

STATE OF ALABAMA)
COLBERT COUNTY)

Minutes of a Regular Meeting
of the
Colbert County Commission
10/20/2020

The Colbert County Commission met today in regular session at the Colbert County Court-house. Chairman Gardiner called the work session to order at 5:06 P.M. with the regular meeting following at 5:45 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 Gardiner offered the invocation and led the Pledge of Allegiance. Chairman Gardiner declared that a quorum was present for the purpose of the transaction of business.

PUBLIC COMMENTS

None

CONSENT AGENDA

Chairman Gardiner announced that the business before the Commission was the approval of the consent agenda. Commissioner Black 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 Gardiner 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. Waived reading of October 6, 2020 minutes and approved the same as written.
2. Approved payment of Oct 20, 2020 bills as presented by the Chief Financial Officer.
3. Adopted the following Resolution regarding Reclaimed and Industrial Wastewater from Food Processing Residuals and used for agricultural land application in Colbert County:

RESOLUTION NUMBER 2020-0003

A RESOLUTION CONCERNING THE USE OF RECLAIMED WATER AND INDUSTRIAL WASTEWATER FOR AGRICULTURAL PURPOSES

WHEREAS, the Colbert County Commission is greatly concerned with the health, welfare, and wellbeing of the citizens of Colbert County; and

WHEREAS, the Colbert County Commission has been informed of the present use in Colbert County of reclaimed water and industrial wastewater to fertilize soil through land application and/or non-consumable agricultural irrigation; and

WHEREAS, the Colbert County Commission is aware that the discharge of reclaimed water and industrial wastewater may result in, among other things, noxious odors and the pollution of potable water supplies; and

WHEREAS, the discharge of reclaimed water and industrial wastewater is regulated solely by the Alabama Department of Environmental Management pursuant to *Alabama Administrative Code 335-6-20-01*, et seq.; and

WHEREAS, the Colbert County Commission wishes to express its support for the aforementioned environmental regulations and to request that the Alabama Department of Environmental Management strictly apply its regulations regarding permit application processes and enforcement of its regulations to ensure that any person or entity discharging reclaimed water and industrial wastewater for land application and/or non-consumable agricultural irrigations comply with the same.

NOW THEREFORE, BE IT RESOLVED BY THE COLBERT COUNTY COMMISSION, that the Commission expresses its support for the regulation by the Alabama Department of Environmental Management of reclaimed water and industrial wastewater discharges and hereby requests that the Department strictly apply its regulations regarding permit application processes and enforcement of its regulations to ensure that any person or entity discharging reclaimed water and industrial wastewater for land application and/or non-consumable agricultural irrigations comply with the same.

4. Approved Requested Payment to Emily Benson for Testing Voting Machines in the amount of \$1,665.00.
 5. Approved Requested Annual Leave Payment for Jesse Grimes in the amount of \$1,132.12.
 6. Appointed Eddie Goodloe to Board of Directors of Community Action Agency of North Alabama and adopted the following Resolution:
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RESOLUTION NUMBER 2021-0004

A RESOLUTION TO APPOINT A MEMBER TO THE BOARD OF DIRECTORS
OF THE COMMUNITY ACTION AGENCY OF NORTH ALABAMA

WHEREAS, a seat on the Board of Directors of the Community Action Agency of North Alabama is due to be filled and the Commission being desirous of making the necessary appointment to said board; and

WHEREAS, notice was given to the public of said pending vacancy and applications solicited for membership to said board; and

WHEREAS, the following individuals made proper application and met the requirements for appointment, and are eligible for appointment to fill the pending vacancies:

Eddie Goodloe

WHEREAS, Eddie Goodloe was determined to be the most qualified applicant by the Commission; and

WHEREAS, the Commissioners were unanimous in their support for the appointment of Mr. Goodloe to a seat on the Board of Directors of the Community Action Agency of North Alabama; and

NOW THEREFORE, BE IT RESOLVED BY THE COLBERT COUNTY COMMISSION that Eddie Goodloe be and he is hereby appointed to serve a term on the Board of Directors of the Community Action Agency of North Alabama.

The County Administrator is hereby directed to notify the above-named person of his appointment and further to notify the respective board of said appointment.

