

STATE OF ALABAMA            }

COLBERT COUNTY            }

JULY 17, 2018

Colbert County Commission met today in regular session at the Colbert County Courthouse. Chairman Hovater called the meeting to order at 6:01 p.m. being the time and place previously scheduled for such session. Commissioner Barnes, Commissioner Black, Commission Gardiner, Commission Smith, Commissioner Bendall, and Chairman Hovater were present. Chairman Hovater declared a quorum was present for the purpose of transaction of business. County Administrator Kathy Polk was present and kept the minutes of the meeting. Commissioner Black offered the invocation.

PUBLIC COMMENTS

Mr. Steve Witmer with CWI Enterprises was present and addressed the Commission with an update on the Cherokee Industrial Landfill.

CONSENT AGENDA

Chairman Hovater announced the business before the Commission was the business of approving the consent agenda. Commissioner Barnes 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 Commissioners.

1. Approved minutes of July 3, 2018 County Commission meeting.
2. Approved bills as presented to the Commission with the exception of invoice from the Colbert County Reporter for publication of a voter list. Judge Rosser volunteered to investigate the amount of the invoice and report back to the Commission.
3. Approved Resolution for Colbert County to be included as a member of a class action lawsuit that the County may have been underpaid under the PILT Act for the fiscal years of 2015, 2016 and/or 2017. The resolution authorizes County Attorney Edgar Black to submit the paperwork necessary for the County to join as a member of the plaintiff class in the lawsuit.

4. Approved request from Emily Benson for payment of \$1,440.00 for testing voting machines for July 17, 2018 Primary Run-Off Election.
5. Approved request from Sheriff Frank Williamson for employment of two School Resource Officers to be assigned to Hatton Elementary and New Bethel Elementary Schools. The officers are approved for August and September and their continued employment will be discussed during the budget meetings.
6. Approved request from Devan Franks for payment of annual leave in amount of \$334.08.
7. Approved request from Sheriff Frank Williams for purchase of three patrol vehicles. These vehicles will replace three cars that have been declared surplus.
8. Approved amendment of Sheriff's budget for \$89,000.00 for the addition of two School Resource Officers and three patrol vehicles.
9. Approved request from Sharica Long for payment of annual leave in amount of \$166.02,
10. Approved dates and times for budget meeting as follows:

July 30, 2018	4:30 p.m.
July 31, 2018	4 :30 p.m.
August 7, 2018	3:00 p.m.
August 13, 2018	4:30 p.m.
August 14, 2018	4:30 p.m.
11. Approved change of August 21, 2018 Commission meeting date to August 28, 2018.
12. Approved request from Revenue Commissioner Tommy Oswalt for administrative leave without pay for Linda Smith. Ms. Smith requested 3 months additional leave after exhausting all of her accumulated leave during FMLA.
13. Approved request for application for TVA permit to extend and lower pier at Colbert Alloys Park. This extension will allow better boat access and make the ramp easier to use.
14. Approved request from County Engineer John Bedford for reimbursement for Water Department employee Michelle Thompson for \$151.13. The reimbursement is for an insurance claim that was not reimbursed to the employee and should have been. Reimbursement will be made to employee and if/when the employee receives reimbursement from insurance the funds will be returned to County.

15. Approved request from Engineer John Bedford for a variance to Eagle Point Development. The variance will extend lot size in Eagle Point Two Subdivision to approximately 1 acre.
16. Approved recommendation from Engineer John Bedford for King Bridge, Bin#11720 to be permanently closed. The bridge has structural damage, has low volume of use, and restricted weight limit; therefore, does not justify cost of repairs in amount of \$87,000.
17. Approved proceeding forward with sale of Office Complex Building/property to be placed out for bid. The property will be advertised to show for bid. County Maintenance Supervisor Robby Carter will be the contact person to show the building.

#### FUEL TAX RESOLUTION

Chairman Hovater announced the business before the Commission was the request from Engineer John Bedford for a resolution for a 3-cent fuel tax for the purpose of maintaining roads. The resolution will be forwarded to the local legislative delegation to sponsor during the 2019 Regular Session and will request that the County Commission be authorized to levy a county wide 3-cent fuel tax. Commissioner Gardiner made motion to approve the resolution. Commissioner Black seconded the motion. Commissioner Barnes made motion to amend the motion to provide for a 4-cent fuel tax to include 1-cent for capital project for broadband in the County. Commissioner Gardiner seconded the motion for amendment. Chairman Hovater stated that the matter before the Commission was consideration of the motion to amend and called for a vote by district.

District 1 Commissioner Barnes voted aye. District 2 Commissioner Black voted nay. District 3 Commissioner Gardiner voted aye. District 4 Commissioner Smith voted aye. District 5 Commissioner Bendall voted nay. District 6 Chairman Hovater voted nay. Chairman Hovater announced that the vote on the motion to amend was tied with three Commissioners voting aye and three Commissioners voting nay and that the motion to amend had failed. Chairman Hovater stated that the matter before the Commission was consideration of the original motion made by Commissioner Gardiner and seconded by Commissioner Black, and called for a roll call vote. District 1 Commissioner Barnes abstained. District 2 Commissioner Black voted aye. District 3 Commissioner Gardiner voted aye. District 4 Commissioner Smith voted aye. District 5 Commissioner

Bendall voted aye. District 6 Chairman Hovater voted aye. Chairman Hovater announced the motion passed with five votes in favor of the motion.

KABIR, INC/AYCOCKS LIQUOR STORE LICENCE

Chairman Hovater announced the business before the Commission was consideration of a Lounge Retail Liquor – Class II (Package) license requested by KABIR, Inc., dba Aycock’s Liquor Store, located at 3850 Hwy 20; Suite B Tuscumbia, AL 35674. Commissioner Gardiner made motion to approve request for 011 Lounge Retail Liquor–Class II (package) license for KABIR, Inc. Commissioner Barnes seconded the motion. Chairman Hovater called for a vote by roll call. District 1 Commissioner Barnes voted aye. District 2 Commissioner Black voted aye. District 3 Commissioner Gardiner voted aye. District 4 Commissioner Smith abstained. District 5 Commissioner Bendall voted nay. District 6 Chairman Hovater voted aye. Chairman Hovater announced the license was approved with 4 votes for the license and 1 against license. The County Administrator will notify the Alabama Alcoholic Beverage Control of the Commission’s approval of the license.

REPORTS FROM STAFF

**Administrator:** Ms. Polk reported Joya Blair will be employed in Revenue Commission Office as Administrative Assistant/Collection Clerk.

**Engineer:** Mr. Bedford offered no report.

**Attorney:** Mr. Black offered not report.

There being no further business to come before the Commission, Chairman Hovater asked for a motion to adjourn. Commissioner Barnes made motion to adjourn. Commissioner Gardiner seconded the motion. All Commissioners concurred. Chairman Hovater announced the meeting was adjourned.

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