

CEDAR BLUFF TOWN COUNCIL MEETING
MONDAY, AUGUST 8, 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, August 8, 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 Donald Sanders	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 the July 2016 meetings

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

Motion Carried: 6-0

Aye: Burton, Burkhalter, Harp, Sanders, Sprayberry, Crane

Nay: None

Abstain: None

2. Financial Reports for July 2016

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

3. Police Department Report for July 2016

The report was read by Police Chief Steve Walden as follows:

Reports:

Theft:	11
DV:	1
Harassment:	2
Criminal Mis:	6

Accident Priv: 1
Animal Control: 1
Crim. Tres: 1
Other: 4

Arrests:

UPODP: 2
UPOM: 2
Disorderly: 2
DUI: 5
Attempt to Elude: 2
Dom. Vio: 1
Felony Warrant: 2
Misd. Warrant: 1

Traffic Citations:

Speeding: 5
Reckless Dr: 1
No insuranc: 2
Susp/Rev. DL: 4
Impr. Lane Use: 1
DUI: 5

Traffic Accidents: 2

4. Approval to Apply for 50/50 Matching Grant for Cedar Beach Park

At this time Councilmember Norman Burton made the motion to have the property surveyed by Nowak Land Surveying and Councilmember Billie Burkhalter seconded the motion.

Motion Carried (6-0)

Aye: Burkhalter, Burton, Harp, Sanders, Sprayberry, Crane

Nay: None

Abstain: None

Next Councilmember Norman Burton made the motion to apply for the 50/50 matching grant for Cedar Beach Park, with the preliminary cost estimate total of \$125,540.00. Councilmember Donald Sanders seconded the motion.

Motion Carried (6-0)

Aye: Burkhalter, Burton, Harp, Sanders, Sprayberry, Crane

Nay: None

Abstain: None

5. New Business

- a. **Resolution 2016-07 Officer Elected Without Opposition Tammy Crane**
The Resolution is as follows:

**RESOLUTION NO. 2016-07
OFFICER ELECTED WITHOUT OPPOSITION**

WHEREAS, Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, provide for and regulate general and special elections in cities and towns of this state, except those cities and towns which have a commission form of government, and

WHEREAS, Section 11-46-43 of the Alabama Code of 1975 prohibits write-in candidates in elections held under Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, and

WHEREAS, Section 11-46-26 of Alabama Code of 1975, as amended, provides that if only one person has filed a statement of candidacy or has been nominated for an office for an election to be held pursuant to Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, at the time the deadline for qualification has passed, then such person shall, for all purposes, be deemed elected to such office, and the mayor or other chief executive officer shall not cause the name of such person or the office for which his candidacy was declared to be printed on the ballot, but he shall immediately file a written statement with the governing body of the municipality, attested by the clerk, certifying the fact that only one person filed a statement of candidacy or was nominated for the office preceding the deadline set for an election of municipal officers of the municipality and setting forth the name of such person, and

WHEREAS, said Section 11-46-26, as amended, provides that the governing body of the municipality, after receiving such statement, shall adopt a resolution declaring the person named in the statement duly elected to the office described in the statement, and shall issue a Certificate of Election to such person, and

WHEREAS, the Mayor of the Town of Cedar Bluff has filed a written statement with the governing body of the municipality, attested by the Clerk, certifying the fact that only one person filed a statement of candidacy for the office of Mayor prior to the deadline and that the name of that person who filed such statement was Tammy Crane.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Cedar Bluff, Alabama, that Tammy Crane be and she is hereby declared duly elected to the office of Mayor in the Town of Cedar Bluff for the term of office commencing on the first Monday in November, 2016 and

BE IT FURTHER RESOLVED, that the Mayor of the Town of Cedar Bluff be and she hereby is directed to issue a certificate of election to Tammy Crane for the office of Mayor for such term pursuant to the provision of Section 11-46-25, as amended.

ADOPTED AND APPROVED THIS THE 8th DAY OF AUGUST, 2016

Councilmember Norman Burton made the motion to adopt the resolution and Councilmember Donald Sanders seconded.

Motion Carried (5-0)

Aye: Burkhalter, Burton, Harp, Sanders, Sprayberry

Nay: None

Abstain: Crane

- b. Resolution 2016-08 Officer Elected Without Opposition Donald Sanders**
The resolution is as follows:

RESOLUTION NO. 2016-08
OFFICER ELECTED WITHOUT OPPOSITION

WHEREAS, Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, provide for and regulate general and special elections in cities and towns of this state, except those cities and towns which have a commission form of government, and

WHEREAS, Section 11-46-43 of the Alabama Code of 1975 prohibits write-in candidates in elections held under Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, and

WHEREAS, Section 11-46-26 of Alabama Code of 1975, as amended, provides that if only one person has filed a statement of candidacy or has been nominated for an office for an election to be held pursuant to Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, at the time the deadline for qualification has passed, then such person shall, for all purposes, be deemed elected to such office, and the mayor or other chief executive officer shall not cause the name of such person or the office for which his candidacy was declared to be printed on the ballot, but he shall immediately file a written statement with the governing body of the municipality, attested by the clerk, certifying the fact that only one person filed a statement of candidacy or was nominated for the office preceding the deadline set for an election of municipal officers of the municipality and setting forth the name of such person, and

