

STATE OF ALABAMA }

COLBERT COUNTY }

OCTOBER 3, 2017

Colbert County Commission met today in regular session at the Colbert County Courthouse. Chairman Bendall called the meeting to order at 6:11 p.m. being the time and place previously scheduled for such session. Commissioner Barnes, Commissioner Black, Commissioner Gardiner, Chairman Bendall, and Commissioner Hovater were present. Commissioner Jimmar was not present. Chairman Bendall declared a quorum was present and the meeting convened for the purpose of transaction of business. County Administrator Kathy Polk was also present and kept the minutes of the meeting. Commissioner Black offered the invocation.

CONSENT AGENDA

Chairman Bendall announced that the item before the Commission was the approval of the consent agenda. Commissioner Black made motion to approve the consent agenda. Commissioner Gardiner seconded the motion. The motion passed with all Commissioners voting aye. The following items of business were approved by the Commission,

1. Approved and waived the reading of the minutes of September 26, 2017 Commission meeting.
2. Approved payment of bills as presented to the Commission.
3. Approved annual bids presented by County Engineer John Bedford. Tabulation of bids is attached to these minutes.
4. Approved contract with Rivertree Systems, Inc. to perform sales and use tax audits for Colbert County. Rivertree Systems will work with Sales Tax Auditing & Collection Services and neither will duplicate services provided to the County by the other. The fee for services for Rivertree is based on the audit findings and the amount of tax collected for each jurisdiction.
5. Approved to continue Farmer's Market part time employee to work with Maintenance Department for 12 hours a week at an hourly rate of \$9.00.
6. Approved appointment for Elizabeth Anderson for an additional six year term on the Board of Directors for Colbert County Department of Human

Resources effective September 20, 2017 and expiring on September 20, 2023.

7. Approved adjustment to county pay scale of 5 percent, which was the amount of the cost of living increase given to county employees.
8. Approved February 23–25, 2018 as Severe Weather Preparedness Tax Holiday, for the purpose of purchasing supplies for severe weather tax free.
9. Approved request from Probate Judge Daniel Rosser for payment of \$1,945.30 for his services in certifying a voter's list to be used by the Absentee Clerk in the Special Primary Run-off Election, September 26, 2017.
10. Approved request from Circuit Court Clerk Nancy Hearn for payment of \$5,250.00 for Absentee Election Manager for special election for runoff September 26, 2017.
11. Approved request from Circuit Court Clerk Nancy Hearn for payment of \$750.00 for clerical assistance for Special Election runoff September 26, 2017.
12. Approved request from Circuit Court Clerk Nancy Hearn for payment of \$97.53 for reimbursement of supplies used for absentee election for special election September 26, 2017.
13. Approved request from Colbert County Farm City Committee for sponsorship of \$500.00 for 2017 Farm City Banquet on November 16, 2017 at Tuscumbia Railway Museum and Roadhouse.

REPORTS FROM STAFF

Administrator: Ms. Polk reported that the proposed travel policy is ready for Commissioners to review and make any changes. Riverbend Center for Mental Health is holding community meetings and Colbert County has a meeting at NW Shoals Community College on October 12, 2017 for any questions or input in prioritizing mental health services on their limited funding.

Engineer: Mr. Bedford offered no report.

Attorney: Mr. Black offered no report.

There being no further business to come before the meeting, motion to adjourn was made and duly seconded. All Commissioners concurred. Chairman Bendall announced that the meeting was adjourned.

RESOLUTION NUMBER 2017-_____

A RESOLUTION PROVIDING FOR COLBERT COUNTY'S PARTICIPATION IN THE "SEVERE WEATHER PREPAREDNESS SALES TAX HOLIDAY" AS AUTHORIZED BY § 40-23-230 THROUGH § 40-23-233, *CODE OF ALABAMA 1975*

WHEREAS, during its 2012 Regular Session, the Alabama Legislature enacted Act No. 2012-256 (40-23-230 through 40-23-233, *Code of Alabama 1975*), effective April 26, 2012, which provides an exemption of the state sales and use tax for certain purchases related to severe weather preparedness supplies during the first full weekend in February 2012 and the last full weekend of February in subsequent years; and

WHEREAS, 40-23-233, *Code of Alabama 1975*, authorizes the county commission to provide for an exemption of county sales and use taxes for purchases of items covered by the Act during the same 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 last Friday in February; and

