

STATE OF ALABAMA )  
COLBERT COUNTY )

Minutes of a Regular Meeting  
of the  
Colbert County Commission  
01/05/2021

The Colbert County Commission met today in regular session at the Colbert County Courthouse. Chairperson Bailey called the work session to order at 5:00 P.M. with the regular meeting following at 5:59 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, with the exception of Commissioner Gardiner, who was not in attendance. Pastor Jeffrey Braxton Sr. of FMBC of Sheffield offered the invocation. Commissioner Isom led the Pledge of Allegiance. Chairperson Bailey declared that a quorum was present for the purpose of the transaction of business.

**PUBLIC COMMENTS**

None

**BOARD APPOINTEE REPORTS**

Mr. Ollie Underwood, spoke to the commission and public regarding the functions of NACOLG. Commissioner Bendall spoke regarding the North Alabama K9 Unit.

**AWARDS AND PRESENTATIONS**

None

**PUBLIC HEARING**

None

**CONSENT AGENDA**

Chairperson Bailey announced that the business before the Commission was the approval of the Consent Agenda. Commissioner Mansell made motion to adopt and approve the matters placed on the consent agenda during the work session. The motion was duly seconded by Commissioner Isom. Chairperson Bailey 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 December 15, 2020 minutes and approved the same as written.
2. Approved payment of January 5, 2021 bills as presented by the Chief Financial Officer.
3. Approved a proposal to convert the retirement benefits for employees at RSA Tier II to RSA Tier I by adoption of the following resolution:

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**RESOLUTION NUMBER 2021-0012**

*A RESOLUTION TO PROVIDE CERTAIN COUNTY EMPLOYEES  
WITH TIER I RETIREMENT SYSTEM BENEFITS*

**WHEREAS**, under the provisions of Act 2019 - 132, employers who participate in the Employees' Retirement System pursuant to *Ala. Code § 36-27-6* may elect to provide Tier I retirement benefits to Tier II plan members, and

**WHEREAS**, the Colbert County Commission, participates in the Employees' Retirement System pursuant to *Ala. Code § 36-27-6* and wishes to improve retirement benefits for its Tier II plan members;

**NOW, THEREFORE, BE IT RESOLVED BY THE COLBERT COUNTY COMMISSION**, that the Colbert County Commission, elects to provide Tier I retirement benefits to its Tier II plan members, subject to approval by the Employees' Retirement System Board of Control; that, if approved, such election shall be effective the following fiscal year and is irrevocable.

**BE IT FURTHER RESOLVED** that the Colbert County Commission has reviewed the actuarial cost estimates provided by the Employee's Retirement System for such election and agrees to pay any resulting increases in the employer contribution rate.

**BE IT FURTHER RESOLVED** that beginning in the month that such election is effective, the Colbert County Commission's Tier II plan members shall contribute 7.5% of their earnable compensation to the Employees' Retirement System and (the local government)'s Tier II plan members who are firefighters or law enforcement officers, as defined by *Ala. Code § 36-27-59(a)*, shall contribute 8.5% of their earnable compensation to the Employees' Retirement System, as required by Act 2019-132.

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4. Approved the adoption of a Northwest Alabama Multi-Jurisdictional Hazard Mitigation Action Plan by adoption of the following resolution:

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**RESOLUTION NUMBER 2021-0013**

*A RESOLUTION TO ADOPT A MULTI-JURISDICTIONAL HAZARD  
MITIGATION PLAN*

**WHEREAS**, Section 409 of the Robert T. Stafford Disaster Relief Act and Emergency Assistance Act (Public Law 93-228, as amended), Title 44 CFR, as amended by Section 102 of the Federal Disaster Mitigation Act of 2000, as administered by the Federal Emergency Management Agency, Region IV, requires and provides a framework for all state and local governments to review and evaluate a local hazard mitigation strategy to protect life and property through an assessment of risk and mitigation practices, as a condition of receiving Federal disaster and hazard mitigation assistance; and

**WHEREAS**, the Colbert County Emergency Management Agency, along with other officials in Colbert County, has been involved in the development of the Northwest Alabama Multi-Jurisdictional Hazard Mitigation Action Plan (the "Plan"); and

**WHEREAS**, the Colbert County Commission supports the enhancement and refinement of the plan in accordance with guidance from the Alabama Emergency Management Agency and the Federal Emergency Management Agency; and

**WHEREAS**, the Plan has been reviewed by the Alabama Emergency Management Agency and the Federal Emergency Management Agency and has obtained approval pending adoption by local legislative bodies; and

**WHEREAS**, the draft Plan was advertised at a public hearing during its development and again following review by the Federal Emergency Management Agency and the Alabama Emergency Management Agency.

NOW THEREFORE, BE IT RESOLVED by the Colbert County Commission that the Northwest Alabama Multi-Jurisdictional Hazard Mitigation Action Plan is hereby adopted as the County's multi-jurisdictional hazard mitigation plan.