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7. Approved request from the Colbert County Bar Association for Identification Badges to allow Bar Association members to bypass security checkpoints, with the stipulation that these individuals could be subject to random screenings, by adoption of the following Resolution:
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RESOLUTION NUMBER 2021–0005

**A RESOLUTION CONCERNING THE ISSUANCE OF IDENTIFICATION
BADGES TO MEMBERS IN GOOD STANDING OF THE COLBERT COUNTY
BAR ASSOCIATION**

WHEREAS, the Colbert County Bar Association has requested that its members be allowed access through the West entrance to the Colbert County Courthouse without being required to pass through the metal detector currently located there; and

WHEREAS, upon consideration of the said request, the Commission finds that the same can be accommodated without material detriment to the security of the Colbert County Courthouse or to the safety of the persons working or having business therein through the use of identification badges to be issued by the Colbert County Bar Association to its members in good standing.

NOW THEREFORE, BE IT RESOLVED BY THE COLBERT COUNTY COMMISSION that members in good standing of the Colbert County Bar Association shall hereafter be allowed to enter the Colbert County Courthouse at the West entrance thereof and shall be allowed to bypass the metal detector currently in place at said entrance so long as the member seeking entrance fully complies with the terms and conditions set forth in this Resolution.

BE IT FURTHER RESOLVED that the Colbert County Bar Association is hereby authorized to issue identification badges to its members in good standing, to be presented when seeking entry to the Colbert County Courthouse. Upon presentation of the proper identification badge, the Colbert County Bar Association member shall be allowed entry into the Colbert County Courthouse without being required to pass through any metal detector.

BE IT FURTHER RESOLVED that the President of the Colbert County Bar Association shall maintain a list of those persons who have been issued an identification badge, and will produce the current list to the Colbert County Sheriff's Office at least once per month, unless no identification badges were issued or revoked during that particular month.

BE IT FURTHER RESOLVED that the entry privileges of any person possessing an identification badge issued by the Colbert County Bar Association who is found inside the Colbert County Courthouse in possession of any prohibited item will be immediately revoked and forever terminated.

BE IT FURTHER RESOLVED that the entry privileges of any person who has been issued an identification badge by the Colbert County Bar Association and who is found to have allowed another person to use said identification badge to circumvent or to attempt to circumvent Colbert County Courthouse Security, will be immediately revoked and forever terminated.

BE IT FURTHER RESOLVED that any person who seeks entry or who has entered the Colbert County Courthouse remains at all times subject to random search by a member of Courthouse security or Colbert County Sheriff's Deputy.

BE IT FURTHER RESOLVED that nothing contained in this Resolution shall be interpreted so as to establish or grant any individual a property right in or to an identification badge issued by the Colbert County Bar Association.

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8. Approved Requested Annual Leave Payment for Frank Brian in the amount of \$1,318.34.
 9. Awarded bid to Alabama Guard Rail in the amount of \$14,258.05 for work at various sites in County.

OLD BUSINESS

Chairman Gardiner announced that the next item of business before the Commission was to fill an upcoming vacancy on the Colbert County E-911 Board due to the expiration of the term of Mr. Garey Austin who currently serves as the County's representative on said board. Chairman Gardiner asked County Administrator Creekmore whether the vacant position had been advertised to members of the public, and asked Administrator Creekmore to present to the Commission the names of those persons having made application and being qualified to serve.

Administrator Creekmore stated the following individuals made proper application and met the requirements for appointment and are eligible for appointment to fill the pending vacancy:

Mike Melton

Garey Austin

Chairman Gardiner then asked Administrator Creekmore to call the roll of Commissioners so that each Commissioner could state the name of the candidate he or she favors for appointment to the pending vacancy. A roll call vote was had as follows:

Commissioner Barnes	Austin
Commissioner Black	Melton
Commissioner Gardiner	Austin
Commissioner Bailey	Melton
Commissioner Bendall	Austin
Commissioner Hovater	Melton

Upon conclusion of voting, Chairman Gardiner announced that no nominee had received a majority of the votes cast, there being three votes in favor of Mr. Melton and three in favor of Mr. Austin. Chairman Gardiner stated that therefore no person had been appointed to the pending vacancy and that Mr. Austin, the incumbent, will continue to serve as member of the Colbert County E-911 Board until such time as his successor is duly appointed.

