

CEDAR BLUFF TOWN COUNCIL MEETING
MONDAY, APRIL 11, 2016 AT 5:30 PM

The Town Council of the Town of Cedar Bluff, County of Cherokee, State of Alabama, met in Regular Session in the Council Room at Town Hall, 3420 Martha Vera Lane, Cedar Bluff, Alabama on Monday, April 11, 2016 at 5:30 p.m. pursuant to notice duly posted as prescribed by law. Mayor Tammy Crane presided and called the meeting to order. Members in attendance were as follows:

Mayor Tammy Crane	District 1 Billie Burkhalter
District 2	District 3 Jerry Sprayberry
District 4 Norman Burton	District 5 Leatha Harp

The invocation was given by Councilmember Leatha Harp.
Mayor Crane led the Pledge of Allegiance.

1. Approval of Council Minutes from March 2016 meeting

The motion to approve the minutes from the February meetings was made by Councilmember Norman Burton and seconded by Councilmember Leatha Harp.

Motion Carried: 5-0

Aye: Burton, Burkhalter, Harp, Sprayberry, Crane

Nay: None

Abstain: None

2. Financial Reports for March 2016

The financial reports were distributed to the council for their review.

3. Police Department Report for March 2016

The report was read by Fire Chief Shawn Rogers as follows:

Reports:

Theft:	5
Domestic Violence:	4
Criminal Mis.	1
Harassment:	2

Accident/Priv Prop: 3
Animal Control: 1
Other: 5

Arrests:

UPOCS: 2
UPODP: 1
Harassment: 1
Felony Warrant: 2
Mis. Warrant: 8

Traffic Citations:

Speeding: 5
No insuranc: 5
Susp/Rev. DL: 2
Switched Tag: 1
No Tag: 2

Traffic Accidents: 4

4. Fire Department Quarterly Report for Jan. – March, 2016

The report was read by Fire Chief Shawn Rogers as follows:

Building Fire	10
Cooking Fire	1
Mobile Home	1
Passenger vehicle	1
Off-road vehicle	2
Vegetation	1
Brush	4
Grass	1
Medical Assist	6
Accident w/ Injuries	7
Accident w/o Injuries	5
Electrical	1
Arcing	1
Cancelled in Route	4
Alarm System	1
Special Type	1

Chief Rogers also commended the members of the fire department for their hard work for the past quarter.

5. Appointment of Councilmember for District 2

At this time Mayor Crane stated she would like to go into executive session to discuss the good name and character of an individual. Councilmember Norman Burton made the motion to go into executive session and Councilmember Leatha Harp seconded the motion.

Motion Carried

Time out: 5:36

Time in: 5:41

Mayor Crane called the meeting back to order and stated the next item on the agenda was to appoint a new Councilmember for district 2. Councilmember Billie Burkhalter made the motion to appoint Donald Sanders to the position and Councilmember Leatha Harp seconded the motion.

Motion Carried (5-0)

Aye: Burkhalter, Burton, Harp, Sprayberry, Crane

Nay: None

Abstain: None

6. Approval of Earmarking AT&T Funds

Mayor Crane stated that since the lawsuit with the Utility Board was over, the Council needed to earmark the funds the town will receive from AT&T. She said she felt due to the emergency repairs on Horton Street, it would be best to earmark the money received this year into the town's reserve account. Mayor Crane explained to the Council that due to the tile collapsing in the street, emergency repair had to be done at the cost of around \$22,000.00. Councilmember Norman Burton made the motion to put the funds received from AT&T this year into the town's reserve account and let the next Council decide what to do with the funds after this year's. Councilmember Leatha Harp seconded the motion.

