THREE

**COMPENSATION:** The initial salary shall be One Hundred Thirty Six Thousand Two Hundred Twenty-Four and NO/100 Dollars (\$136,224.00) per annum, payable in equal installments in the same manner that other County employees are paid, consistent with the Coosa County bookkeeping system, and prorated for any partial employment period. This salary shall be increased on the first anniversary date of this Agreement, and each anniversary date thereafter, to an amount equal to the maximum annual salary amount set by the salary scale for "State Participation for County Engineers **Pay Grade 0086**" then in effect (70%). ~~State 2001~~

#### ARTICLE FOUR

**BENEFITS:** The County agrees to include the County Engineer in any and all hospital, surgical, dental, and/or other medical benefit and retirement plans, and any other insurance benefit plan granted and given to other County employees. The County agrees to pay the premiums for said hospital and medical benefits, as well as other employment benefits offered to the County Engineer, in the same amount, and under the same terms and conditions as those premiums are paid for other employees of the County. All other benefits, other than those specifically set forth herein, shall be the same as currently provided to general County employees pursuant to the current Policy covering said benefits.

**VACATION:** The County Engineer shall be entitled to the same paid vacation leave as are other County employees, and shall also be entitled to credit toward said vacation leave for each year of previous employment as the County Engineer.

**SICK LEAVE:** The County Engineer shall be entitled to the sick leave benefits granted to all Coosa County employees in accordance with the current Policy.

**HOLIDAYS:** The County Engineer shall be entitled to a holiday with full pay on any and all holidays granted to other County employees.

#### ARTICLE FIVE

##### **TERMINATION:**

**BY THE COUNTY ENGINEER:** This agreement may be terminated by the County Engineer by giving sixty (60) days written notice of said termination to the County. Such termination shall not prejudice any other remedy to which the terminating party may be entitled either at law, in equity, or under this Agreement.

**BY COUNTY:** The County may immediately terminate this Agreement upon the occurrence of any one of the following occurrences without having to compensate the County Engineer for any salary, benefits or deferred compensation to which he would have been entitled under the remaining term of this contract:

- (a) County Engineer's conviction of a crime of moral turpitude;
- (b) County Engineer's violation of the Coosa County drug-free work-place policy;
- (c) County Engineer's becoming incapacitated to physically or mentally perform the duties as required by the Commission;
- (d) County Engineer's gross insubordination as determined by a majority vote of the Commission;

**MOTION TO ADJOURN**

MOTIONED BY CHAIRMAN BERTHA MCELRATH TO ADJOURN. SECONDED BY VICE-CHAIR LAMAR DAUGHERTY. UNANIMOUSLY APPROVED

MINUTES APPROVED THIS 13<sup>TH</sup> DAY OF DECEMBER, 2022.

\_\_\_\_\_  
CHAIRMAN BERTHA MCELRATH

\_\_\_\_\_  
BRANDON DAVIS

\_\_\_\_\_  
RONNIE JOINER

\_\_\_\_\_  
VICE-CHAIR LAMAR DAUGHERTY

\_\_\_\_\_  
JOHN FORBUS

- (e) County Engineer's violation of any Federal or State laws which govern Employment practices, as determined by a Court of competent jurisdiction.

**EFFECT OF TERMINATION ON COMPENSATION:** In the event of the termination of this Agreement prior to the completion of the terms of employment as specified herein, the County Engineer shall be entitled to the compensation earned by him prior to the date of termination as provided for in this Agreement (including vacation and holiday leave, and other accrued benefits), computed pro rata, up to and including that date. The County Engineer shall be entitled to no further compensation as of the date of termination except as set forth in this contract as of the date of termination.

**ATTORNEY AND OTHER FEES UPON DEFAULT:** If either of the respective parties hereto shall default in any of the covenants herein so as to require the party not in default to commence legal or equitable action against the defaulting party, the defaulting party shall pay all of the other party's reasonable attorney fees and costs incurred by said non-defaulting party.

### ARTICLE SIX


**GENERAL PROVISIONS:** Any notices to be given hereunder by either party to the other may be effected either by personal delivery in writing or by mail, registered or certified, postage prepaid with return receipt requested. Mail notices shall be addressed to the parties at their current mailing address. Notices delivered personally shall be deemed communicated as of actual receipt; mailed notices shall be deemed communicated as of three (3) days after mailing.

**LAW GOVERNING AGREEMENT:** This Agreement shall be governed by and construed in accordance with the Laws of the State of Alabama.

**PAYMENT OF MONIES DUE DECEASED COUNTY ENGINEER:** If the County Engineer dies prior to the expiration of the term of employment, any monies that may be due him from the County under this Agreement as of the date of his death shall be paid to his Personal Representative.

**LEGAL CONSTRUCTION:** In the event that one or more of the provisions contained in this Agreement shall, for any reason, be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

**SIGNED AND DELIVERED** on the date stated above.

  
**DONALD W. EASON**  
 County Engineer

**COOSA COUNTY COMMISSION**