Chairman Gardiner announced that the next item of business before the Commission was to fill an upcoming vacancy on the Shoals Economic Development Authority (SEDA) Board, due to the expiration of the term of Mr. Bill Alexander who currently serves as the County's representative on said board. Chairman Gardiner asked County Administrator Creekmore whether the vacant position had been advertised to members of the public, and asked Administrator Creekmore to present to the Commission the names of those persons having made application and being qualified to serve.

Administrator Creekmore stated the following individuals made proper application and met the requirements for appointment and are eligible for appointment to fill the pending vacancy:

Bill Alexander

Edward Mitchell

Chairman Gardiner then asked Administrator Creekmore to call the roll of Commissioners so that each Commissioner could state the name of the candidate he or she favors for appointments to the pending vacancy. A roll call vote was had as follows:

Commissioner Barnes	Mitchell
Commissioner Black	Alexander
Commissioner Gardiner	Alexander
Commissioner Bailey	Mitchell
Commissioner Bendall	Mitchell
Commissioner Hovater	Alexander

Upon conclusion of voting, Chairman Gardiner announced that no nominee had received a majority of the votes cast, there being three votes in favor of Mr. Alexander and three in favor of Mr. Mitchell. Chairman Gardiner stated that therefore no person had been appointed to the pending vacancy and that Mr. Alexander, the incumbent, will continue to serve as member of the Shoals Economic Development Board until such time as his successor is duly appointed.

Chairman Gardiner announced that the next item of business before the Commission was to fill an upcoming vacancy on the Alabama Mountain Lakes Tourism Board due to the expiration of the term of Mr. David Johnson who currently serves as the County's representative on said board. Chairman Gardiner asked County Administrator Creekmore whether the vacant position had been advertised to members of the public, and asked Administrator Creekmore to present to the Commission the names of those persons having made application and being qualified to serve.

Administrator Creekmore stated the following individuals made proper application and met the requirements for appointment and are eligible for appointment to fill the pending vacancy:

David Johnson

Randa Hovater

Chairman Gardiner then asked Administrator Creekmore to call the roll of Commissioners so that each Commissioner could state the name of the candidate he or she favors for appointments to the pending vacancy. A roll call vote was had as follows:

Commissioner Barnes	Abstain
Commissioner Black	Johnson
Commissioner Gardiner	Hovater
Commissioner Bailey	Hovater

Commissioner Bendall

Hovater

Commissioner Hovater

Hovater

Upon conclusion of voting, Chairman Gardiner announced that Randa Hovater had received a majority of the votes cast, and instructed the County Administrator to inform Ms. Hovater and Alabama Mountain Lakes Tourism of her appointment.

REPORTS FROM STAFF

Chairman Gardiner 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 Sheriff Williamson hired Delbert Pool as PT-Jailer with starting pay of \$10.26/hr. Commissioner Bendall and Administrator Creekmore and NACOLG Director Keith Jones visited Wilkens Industries in Double Springs Al., and toured a prefabricated building which may have to possibility of being obtained and used as a Senior Center.

Chief Financial Officer:

CFO April Bearden provided a financial report for 4th quarter FY 2020 and final overview of FY 2020. Ms. Bearden also informed Commission that the proceeds of the sale of the Mack Dump trucks fell short of the purchase price of the new trucks by approximately \$8,000.00. Consequently, a corresponding amount will be deducted from the FY 2021 additional budget allocation from the Road and Bridge fund.

County Attorney:

No Report.

EMA Director:

No Report

County Engineer:

Chief Engineer Jeremy Robison requested that Alabama Guard Rail bid award be added to agenda for the replacing of bridging in 3 areas in the County with a \$14,258.05 match amount on a \$136,000.00 project. Inlets were completed this week for correction of drainage issue on Gate 6 road.

NEW BUSINESS

None

COMMISSIONER, DISTRICT 1

COMMISSIONER, DISTRICT 2

CHAIRMAN

COMMISSIONER, DISTRICT 4

COMMISSIONER, DISTRICT 5

COMMISSIONER, DISTRICT 6