WHEREAS, the Colbert County Commission has affirmatively voted to grant the exemption of county sales and use taxes on purchases covered by 40-23-230 through 40-23-233, *Code of Alabama 1975*, during the last weekend of February 2018, beginning at 12:01 a.m. on February 23, 2018 and ending at twelve midnight on Sunday, February 25, 2018, the last full weekend of February 2018; and

WHEREAS, *Code of Alabama 1975, § 11-51-210(e)* requires that the county commission 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 county sales and use taxes for the last full weekend of February 2018 herein adopted by the county commission is an amendment to the county'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)*;

NOW THEREFORE, BE IT RESOLVED by the Colbert County Commission that it does hereby provide for an exemption of the county sales and use tax on purchases of items covered by 40-23-230 through 40-23-233, *Code of Alabama 1975*, beginning at 12:01 a.m. on February 23, 2018 and ending at twelve midnight on Sunday, February 25, 2018.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of the October 3, 2017 meeting of the Colbert County Commission, and be immediately forwarded to the Alabama Department of Revenue in compliance with *Code of Alabama 1975, § 11-51-210(e)*.

IN WITNESS WHEREOF the Colbert County Commission has caused this Resolution to be executed in its name and on its behalf by its Chairman on this the 3rd day of October, 2017.

ADOPTED and APPROVED this the 3rd day of October 2017.

CHAIRMAN, COLBERT COUNTY COMMISSION

ATTEST:

COUNTY ADMINISTRATOR

CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of the Resolution adopted by the Colbert County Commission at a regular meeting thereof held on the 3rd day of October 2017.

COUNTY ADMINISTRATOR

RESOLUTION NUMBER 2017-_____

WHEREAS, pursuant to §38-2-7 of the *Code of Alabama* (1975), the Colbert County Commission appoints members of the citizenry to the Colbert County Department of Human Resources Board of Directors, each serving a term of office of six (6) years; and

WHEREAS, board member Elizabeth Anderson was initially appointed on September 20, 2011 for a term expiring September 19, 2017, and the Commission desires to reappoint Ms. Anderson for an additional six (6) year term to the said Board.

NOW THEREFORE, BE IT RESOLVED by the Colbert County Commission that Elizabeth Anderson a citizen of Colbert County, Alabama, is hereby appointed as a member of the Colbert County Department of Human Resources Board of Directors for a six (6) year term, beginning on September 20, 2017 and expiring on September 20, 2023.

BE IT FURTHER RESOLVED that the County Administrator notify the Board that the above-named person has been so appointed.

ADOPTED and APPROVED this the 3rd day of October 2017.

CHAIRMAN, COLBERT COUNTY COMMISSION

ATTEST:

COUNTY ADMINISTRATOR

CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of the Resolution adopted by the Colbert County Commission at a regular meeting thereof held on the 3rd day of October 2017.

COUNTY ADMINISTRATOR

RESOLUTION NUMBER 2017-_____

WHEREAS, the Colbert County Commission desires to provide for the collection of all local taxes and fees, regardless of the jurisdiction in which a taxpayer subject to the taxing power of Colbert County maintains a principal office, to provide that all taxpayers are treated equally, and to provide that all tax related ordinances, resolutions, and laws applicable in Colbert County are uniformly and consistently applied; and

WHEREAS, RiverTree Systems, Inc. ("RiverTree") is qualified as a private auditing or collecting firm under the Taxpayers' Bill of Rights and provides collection, examining, and consulting services for local governments throughout the State of Alabama; and

WHEREAS, the Commission desires to retain RiverTree as a private auditing firm to provide tax auditing and examination services to Colbert County, Alabama.

NOW THEREFORE, BE IT RESOLVED by the Colbert County Commission enter into the attached Agreement for Examination Services with RiverTree to provide for tax auditing and examination services of taxpayers subject to the taxing power of the County, pursuant to the terms of the said Agreement.

BE IT FURTHER RESOLVED that Darol Bendall, as Chairman of the Commission, is hereby authorized to execute the Agreement for and as the act of Colbert County, Alabama.

ADOPTED and APPROVED this the 3rd day of October 2017.

CHAIRMAN, COLBERT COUNTY COMMISSION

ATTEST:

COUNTY ADMINISTRATOR

CERTIFICATE

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