

Minutes of an Emergency Called Meeting
of the
Colbert County Commission
03/17/2020

Upon call of the Chair, the Colbert County Commission met today in an emergency session at the Colbert County Courthouse in Courtroom Number Three. Chairman Black called the work session to order at 1:03 P.M. with the regular meeting following at 1:49 P.M., being the time and place previously scheduled for such work session, emergency, and regular meeting. All Commissioners answered "present" at the call of the roll. Chairman Black offered the invocation and led the Pledge of Allegiance. Chairman Black declared that a quorum was present for the purpose of the transaction of business.

PUBLIC COMMENTS

None

CONSENT AGENDA

Chairman Black announced that the business before the Commission was the approval of the consent agenda. Commissioner Hovater made motion to adopt and approve the matters placed on the consent agenda during the work session. The motion was duly seconded by Commissioner Barnes. Chairman Black 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. Approved payment of March 17, 2020 bills as presented by the Chief Financial Officer.
2. Approved Payment to Circuit Court Clerk Mark Eady for Absentee Election postage and specific supplies in the amount of \$243.69.
3. Approved Payment to Chrystal Johnson, \$350.00; Cierra Abernathy, 300.00; Jordan Thompson, 300.00; Anna Milstead, \$150.00 for Absentee Clerical Assistance for the Primary Election held March 3, 2020.
4. Approved Payment to Mark Eady, Circuit Court Clerk for services as Absentee Manager for the Primary Election held March 3, 2020.
5. Approved EMA applying for a FEMA Port Security Grant in conjunction with Sheffield Police Department.
6. Approved and awarded a bid for Liquid Asphalt to Ergon Asphalt by adoption of the following resolution:

RESOLUTION NUMBER 2020-0024

A Resolution authorizing the purchase of liquid asphalt during FY 2021

BE IT RESOLVED, by the Colbert County Commission as follows:

That the Colbert County Road Department ("Road Department") did send out advertisements for bids for quantities of liquid asphalt to be purchased in connection with Road Department operations during FY 2021.

That at the appointed time and place, the following bids were opened and tabulated, and after evaluation of the bids received in comparison with the specifications and requirements advertised, that the bids received were as follows:

Bidder	Bid Amount
Ergon Asphalt	\$360 / ton

That Ergon Asphalt was the lowest, responsive, and responsible bidder for liquid asphalt.

NOW therefore, be it resolved by the Colbert County commission that the lowest responsive and responsible bidder, Ergon Asphalt, is now awarded the bid for the project set forth above

7. Approved and awarded a bid for gasoline and diesel fuel to Tatum Oil by adoption of the following resolution:

RESOLUTION NUMBER 2020-0025

A Resolution authorizing award of bid for purchase of gasoline and diesel fuel during FY 2021

BE IT RESOLVED by the Colbert County Commission as follows:

That the Colbert County Road Department ("Road Department") did send out advertisements for bids for fuel to be purchased in connection with Road Department operations during FY 2021.

That at the appointed time and place, the following bids were opened and tabulated, and after evaluation of the bids received in comparison with the specifications and requirements advertised, that the bids received were as follows:

No Ethanol Gasoline (Unleaded)	
Bidder	Bid Amount (upcharge per gallon)
Tatum Oil	\$0.0295
Petro Traders	\$0.376
WH Thomas	\$0.105

Ethanol Gasoline (Unleaded)	
Bidder	Bid Amount (upcharge per gallon)
Tatum Oil	\$0.0295
Petro Traders	\$0.0376
WH Thomas	\$0.105

Diesel Fuel	
Bidder	Bid Amount (upcharge per gallon)
Tatum Oil	\$0.0395
Petro Traders	\$0.0376
WH Thomas	\$0.105

The Commission finds that Tatum Oil is a company having a place of business within Colbert County, is a responsible bidder, and that the above-named products can be provided by Tatum Oil with no sacrifice or loss in quality of said products with respect to the products provided by other bidders. The Commission further finds that the bid of Tatum Oil is within ten percent (10%) of the bid submitted by Petro Traders. The bid of Tatum Oil is therefore entitled to preference pursuant to *Ala. Code* § 41-16-50(d).

NOW THEREFORE, BE IT RESOLVED by the Colbert County Commission that Tatum Oil is now awarded the bid for the project set forth above

8. Approved requested payment of unused Annual Leave for Ray Vandiver in the amount of \$10,665.47.
 9. Authorized the County Engineer to continue County water service to non-paying or delinquent customers for the duration of Governor Ivey's Declaration of Emergency regarding COVID-19, and for the duration of any extension thereof.
 10. Adopted the following Resolution to close Colbert County Courthouse to general public commencing March 18, 2020 until April 06, 2020
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RESOLUTION NUMBER 2020-0026

A RESOLUTION TO CLOSE THE COLBERT COUNTY COURTHOUSE IN RESPONSETO THE COVID - 19 VIRUS.

