

STATE OF ALABAMA)
COLBERT COUNTY)

**Minutes of a Regular Meeting
of the
Colbert County Commission
6/4/2019**

The Colbert County Commission met today in regular session at the Colbert County Courthouse. Chairman Barnes called the work session to order at 5:00 P.M. with the regular meeting following at 5:50 P.M., being the time and place previously scheduled for such work session and regular meeting. All Commissioners answered “present” at the call of the roll. Chairman Barnes offered the invocation and led the Pledge of Allegiance. Chairman Barnes declared that a quorum was present for the purpose of the transaction of business.

PUBLIC COMMENTS

Mrs. Brandy Gargis, a resident of Limekiln Hollow Dr., read letters from the community and addressed the Commission regarding the road condition of Limekiln Hollow Dr. Due to the repetitive traveling to and from the Bar Pit; dust, debris and large rocks have fallen out of dump trucks. Residents are also concerned about the safety of their children and elderly traveling this road. Mrs. Paula Lowry spoke regarding access to the waterfront property that she owns. She would like for Limekiln Hollow Dr. to be brought up to a standard comparable to River Road and possibly redirect the dump truck traffic. Mr. Kevin McQue, also a community resident, commented that he would like the road be reconstructed and redesigned to handle the heavy traffic. The Commissioners and County Engineer are looking into the matter to resolve said issues.

Ms. Susann Hamlin, Colbert County Tourism addressed the Commission and reported on progress of the Home Historical Marker Project, and presented Commissioners with pictures the design of the markers to be placed in front of residential structures constructed within the first 100 years of the founding of Colbert County. Home owners will apply, and share a portion of the cost of the markers

CONSENT AGENDA

Chairman Barnes announced that the business before the Commission was the approval of the consent agenda. Commissioner Gardiner made motion to adopt and approve the matters placed on the consent agenda during the work session. The motion was duly seconded by Commissioner Bailey. Chairman Barnes stated that the adoption and approval of a consent agenda

comprised of the following items of business was properly before the Commission and stated the matters as follows:

1. Approve reading of minutes from May 21, 2019;
2. Approve payment of bills as presented;
3. Consented Board Appointment, Colbert County DHR (1) Lee Cox for a term beginning on June 5, 2019 and ending on June 4, 2025;
4. Consented Colbert County Agriculture Resolution with the addition of whereas State and Federal Government recognizes Colbert County as a Soil and water district;

Resolution with Colbert County Extension, Colbert County Farmers and Ranchers and the Colbert County Commission

COLBERT COUNTY AGRICULTURE

WHEREAS, Agriculture in Colbert County is and has been a thriving industry in Colbert County for many generations,

WHEREAS, Colbert County Extension has served and provided educational opportunities for the citizens of Colbert County for many years through 4-H, agricultural programs, nutrition and health programs,

WHEREAS, Colbert County has a rich tradition and heritage in row crop production with crops such as Cotton, Corn, Soybeans, Wheat and Canola,

WHEREAS, Colbert County has a rich tradition and heritage in animal production with many cattle operations, poultry farms and small ruminant farms,

WHEREAS, Colbert County has a rich tradition and heritage in forestry production,

WHEREAS, Colbert County for many years was a state leader in dairy production and had many dairy farmers throughout the county until the late 1980's,

WHEREAS, Colbert County Agriculture impact is over \$1.5 billion dollars and over 9700 jobs to the overall Colbert County economy,

WHEREAS, The Colbert Commission recognizes that Colbert County agriculture contributes over 34% to the overall economy in Colbert County,

WHEREAS, State and Federal Government recognizes Colbert County as a Soil and Water District,

NOW, THEREFORE, BE IT RESOLVED, that the Colbert County Commission recognizes Colbert County Agriculture as an industry and appreciates the contributions that our farmers and ranchers make to our overall economy.

BE IT FURTHER RESOLVED, The Colbert County Commission encourages our many agricultural organizations to continue educating our citizens about agriculture and to provide motivation to our farmers and ranchers to be the best and continue to be leaders in the industry.

Passed and adopted this _____ day of _____ 2019.