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5. Approved Architect Contract with Robert W. Whitten Architect, LLC in the amount of \$4,000.00 for renovations to the Colbert Emergency Management Office.
  6. Approved concurrence with ALDOT Award to Rogers Group, Inc., for resurfacing and traffic stripe on CR-55 (Woodmont Drive) from the junction of Ponderosa Drive to the south city limits of Tuscumbia, Retroactive to December 28, 2020.
  7. Approved a recommendation by the County Engineer to set the maximum allowable speed for Valleyview Road, High Ridge Drive, and White House Lane at 25 miles per hour by adoption of the following resolution:
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**RESOLUTION NUMBER 2021-0014**

***A RESOLUTION SETTING THE MAXIMUM ALLOWABLE SPEED  
FOR VALLEYVIEW ROAD, HIGH RIDGE DRIVE, AND WHITE  
HOUSE LANE***

WHEREAS, the Colbert County Commission, pursuant to *Ala. Code* § 23-1-80, et seq. (1975, as amended), is charged with the general superintendence of the public roads, bridges, and ferries within Colbert County so as to render travel over the same as safe and convenient as practicable; and

WHEREAS, Valleyview Road, High Ridge Drive, and White House Lane are part of the Colbert County Road Maintenance Program, and are located on the east side of Woodmont Drive within Sections 3 and 4, Township 5 South, Range 11 West, Colbert County, Alabama; and

WHEREAS, it is the recommendation of the County Engineer, based upon population, horizontal and vertical curves, passing and stopping distances, shoulder and pavement widths, and/or sight distances specific to the said roads, that the maximum allowable speed for Valleyview Road, High Ridge Drive, and White House Lane be set at 25 miles per hour.

NOW THEREFORE, BE IT RESOLVED, by the Colbert County Commission that the posted maximum allowable speed for Valleyview Road, High Ridge Drive, and White House Lane, all Colbert County Roads located within Sections 3 and 4, Township 5 South, Range 11 West, Colbert County, Alabama, be and are hereby set at 25 miles per hour.

BE IT FURTHER RESOLVED, that the Colbert County Road Department, under the superintendence of the County Engineer, or his designee, be and hereby is authorized and directed to post signs setting the maximum allowable speed at 25 miles per hour along the rights of way of Valleyview Road, High Ridge Drive, and White House Lane, in such places and in such manner as he deems to be in the best interests of the citizens of Colbert County, Alabama.

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8. Approved county Rebuild Alabama Annual Report.
9. Approved purchase of advertisement in Times Daily Publication of Progress.

10. Set public hearing on a petition to vacate a portion of West Old Covered Bridge Road for February 16, 2021 during the Regular Meeting of the County Commission scheduled for that date by adoption of the following resolution:

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**RESOLUTION NUMBER 2021-0011**

***A RESOLUTION SETTING A PUBLIC HEARING***

WHEREAS, Jamie Lynn Frick and Johna Betsy Frick have filed with the County Commission a petition seeking the vacation of a certain portion of West Old Covered Bridge Road, same being more particularly described in said petition; and

WHEREAS, the Colbert County Commission is required by Section 23-4-2 of the *Code of Alabama* to hold a public hearing to allow any citizen alleging to be affected by the proposed vacation to submit a written objection or to speak in favor of or against the proposed vacation; and

WHEREAS, notice of such public hearing must be made by publication in a newspaper of general circulation in the portion of Colbert County where the proposed vacation would occur; and

WHEREAS, notice of such public hearing must also be served on any abutting owner and on any entity known to have facilities or equipment within the public right-of way proposed to be vacated.

NOW THEREFORE, BE IT RESOLVED BY THE COLBERT COUNTY COMMISSION that a public hearing on the said petition for vacation is hereby set for 5:00 P.M. on February 16, 2021 at the Colbert County Courthouse, during the regularly scheduled County Commission meeting to be held on that date.

BE IT FURTHER RESOLVED, that notice of the public hearing be published once per week for four (4) consecutive weeks in the *Colbert County Reporter*, a newspaper of general circulation in Colbert County, Alabama, and that notice of the public hearing also be served upon any abutting owner and on any entity known to have facilities or equipment within the public right of way proposed to be vacated.

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**UNFINISHED BUSINESS**

NONE

**REPORTS FROM STAFF**

Chairperson Bailey 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 Anthony Mitchell began employment on Dec 15, 2020 as Full-Time Jailer in the Sheriff's Department with starting pay of \$27,661.00. Mark Waylon began employment on Dec 26, 2020 as Full-Time Deputy with starting pay of \$30,638.07 and Michael Kumse was rehired at his former position and salary of \$31,948.08. Mr. Creekmore also reported that Comcast is seeking an ADECA grant to assist in the expansion of broadband internet service in eastern Colbert County. Specific areas include Leighton for Nitrate City, Foster Mill Road and Spout Springs Road. A letter of support from the Commission was requested and was sent.

**Chief Financial Officer:**

No Report

**County Attorney:**

Attorney Edgar Black reported that the County received an offer to purchase the property on Hwy 72 for \$100,000. Mr. Black reported that he had learned from Mr. Creekmore of a 2014 appraisal of the property

that set its value it three times offer received. Mr. Black advised the Commission to reject the offer presented at this time. Mr. Black updated the Commission regarding the proposed vacation of West Old Covered Bridge Road, stating he spoke to Mrs. Frick and Mr. Kenney and suggests that the petition be set for public hearing. The Commission added Mr. Black's suggestion to tonight's Consent Agenda. Mrs. Frick, Mr. Kenney and 2 other meeting attendees made comments regarding the proposed vacation.

**EMA Director:**

Keith Reeves reported that the COVID-19 Vaccination Allocation Plan is in Phase 1A. The Local Government is asking the State to proceed to Phase 1B. Hellen Keller is issuing the Pfizer Vaccine where 1<sup>st</sup> responders are issuing the Moderna Vaccine.

**County Engineer:**

No Report

**NEW BUSINESS**

NONE

Chairperson Bailey announced that there being no further business to come before the Commission, upon motion duly made and seconded, Chairperson Bailey announced that the meeting was adjourned.

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COMMISSIONER, DISTRICT 1

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COMMISSIONER, DISTRICT 2

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COMMISSIONER, DISTRICT 3

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CHAIRPERSON

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COMMISSIONER, DISTRICT 5

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COMMISSIONER, DISTRICT 6

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