Motion Carried (5-0)

Aye: Burkhalter, Burton, Harp, Sprayberry, Crane

Nay: None

Abstain: None

7. New Business

a. **Resolution 2016-04 – Back to School Sales Tax Holiday**

Mayor Crane asked Town Clerk, Susie Surrent to read the resolution:

**RESOLUTION 2016-04
PROVIDING FOR TOWN OF CEDAR BLUFF
PARTICIPATION IN THE “SALES TAX HOLIDAY”
AS AUTHORIZED BY ACT NO. 2006-574 IN AUGUST 2016**

WHEREAS, during its 2007 Regular Session, the Alabama Legislature enacted Act No. 2006-574, effective July 1, 2006, which provides an exemption of the state sales and use tax for certain non-commercial purchases related to school clothing and supplies during the first full weekend in August of each year; and

WHEREAS, Act No. 2006-574 authorizes the municipality to provide for an exemption of municipal sales and use taxes for purchases of items covered by the Act during the same time period in which the state sales and use tax exemption is in place, provided a resolution to that effect is adopted at least thirty days prior to 12:01 a.m. on the first Friday in August; and

WHEREAS, the TOWN OF CEDAR BLUFF Town Council has affirmatively voted to grant the exemption of municipal sales and use taxes on purchases covered by Act No. 2006-574 during the first full weekend of August 2016, beginning at 12:01 a.m. on Friday, August 5, 2016 and ending at twelve midnight on Sunday, August 7, 2016, the first full weekend of August in 2016; and

WHEREAS, Code of Alabama 1975, § 11-51-210(e) requires that the municipality notify the Alabama Department of Revenue of any new local tax or amendment to an existing local tax levy at least 30 days prior to the effective date of the change; and

WHEREAS, the exemption of certain municipal sales and use taxes for the first full weekend of August 2016 herein adopted by the municipality is an amendment to the municipality's sales and use tax levy warranting notice to the Alabama Department of Revenue as provided in Code of Alabama 1975, § 11-51-210(e);

THEREFORE BE IT RESOLVED BY THE TOWN OF CEDAR BLUFF TOWN COUNCIL that it does hereby provide for an exemption of the municipal sales and use tax on purchases of items covered by Act No. 2006-574 beginning at 12:01 a.m. on Friday, August 5, 2016 and ending at twelve midnight on Sunday, August 7, 2016.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of the April 11, 2016 meeting of the TOWN OF CEDAR BLUFF Town Council, and be immediately forwarded to the Alabama Department of Revenue in compliance with Code of Alabama 1975, § 11-51-210(e).

IN WITNESS THEREOF, the TOWN OF CEDAR BLUFF Town Council has

caused this Resolution to be executed in its name and on its behalf by its Mayor on this the 11th day of April 2016.

Councilmember Norman Burton made the motion to adopt the resolution and Councilmember Jerry Sprayberry seconded the motion.

Motion Carried (5-0)

Aye: Burkhalter, Burton, Harp, Sprayberry, Crane

Nay: None

Abstain: None

8. Other Business

At this time Mayor Crane said she had received the invoice for the BMX show for Liberty Day in the amount of \$2,407.50 and needed to approve the invoice and send a deposit for 10%, \$267.50. Councilmember Norman Burton made the motion to approve the payment and Councilmember Jerry Sprayberry seconded.

Motion Carried (5-0)

Aye: Burkhalter, Burton, Harp, Sprayberry, Crane

Nay: None

Abstain: None

Next Mayor Crane stated that she had been contacted by several people regarding having the yard sale in the park monthly. She said the last one had been very successful and would like to see it done each 1st Saturday of the month. Councilmember Norman Burton suggested making it permanent for every first Saturday. The Council was in agreement that it would be good for the community.

Mayor Crane gave the Council the dates for the car shows coming up in the park. It will be on the 4th Saturday of the month. She also announced something new for Liberty Day this year, a corn hole tournament. She said she had someone handling the tournament. She also announced the fire department would not be selling barbeque this year, due to the high cost of the meat. She said they would instead be selling hamburgers, hot dogs and steak sandwiches.

Next Mayor Crane said she wanted to make the Council aware that the Community Center had some damage due to termites from years ago. She said it was not covered under the town's insurance. Councilmember Norman Burton said he felt it needed to be check over to see what repairs are necessary and get estimates.

9. **Adjourn**

Councilmember Norman Burton made the motion to adjourn.

Motion Carried.

Approved: May 9, 2016

Tammy Crane, Mayor

ATTEST

Susie Surrett, Town Clerk