Colbert County Commission Chair

Colbert County Commission Administrator

5. Consented purchase Turf Roller for Alloys Park from Double D Pipeline Services in the amount of \$3,165.00;
6. Consented transference of Annual Leave to RSA1 for Mike Melton;

7. Consented Mike Melton's transference of Annual Leave above cap;
8. Consented Tuscumbia BOE Tax Resolution to continue with their project;

**EXCERPTS FROM THE MINUTES OF A REGULAR MEETING
OF THE COLBERT COUNTY COMMISSION**

The Colbert County Commission met in regular public session at the offices of the County Commission in the City of Tuscumbia, Alabama, at 5:00 p.m., on Tuesday June 4, 2019, the regular time and place for the holding of such meetings. The meeting was called to order by the Chairman, and the roll was called with the following results:

Present: Tommy Barnes, Chairman
Jimmy Gardiner
Tori Bailey
David Black
Darol Bendall
Charles Hovater

Absent: None

The Chairman stated that a quorum was present and that the meeting was open for the transaction of business

* * *

The following resolution and order was introduced in writing and its immediate adoption was moved by _____ and the resolution and order was read in full and considered by the County Commission:

BE IT RESOLVED AND ORDERED BY THE COLBERT COUNTY COMMISSION, the governing body of Colbert County, Alabama, (the "Commission") as follows:

Section 1. That certain resolution and order adopted by the Commission on March 15, 1993, as supplemented and amended on April 5, 1994, December 6, 1994, June 4, 1996, March 4, 2003 and June 25, 2013, levying a special privilege, license and excise tax for public school purposes in Colbert County pursuant to Section 40-12-4 of the CODE OF ALABAMA 1975, as amended (herein called the "School Tax Resolution") is hereby ratified and amended and supplemented as hereinafter provided.

Section 2. The School Tax Resolution is hereby further amended and supplemented by adding thereto a new section designated Section 17 and reading and providing as follows:

"Section 17" (a) The Colbert County Commission, by resolution and order adopted pursuant to Section 40-12-4 of the CODE OF ALABAMA 1975, as amended (the "Enabling Law"), levied and provided for the assessment and collection of the special privilege license and excise tax as herein provided for public schools in Colbert County (the "Special School Tax"), the proceeds of which Special School Tax are required to be used exclusively for public school purposes and are required to be distributed to the Colbert County Board of Education (the "County Board"), the Muscle Shoals City Board of Education (the "Muscle Shoals Board"), the Tuscumbia City Board of Education (the "Tuscumbia Board") and the Sheffield City Board of Education (the "Sheffield Board"), on the same basis as funds received by the County from the Foundation Program Fund are distributed within the County."

(b) The portion of the Special School Tax distributable to the Tuscumbia Board (the "Tuscumbia Board's Share of the Special School Tax") is authorized to be utilized and appropriated by the Tuscumbia Board for public school purposes.

(c) It is necessary and desirable and the Tuscumbia Board is hereby authorized to issue and sell approximately \$3,120,000 principal amount of its Special Tax School Warrants, Series 2019, to be

dated the date of delivery (the “Warrants”), bearing interest at rates to be established by a private sale of the Warrants to The Frazer Lanier Company Incorporated, payable on February 1 and August 1 in each year, beginning February 1, 2020, and maturing on August 1 in each of the years 2022 through 2038, substantially as follows, said Warrants to be payable solely from the Tuscumbia Board’s Share of the Special School Tax:

<u>Year</u> of <u>Maturity</u>	<u>Principal</u> Amount <u>Maturing</u>	<u>Year</u> of <u>Maturity</u>	<u>Principal</u> Amount <u>Maturing</u>
2022	\$25,000	2031	\$220,000
2023	75,000	2032	225,000
2024	75,000	2033	230,000
2025	90,000	2034	240,000
2026	95,000	2035	245,000
2027	195,000	2036	255,000
2028	200,000	2037	260,000
2029	205,000	2038	270,000
2030	215,000		

The proceeds of the Warrants shall be used to (1) construct capital improvements to the Board’s public educational facilities, (2) currently refund and redeem the Tuscumbia Board’s outstanding Special Tax School Warrants, Series 2013, dated August 1, 2013, on August 1, 2019, and (3) pay issuance expenses.

(d) Until such time as the entire principal of, premium, if any, and interest on the Warrants, and the Tuscumbia Board’s remaining Special Tax School Warrants, Series 2013, dated August 1, 2013 (the “Series 2013 Warrants”), have been paid in full or provision for the payment thereof duly provided for, (1) Colbert County shall continue to levy and to provide for the assessment and collection of the Special School Tax at rates not less than those provided for in the School Tax Resolution, (ii) the proceeds of the Special School Tax shall be distributed immediately without condition, delay, or offset, as provided for in the School Tax Resolution and the Enabling Law, to the Tuscumbia Board, the County Board, the Muscle Shoals Board, and the Sheffield Board, and (iii) the Tuscumbia Board’s Share of the Special School Tax shall be authorized to be used for public school purposes, including payment of the principal of, premium, if any, and interest on the Warrants and the Series 2013 Warrants.”

Section 3. The School Tax Resolution is hereby further amended and supplemented by adding thereto a new section designated Section 18 and reading and providing as follows:

“Section 18. The provisions of the School Tax Resolution as hereby amended and supplemented shall constitute a contract with the holders from time to time of the Warrants.”