WHEREAS, said Section 11-46-26, as amended, provides that the governing body of the municipality, after receiving such statement, shall adopt a resolution declaring the person named in the statement duly elected to the office described in the statement, and shall issue a Certificate of Election to such person, and

WHEREAS, the Mayor of the Town of Cedar Bluff has filed a written statement with the governing body of the municipality, attested by the Clerk, certifying the fact that only one person filed a statement of candidacy for the office of Council District 2 prior to the deadline and that the name of that person who filed such statement was Donald Sanders.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Cedar Bluff, Alabama, that Donald Sanders be and he is hereby declared duly elected to the office of Mayor in the Town of Cedar Bluff for the term of office commencing on the first Monday in November, 2016 and

BE IT FURTHER RESOLVED that the Mayor of the Town of Cedar Bluff be and she hereby is directed to issue a certificate of election to Donald Sanders for the office of Council District 2 for such term pursuant to the provision of Section 11-46-25, as amended.

ADOPTED AND APPROVED THIS THE 8th DAY OF AUGUST, 2016

Councilmember Norman Burton made the motion to adopt the resolution and Mayor Tammy Crane seconded the motion.

Motion Carried (5-0)

Aye: Burkhalter, Burton, Harp, Sprayberry, Crane

Nay: None
Abstain: Sanders

c. Resolution 2016-09 Officer Elected Without Opposition Jerry Sprayberry
The resolution is as follows:

**RESOLUTION NO. 2016-08
OFFICER ELECTED WITHOUT OPPOSITION**

WHEREAS, Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, provide for and regulate general and special elections in cities and towns of this state, except those cities and towns which have a commission form of government, and

WHEREAS, Section 11-46-43 of the Alabama Code of 1975 prohibits write-in candidates in elections held under Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, and

WHEREAS, Section 11-46-26 of Alabama Code of 1975, as amended, provides that if only one person has filed a statement of candidacy or has been nominated for an office for an election to be held pursuant to Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, at the time the deadline for qualification has passed, then such person shall, for all purposes, be deemed elected to such office, and the mayor or other chief executive officer shall not cause the name of such person or the office for which his candidacy was declared to be printed on the ballot, but he shall immediately file a written statement with the governing body of the municipality, attested by the clerk, certifying the fact that only one person filed a statement of candidacy or was nominated for the office preceding the deadline set for an election of municipal officers of the municipality and setting forth the name of such person, and

WHEREAS, said Section 11-46-26, as amended, provides that the governing body of the municipality, after receiving such statement, shall adopt a resolution declaring the person named in the statement duly elected to the office described in the statement, and shall issue a Certificate of Election to such person, and

WHEREAS, the Mayor of the Town of Cedar Bluff has filed a written statement with the governing body of the municipality, attested by the Clerk, certifying the fact that only one person filed a statement of candidacy for the office of Council District 2 prior to the deadline and that the name of that person who filed such statement was Donald Sanders.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Cedar Bluff, Alabama, that Donald Sanders be and he is hereby declared duly elected to the office of Mayor in the Town of Cedar Bluff for the term of office commencing on the first Monday in November, 2016 and

BE IT FURTHER RESOLVED that the Mayor of the Town of Cedar Bluff be and she hereby is directed to issue a certificate of election to Jerry Sprayberry for the office of Council District 3 for such term pursuant to the provision of Section 11-46-25, as amended.

ADOPTED AND APPROVED THIS THE 8th DAY OF AUGUST, 2016

Councilmember Norman Burton made the motion to adopt the resolution and Councilmember Billie Burkhalter seconded the motion.

Motion Carried (5-0)

Aye: Burkhalter, Burton, Harp, Sanders, Crane

Nay: None

Abstain: Sprayberry

- d. **Resolution 2016-10 Officer Elected Without Opposition Norman Burton**
The resolution is as follows:

RESOLUTION NO. 2016-10

OFFICER ELECTED WITHOUT OPPOSITION

WHEREAS, Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, provide for and regulate general and special elections in cities and towns of this state, except those cities and towns which have a commission form of government, and

WHEREAS, Section 11-46-43 of the Alabama Code of 1975 prohibits write-in candidates in elections held under Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, and

WHEREAS, Section 11-46-26 of Alabama Code of 1975, as amended, provides that if only one person has filed a statement of candidacy or has been nominated for an office for an election to be held pursuant to Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, at the time the deadline for qualification has passed, then such person shall, for all purposes, be deemed elected to such office, and the mayor or other chief executive officer shall not cause the name of such person or the office for which his candidacy was declared to be printed on the ballot, but he shall immediately file a written statement with the governing body of the municipality, attested by the clerk, certifying the fact that only one person filed a statement of candidacy or was nominated for the office preceding the deadline set for an election of municipal officers of the municipality and setting forth the name of such person, and

