

STATE OF ALABAMA )  
COLBERT COUNTY )

Minutes of a Regular Meeting  
of the  
Colbert County Commission  
01/02/2024

The Colbert County Commission met today in regular session at the Colbert County Courthouse. Chairman Mansell called the work session to order at 5:04 p.m. with the regular meeting following at 6:01 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 Mansell offered the prayer and led the Pledge of Allegiance. Chairman Mansell declared that a quorum was present for the purpose of the transaction of business.

**PUBLIC COMMENTS**

Whitney McCartt from the local breast cancer center “BRAT PACK”, spoke to the commission regarding their organization, stating that breast cancer is the most expensive cancer to treat. McCartt gave examples as what her role is with the BRAT PACK. She announced that they will be selling T-Shirts in the fall and the proceeds will go towards breast care packages and financial aid for survivors. There will be guidelines to meet to qualify for assistance. CEO of Helen Keller Hospital Kyle Buchanman stated that he is proud of the work Whitney has done. Chairman Mansell said that it is a big blessing and sisterhood that is much appreciated.

**BOARD APPOINTEE REPORTS**

None

**AWARDS AND PRESENTATIONS**

None

**PUBLIC HEARING**

None

**CONSENT AGENDA**

Chairman Mansell 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 Bendall. Chairman Mansell 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 Minutes of December 5, 2023 Regular Meeting.
2. Approved payment of January 2, 2024 bills as presented by the Chief Financial Officer.
3. Approved requested surplus for 2021 Dodge Ram: VIN: 1C6RR7XT4MS514151 and adopted the following Resolution:

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**RESOLUTION NUMBER 2024-0009**

*A RESOLUTION TO DECLARE CERTAIN PROPERTY AS SURPLUS PROPERTY*

WHEREAS, the Colbert County Commission has been informed by the Sheriff that certain property hereinafter described and previously used in the performance of duties at the Colbert County Sheriff's Department is no longer required for use by County personnel; and

WHEREAS, the Commission has determined that such property is surplus property and the County has no further use of such property due to the age and condition thereof, and that it is not economical for the County to retool or refit the property in order for it to be able to be placed in service at Colbert County Sheriff's Department.

NOW THEREFORE, BE IT RESOLVED by the Colbert County Commission that the following described property be declared surplus property and be disposed of by the Sheriff in a manner that will require no further expenditure by the County or expose the County to any liability in the further use of or operation of such property and the County Commission does hereby authorize the Sheriff to dispose of said property in such manner. The Commission finds that the following constitutes surplus property:

<b>Equipment Description</b>	<b>Equipment ID</b>
<b>2021 Dodge Ram Pickup</b>	<b>1C6RR7XT4MS514151</b>

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4. Designated Blaine Melton and Jerred Hatcher as mental health officers at the request of the Probate Judge. Approved payment of annual salary supplement of \$7,200.00 for each of the 5 active mental health officers with opioid litigation funds for a one-year period of time.
  5. Approved purchase of one-half page advertisement in Times Daily Progress magazine in the amount of \$1,458.00. At the request of the Commission, the Times Daily will work with the County to update the advertisement to include new graphics, text, and/or layout.
  6. Approved an additional \$750,000.00 in ARPA funds to be used for the ongoing 2023/2024 paving project and adopted the following Resolution:

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**RESOLUTION NUMBER 2024-0010**

*A RESOLUTION TO APPROVE THE USE OF ADDITIONAL ARPA FUNDS FOR 2023  
- 2024 ROAD REPAVING PROJECT*

WHEREAS, Colbert County Alabama (the "County") has received title American Rescue Plan Act fiscal recovery funds ("ARPA funds") and is charged with ensuring that such funds are expended in accordance with state and federal law; and

WHEREAS ARPA Revenue Replacement Funds may be used to cover the cost of expenses for necessary investments in County Road Maintenance Projects; and

WHEREAS, the Colbert County Commission (the "Commission") has identified, with assistance from an independent consultant, eligible ARPA/Revenue Replacement Road projects to serve the County's citizens; and

WHEREAS, the Commission has determined that the Road projects are a necessary, eligible, and reasonable use of these funds.