WHEREAS the COVID-19 Virus is continuing to spread in the State of Alabama and the United States and has the potential of widespread exposure to an infectious agent that poses a significant risk of substantial harm to a large number of people; and

WHEREAS, the Governor of Alabama has declared that a state public health emergency exists in the State of Alabama; and

WHEREAS, the health and welfare of our citizens and the employees working in the Colbert County Courthouse are of great concern to the County Commission; and

WHEREAS, the Alabama Department of Public Health is promoting "social distancing" in hopes of slowing the spread of the virus; and

WHEREAS, the Colbert County Commission is committed to the continuation of essential operations during the period of declared emergency; and

WHEREAS, it is recognized that unprecedented measures may be necessary in protecting the public and slowing the spread of COVID-19.

NOW THEREFORE, BE IT RESOLVED THAT THE COLBERT COUNTY COMMISSION will close the Colbert County Courthouse to the general public from Wednesday March 18, 2020 until Monday, April 06, 2020.

BE IT FURTHER RESOLVED that employees who are deemed essential by the County Commission, by their department heads, or who otherwise are required to fill positions essential to maintaining County operations may be required to continue to work to provide necessary services on behalf of Colbert County, its employees, and its citizens.

BE IT FURTHER RESOLVED that each department head shall and is hereby authorized to determine which positions in his or her department are essential, and to designate his or her subordinate employees as essential.

BE IT FURTHER RESOLVED that as soon as practicable after the passage of this resolution, each department head shall meet with his or her subordinate employees and inform them of those positions or employees who are deemed to be essential to the maintenance of County operations and the dates and times during which such employees shall be required to report to work.

BE IT FURTHER RESOLVED that each department head be and hereby is authorized to do such things as he or she deems necessary or advisable in carrying out the directives of this Resolution during the period of Courthouse closure that he or she deems to be in the best interests of Colbert County, of his or her subordinate employees, and/or the citizens of Colbert County, Alabama.

BE IT FURTHER RESOLVED the Commission Chairman or incoming Chairman may approve, at the recommendation of the County Chief Financial Officer, the payment of necessary bills during the closure period.

11. Approved announcement regarding cancellation of March 17 2020 Regular Meeting.
 12. Approved request for Sheriff to hire additional EMT's as temporary employees during the COVID 19 Emergency.
 13. Approved the following Resolution approving the Customer and Flow Control and Intergovernmental Agreements between Solid Waste Disposal Authority of the Cities of Muscle Shoals, Sheffield, and Tuscumbia, Alabama and Colbert County and authorizing the Chair to execute the same on behalf of the Commission:
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RESOLUTION NUMBER 2020-0027

A RESOLUTION AND ORDER APPROVING CERTAIN AGREEMENTS BETWEEN THE COUNTY AND THE SOLID WASTE DISPOSAL AUTHORITY OF THE CITIES OF MUSCLE SHOALS, SHEFFIELD, AND TUSCUMBIA, ALABAMA

WHEREAS, the Solid Waste Disposal Authority of the Cities of Muscle Shoals, Sheffield, and Tuscumbia, Alabama (the "Authority") has proposed issue certain revenue bonds (the "Bonds") in order to finance the acquisition and improvement of the Cherokee Industrial Landfill (the "Project") located in the County; and

WHEREAS, the County will have no financial obligation with respect to such Bonds or any obligation of any kind with respect to the Project; and

WHEREAS, the County expects to be a customer of the Authority and to utilize the Project for public use; and

WHEREAS, the Authority has presented to the County a customer and flow control agreement and an agreement with respect to the payment to the County of a share of certain royalty payments from CWI Cherokee LF LLC to the Authority.

BE IT RESOLVED by the Colbert County commission (the "Commission"), the governing body of Colbert County (the "County"), as follows:

1. The Project proposed to be undertaken by the Authority is in the best public and financial interest of the County.
2. The TEFRA approval adopted by the Commission on March 3, 2020 is hereby further ratified and approved.

3. The Agreement between the Authority and the County for Municipal Solid Waste and Construction and Demolition Waste, Inert Waste, and Recyclable Materials is hereby ratified, adopted and approved, and the Chairman and County Administrator are hereby authorized and directed to execute, attest, seal, and deliver the same to the Authority.

4. The Intergovernmental Agreement between the County and the Authority with respect to the royalty payments is hereby ratified, adopted and approved, and the Chairman and County Administrator are hereby authorized and directed to execute, attest, seal, and deliver the same to the Authority.

5. The Chairman is authorized to execute and deliver on behalf of the County such other documents as may be reasonably requested by the Authority in connection herewith.

6. This resolution shall take effect immediately.

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REPORTS FROM STAFF

Chairman Black 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:

Administrator Roger Creekmore reported that the Revenue Commission's office will be moving Beverly Burgess as Chief Assessing Clerk and Christy Inman has been hired in the Probate Judges Office with the starting pay of \$20,550.35.

Chief Financial Officer:

None

County Attorney:

None

EMA Director:

Michael David reported that they have met the threshold for disaster funds as a result of the December weather events.

County Engineer:

Jeremy Robison reported that the Water Department Office will be closed to the general public. A drop box is available for payments and the phone lines are open.

NEW BUSINESS

None

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

COMMISSIONER, DISTRICT 1

CHAIRMAN

COMMISSIONER, DISTRICT 3

COMMISSIONER, DISTRICT 4

COMMISSIONER, DISTRICT 5

COMMISSIONER, DISTRICT 6