WHEREAS, said Section 11-46-26, as amended, provides that the governing body of the municipality, after receiving such statement, shall adopt a resolution declaring the person named in the statement duly elected to the office described in the statement, and shall issue a Certificate of Election to such person, and

WHEREAS, the Mayor of the Town of Cedar Bluff has filed a written statement with the governing body of the municipality, attested by the Clerk, certifying the fact that only one person filed a statement of candidacy for the office of Council District 4 prior to the deadline and that the name of that person who filed such statement was Norman Burton.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Cedar Bluff, Alabama, that Norman Burton be and he is hereby declared duly elected to the office of Council District 4 in the Town of Cedar Bluff for the term of office commencing on the first Monday in November, 2016 and

BE IT FURTHER RESOLVED that the Mayor of the Town of Cedar Bluff be and she hereby is directed to issue a certificate of election to Norman Burton for the office of Council District 4 for such term pursuant to the provision of Section 11-46-25, as amended.

ADOPTED AND APPROVED THIS THE 8th DAY OF AUGUST, 2016

Councilmember Donald Sanders made the motion to adopt the resolution and
Councilmember Jerry Sprayberry seconded the motion.

Motion Carried (5-0)

Aye: Burkhalter, Harp, Sanders, Sprayberry, Crane

Nay: None

Aye: Burton

e. Resolution 2016-11 Officer Elected Without Opposition Leatha Harp

The resolution is as follows:

**RESOLUTION NO. 2016-11
OFFICER ELECTED WITHOUT OPPOSITION**

WHEREAS, Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, provide for and regulate general and special elections in cities and towns of this state, except those cities and towns which have a commission form of government, and

WHEREAS, Section 11-46-43 of the Alabama Code of 1975 prohibits write-in candidates in elections held under Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, and

WHEREAS, Section 11-46-26 of Alabama Code of 1975, as amended, provides that if only one person has filed a statement of candidacy or has been nominated for an office for an election to be held pursuant to Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, at the time the deadline for qualification has passed, then such person shall, for all purposes, be deemed elected to such office, and the mayor or other chief executive officer shall not cause the name of such person or the office for which his candidacy was declared to be printed on the ballot, but he shall immediately file a written statement with the governing body of the municipality, attested by the clerk, certifying the fact that only one person filed a statement of candidacy or was nominated for the office preceding the deadline set for an election of municipal officers of the municipality and setting forth the name of such person, and

WHEREAS, said Section 11-46-26, as amended, provides that the governing body of the municipality, after receiving such statement, shall adopt a resolution declaring the person named

in the statement duly elected to the office described in the statement, and shall issue a Certificate of Election to such person, and

WHEREAS, the Mayor of the Town of Cedar Bluff has filed a written statement with the governing body of the municipality, attested by the Clerk, certifying the fact that only one person filed a statement of candidacy for the office of Council District 5 prior to the deadline and that the name of that person who filed such statement was Leatha Harp.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Cedar Bluff, Alabama, that Leatha Harp be and she is hereby declared duly elected to the office of Council District 5 in the Town of Cedar Bluff for the term of office commencing on the first Monday in November, 2016 and

BE IT FURTHER RESOLVED that the Mayor of the Town of Cedar Bluff be and she hereby is directed to issue a certificate of election to Leatha Harp for the office of Council District 5 for such term pursuant to the provision of Section 11-46-25, as amended.

ADOPTED AND APPROVED THIS THE 8th DAY OF AUGUST, 2016

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

Motion Carried (5-0)

Aye: Burkhalter, Burton, Sanders, Sprayberry, Crane

Nay: None

Abstain: Leatha Harp

f. Resolution 2016-12 Appointing Election Officers

The resolution is as follows:

RESOLUTION NO. 2016-12

WHEREAS, a regular municipal election has been called to be held on the 23th day of August, 2016, and a runoff election to be held, if necessary, on the 4th day of October, 2016 and

WHEREAS, Section 11-46-27 of the Alabama Code of 1975, and regulations adopted pursuant thereto provide, in part, that the municipal governing body, not less than 15 days before the holding of any municipal election, appoint from the municipality, officers to hold the election as follows: where electronic ballot counters are used, at least one inspector and three clerks,

NOW, THEREFORE, BE IT RESOLVED By the Town Council of Cedar Bluff, Alabama that the election officers for said election shall be as follows:

Voting Machine No. 1

Inspector: Peggy Martin

Chief Clerk: Mattie Williams

Assistant Clerks: Dale Reece

Truitt McNabb

David Young

APPROVED AND ADOPTED this the 8st day of August 2016.

Tammy Crane, Mayor

ATTEST:

Susie Surrett, Town Clerk
TOWN CLERK

Councilmember Donald Sanders made the motion to adopt the resolution and Councilmember Leatha Harp seconded the motion.

Motion Carried (6-0)

Aye: Burkhalter, Burton, Harp, Sanders, Sprayberry, Crane

Nay: None
Abstain: None

6. Other Business

There was no other business.

7. Adjourn

Councilmember Jerry Sprayberry made the motion to adjourn.

Motion Carried.

Approved: September 12, 2016

Tammy Crane, Mayor

ATTEST

Susie Surrent, Town Clerk