NOW THEREFORE, BE IT RESOLVED BY THE COLBERT COUNTY COMMISSION as follows:

1. A duly bid road project package was awarded to Mid South Paving at a regularly scheduled meeting of the Colbert County Commission on July 6, 2023, as the 2003 - 2004 County Roads Repaving Project.
2. The County shall use ARPA funds to cover up to \$1,500,000.00 as part of the 2023 - 2024 Road Repaving Project.
3. The County Commission now hereby resolves to use an additional \$750,000.00 of ARPA funds as part of the 2023 - 2024 Road Repaving Project.

4. Expenditure of these funds, as authorized by this Resolution, shall be contingent on the continued appropriation and availability of ARPA funds for this purpose and in no event shall be used for any costs associated with the ARPA infrastructure project that are not obligated on or before December 31, 2024, and expended on or before December 31, 2026.
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7. Approved appointment of Gordon Fennel to the White Oak Water Board Board of Directors.
  8. Approved appointment of John Lackey, Fred Joly, and David Yarber to the Board of Directors of the Colbert County-Northwest Alabama Healthcare Authority and adopted the following resolution:
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**RESOLUTION NUMBER 2024-0011**

*A RESOLUTION TO APPOINT DIRECTORS TO THE COLBERT COUNTY-NORTHWEST ALABAMA HEALTHCARE AUTHORITY*

WHEREAS, the terms of three (3) members of the Colbert County-Northwest Alabama Healthcare Authority Board of Directors have expired and the Commission being desirous of making the necessary appointments 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, are eligible for appointment to fill the pending vacancies:

Fred Joly

David Yarber

John Lackey

WHEREAS, each applicant was determined to be qualified by the Commission to serve on the said Board; and

WHEREAS, three (3) persons having applied for the three (3) open seats, the Commission unanimously approved all three applicants for appointment to said Board.

NOW THEREFORE, BE IT RESOLVED BY THE COLBERT COUNTY COMMISSION that Fred Joly, David Yarber, and John Lackey be and they are hereby each appointed to serve a term on the Board of Directors of the Colbert County-Northwest Alabama Healthcare Authority commencing on January 02, 2024 and ending on December 31, 2029.

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

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9. Concurred in the Alabama Department of Transportation's award of bid for River Road Resurfacing Project to Grayson Carter & Son Contracting, Inc., of Athens, Alabama and approved payment of \$331,698.94 from Capital Improvement Fund for the County's participation in the project.
10. Accepted the FY 2023 Rebuild Alabama Annual Report as presented by the County Engineer.
11. Approved request by the Sheriff to declare as surplus property a 2012 Chevrolet Tahoe, VIN: 1GLNC2E09CR165335, and approved donation of same to the New Bethel Volunteer Fire Department by adoption of the following Resolution:

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**RESOLUTION NUMBER 2024-0012**

*A RESOLUTION TO DECLARE CERTAIN PROPERTY AS SURPLUS PROPERTY*

WHEREAS, the Colbert County Commission has been informed by the Sheriff that certain property hereinafter described and previously used in the performance of duties at the Colbert County Sheriff's Department is no longer required for use by County personnel; and

WHEREAS, the Commission has determined that such property is surplus property and the County has no further use of such property due to the age and condition thereof, and that it is not economical for the County to retool or refit the property in order for it to be able to be placed in service at Colbert County Sheriff's Department.