Section 4. The School Tax Resolution is hereby further amended and supplemented by adding thereto a new section designated Section 19 and reading and providing as follows:

“Section 19. The provisions of the School Tax Resolution, as amended and supplemented by this resolution, are in all respects ratified, approved, and confirmed.”

Section 5. This resolution and order shall become effective on the date of adoption hereof.

Section 6. Each and every provision of this resolution and order is hereby declared to be an independent provision and the holding of any provision hereof to be invalid for any reason shall not affect any other provision hereof.

_____ seconded the motion to adopt the following resolution and order and upon the question being put and the roll called, the vote was recorded as follows:

Ayes: Tommy Barnes, Chairman
Jimmy Gardiner
Tori Bailey

David Black
Darol Bendall
Charles Hovater

Nays: None

The Chairman thereupon declared said resolution and order carried and adopted.

Duly adopted this 4th day of June, 2019.

Resolution and Order approved:

Tommy Barnes, Chairman

Jimmy Gardiner

Tori Bailey

David Black

Darol Bendall

Charles Hovater

CERTIFICATE OF CHAIRMAN

I, the undersigned Chairman of the Colbert County Commission, hereby certify that the foregoing pages constitute a complete verbatim and compared copy of a resolution and order duly adopted at a regular meeting of the Colbert County Commission duly held on the 4th day of June, 2019, the original of which is on file and of record in the minute book of the County Commission in my custody; the resolution and order is a complete, verbatim and compared copy of such resolution and order as introduced and adopted by the County Commission on such date; and all members present voted in favor of such resolution.

IN WITNESS WHEREOF, I have thereunto set my hand as Chairman of the Colbert County Commission and have affixed the official seal of the County, this 4^h day of June, 2019.

Chairman of the County Commission

COUNTY SEAL

9. Consented ALDOT "Roadeo" at old BOE, June 11-13;
10. Consented Bid Award for Frankfort Road Repair to Carcel & G, LLC as the lowest

responsive, responsible bidder, in the amount to \$968,197.40

11. Consented Old Brick Historic Road Sign
12. Consented authorization of a budget line for Engineering Services for the County Commission capped at \$10,000.
13. Consented the estimated amount of \$6,600 for the use of painting the hallways of the East end of the Courthouse including the East end staircase, not to extend past the Sheriff Department's archway on the North hallway.

REPORTS FROM STAFF

Chairman Barnes announced that the Commission would now hear reports from staff.

Upon being recognized by the Chair, the following reports were heard by the Commission:

County Administrator

Jimmy Faulkner of Shoals Memorial Gardens Cemetery requested the rental of the sign, for advertising located at the old BOE building on Hwy 72, Tuscumbia. The repainting of the East end of the courthouse has an estimated cost of \$6,600. This estimate includes walls, trim and doorways as well as area leading up to the 2nd floor by Commission Office. Riverton Rose Trial's 40 gal. water heater in the primitive campground side has stopped working. Estimated cost to replace is \$449.00 from Lowes. Commissioner Bendall and Administrator Creekmore, attended a meeting hosted by SEDA for a presentation by LeanStream, which involves a funding platform for education. LeanStream has partnered with T Mobile on a wireless, portable hot spot system which has the possibility of providing high speed internet for a significant number of rural Colbert County residents. The service will be using T Mobile existing Cell Towers. The Cost for each connection is \$50. per month with \$12. going to the sponsoring education entity. Administrator Creekmore has directed the maintenance department to spray areas at the Colbert Boat Ramps to eliminate weeds. The Shoals Archeometalologists Society is requesting use the Courthouse lawns to detect on. They would fill the holes if digging is necessary and turn in whatever is found to the Commission. They will be asked to make a presentation explaining the process. Commissioner Bailey would like to see photos of before and after digs of other areas.

Chief Financial Officer

April Bearden that if Board of Registrar's travel and expense were paid in accordance with State Travel Policy, the Commission would then qualify for full reimbursement from the State for Board of Registrar travel and expense.

County Attorney

There was no report made.

EMA Director

Michael David Smith reported that they were on time with FEMA flood damage assessments. Commissioner Bailey commended them on a wonderful retirement party for Mike Melton.

County Engineer

The Engineer created a map for the commission of a 2 yr. road plan for paving county roads. This map is color coded showing each districts roads that will be paved.

NEW BUSINESS

There being no further business to come before the Commission, upon motion duly made and seconded, Chairman Barnes announced that the meeting was adjourned.

CHAIRMAN

COMMISSIONER, DISTRICT 2

COMMISSIONER, DISTRICT 3

COMMISSIONER, DISTRICT 4

COMMISSIONER, DISTRICT 5

COMMISSIONER, DISTRICT 6