NOW THEREFORE, BE IT RESOLVED by the Colbert County Commission that the following described property be declared surplus property and be disposed of by the Sheriff in a manner that will require no further expenditure by the County or expose the County to any liability in the further use of or operation of such property and the County Commission does hereby authorize the Sheriff to dispose of said property in such manner, including donation of same to the New Bethel Volunteer Fire Department. The Commission finds that the following constitutes surplus property:

<b>Equipment Description</b>	<b>Equipment ID</b>
<b>2012 Chevrolet Tahoe</b>	<b>1GLNC2E09CR165335</b>

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12. Approved to appropriation of proceeds, \$25.00 per can, from Pink Garbage Can Program to be made to the Keller Foundation and earmarked for the BRAT PACK and Keller Breast Cancer Center. In addition, the County CFO was instructed to include BRAT PACK appropriation in 2025 budget request.

## **UNFINISHED BUSINESS**

None

## **REPORTS FROM STAFF**

Chairman Mansell announced that the Commission would hear reports from staff. Upon being recognized by the Chair, the following reports were heard by the Commission:

### **County Administrator:**

Administrator Roger Creekmore made the following reports: At the Road Department; Shalin Dennis was hired as a Mechanic I effective January 1, 2024 at \$33,987.20/yr. and Wesley Priest was hired as an HMT I effective January 1, 2024 at 28,953.60/yr. In the Revenue Commissioners office, Amanda Lindsey has successfully completed all requirements to be elevated from grade 4 to grad 5 pay scale with an 5% raise. Her new salary is now \$28,975.73. Also, in the Revenue Commissioners office Chris Osborn has successfully completed all educational requirements to be elevated from Business Personal Property Appraiser Trainee position to Business Personal Property Appraiser I with a pay scale of Grade 8. Creekmore announced the new deputy hires of Billy Jefferson, Blaine Melton & Jared Hatcher effective December 16, 2023. The beginning salaries are set at \$35,467.78 as APOST Certified Deputies.

### **Chief Financial Officer:**

CFO April Eaton reported that the first quarter of the budget is complete and a financial report will be provided at the next Commission meeting.

### **County Attorney:**

No Report

**EMA Director:**

Director Smith reported that concrete pads for the storm shelters at both SE Sheffield and Muscle Shoals locations have been poured and require a 28-day cure time. They expect to have shelters set by the first week of February and will have more work on utility connections and other site work. Director Smith also gave an update on the new EMA facility. He stated that the architectural, mechanical and electrical plans have been reworked since the last bid was rejected. They will be meeting with the architect this week to hopefully finalize new plans and put renovation back out for bid.

**County Engineer:**

County Engineer Jeremy Robison reported on the sale of a dump truck at auction.

**NEW BUSINESS**

A motion was given by Commissioner Barnes and seconded by Commissioner Bailey for the approval to make an offer of purchase in the amount of \$390,000.00 to Estes Bros. Const., Inc., for the purchase of real property and reclaimed aggregate located on Hwy 72 E. in Cherokee, Alabama. The terms of said offer would require the County to pay all costs associated with closing. The Chair stated that the matter before the Commission was approval of the offer to purchase and called for any discussion. Commissioner Barnes questioned the quality and intended use of the aggregate and appraised value assigned. Commissioner Isom stated that the purchase would save the County considerable money over time. There being no further discussion, Chairman Mansell asked the County Administrator to call the roll and a roll call vote was had as follows:

District 1	No
District 2	Yes
District 3	Yes
District 4	Yes
District 5	Yes
District 6	Yes

The Chair announced that the motion to approve the purchase of the Estes Brothers property received five (5) votes in favor of approval and one (1) vote against and therefore was adopted. The Chair asked that the County Attorney, in coordination with the County Administrator, the County Engineer, and the Chief Financial Officer, draft a proposed sale contract and communicate the County’s offer to representatives of Estes Bros. Const., Inc.

**DISCUSSION ITEMS BY COMMISSIONERS**

None

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COMMISSIONER, DISTRICT 1

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CHAIRMAN

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COMMISSIONER, DISTRICT 3

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COMMISSIONER, DISTRICT 4

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COMMISSIONER, DISTRICT 5

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COMMISSIONER, DISTRICT 6