

STATE OF ALABAMA)
COLBERT COUNTY)

Minutes of a Regular Meeting
of the
Colbert County Commission
02/20/2024

The Colbert County Commission met today in regular session at the Colbert County Courthouse. Chairman Mansell called the work session to order at 5:05 p.m. with the regular meeting following at 5:33 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. Commissioner Bendall offered the invocation and led the Pledge of Allegiance. Chairman Mansell declared that a quorum was present for the purpose of the transaction of business.

PUBLIC COMMENTS

Mr. Paul Hester addressed the Commission regarding the Special Event Permit enforcement and continuing issues in his community as the result of operation of Hawk Pride Off Road events.

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 Barnes. 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 for February 6, 2024.
2. Approved payment of February 20, 2024, bills as presented by the Chief Financial Officer.
3. Set public hearing on March 5, 2024 at 5:00 PM to receive comment on the application for off premises retail beer and table wine license by Jay Hanuman Inc / Melrose.
4. Approved resolution requesting Special Election for renewal of 5.0 mil school tax, Tuscumbia City Board of Education and adopted the following Resolution:

STATE OF ALABAMA)
COLBERT COUNTY)

Minutes of a Regular Meeting
of the
Colbert County Commission
02/20/2024

The Colbert County Commission met today in regular session at the Colbert County Courthouse. Chairman Mansell called the work session to order at 5:05 p.m. with the regular meeting following at 5:33 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. Commissioner Bendall offered the invocation and led the Pledge of Allegiance. Chairman Mansell declared that a quorum was present for the purpose of the transaction of business.

PUBLIC COMMENTS

Mr. Paul Hester addressed the Commission regarding the Special Event Permit enforcement and continuing issues in his community as the result of operation of Hawk Pride Off Road events.

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 Barnes. 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 for February 6, 2024.
2. Approved payment of February 20, 2024, bills as presented by the Chief Financial Officer.
3. Set public hearing on March 5, 2024 at 5:00 PM to receive comment on the application for off premises retail beer and table wine license by Jay Hanuman Inc / Melrose.
4. Approved resolution requesting Special Election for renewal of 5.0 mil school tax, Tuscumbia City Board of Education and adopted the following Resolution:

RESOLUTION NUMBER 2024-0015

**PROCEEDINGS PERTAINING TO THE REQUEST FOR AND CALL OF A SPECIAL ELECTION
FOR RENEWAL AND CONTINUATION OF THE LEVY OF THE 5.0 MILL SCHOOL TAX IN SCHOOL
DISTRICT NO. 4 (TUSCUMBIA) IN COLBERT COUNTY**

(Amendment No. 170, Constitution of Alabama of 1901)

BE IT RESOLVED, ORDERED AND DECREED by the Colbert County Commission (herein called "the Commission") as follows:

Section 1. Findings.

(a) The Commission hereby finds, determines and declares that there has been filed with the Commission the following written request from the Tuscumbia City Board of Education:

TO THE COUNTY COMMISSION OF COLBERT COUNTY, ALABAMA:

We hereby transmit to and file with you the attached copy of a resolution which was duly adopted by the Tuscumbia City Board of Education at a meeting thereof duly convened and held on February 12, 2024. You are hereby requested to cause and call to be held on April 16, 2024, in School District No. 4 in Colbert County, Alabama, a special election as set forth in the said resolution. The boundaries of School District No. 4 in Colbert County are coterminous with the corporate limits of the City of Tuscumbia, Alabama.

Yours very truly,

TUSCUMBIA CITY BOARD OF EDUCATION

**By: s/ Russell I. Tate
Its Secretary**

There was attached to the said request a certified copy of the following resolution:

BE IT RESOLVED by the Tuscumbia City Board of Education (herein called "the Board"), in the State of Alabama, as follows:

Section 1. Findings. Preliminary to the adoption of this resolution, the Board has caused an investigation to be made of the facts set out in the following statements and, on the basis thereof, the Board has found and does hereby declare as follows:

(a) Colbert County (herein called "the County") is currently levying a special district tax for public school purposes at the rate of fifty cents on each one hundred dollars (or 5.0 mills on each dollar) of the assessed value of taxable property in the special school district in the County known as School District No. 4 (herein called "District No. 4") and consisting of all the area lying within the corporate limits of the City of Tuscumbia, which special district tax has been authorized by the electors of District No. 4 to be levied annually until and including the levy for the tax year beginning October 1, 2024 (for which tax year the tax will become due and payable on October 1, 2025), being the tax that was originally authorized and provided for in Amendment No. 170 to the Constitution of Alabama of 1901, and an election held on August 23, 1994.

(b) All the area lying within District No. 4 is subject to the jurisdiction and control of the Board.

(c) The Board has determined that it is necessary and desirable that the special district tax now being levied in District No. 4 be continued after the expiration of the period for

which the said tax is currently authorized to be levied in order for the public school system in the City to render adequate educational services to the citizens thereof.

(d) Petition to County Commission. The Board does hereby respectfully petition and request the Colbert County Commission to call an election to be held on April 16, 2024, in District No. 4 to determine whether or not a special district tax of fifty cents on each one hundred dollars (5.0 mills on each dollar) of the assessed value of the property subject to taxation in District No. 4 shall be levied annually for public school purposes within District No. 4 for a period of thirty (30) consecutive years commencing with the tax year that will begin on October 1, 2024 (for which first tax year the tax will become due and payable on October 1, 2025); the said levy, if authorized, not to operate to increase the presently existing 5.0 mill district school tax in District No. 4 but to be in renewal and continuation of the 5.0 mill district school tax now being levied in District No. 4.

Section 2. Delivery of Request. The Secretary of the Board shall be and hereby is directed and instructed to prepare and deliver a certified copy of this resolution to the Colbert County Commission, accompanied by a written request that the said County Commission call the aforesaid election pursuant to the provisions of this resolution.

(HERE ENDS THE RESOLUTION OF THE BOARD OF EDUCATION)

(b) The Commission hereby further finds, determines and declares that said petition complies in all respects with the applicable provisions of Article 9 of Chapter 13 of Title 16 of the Code of Alabama 1975, and that the findings set out in Section 1 of the resolution adopted by the Board are true and correct.

Section 2. Call of Election. An election shall be and hereby is called to be held in School District No. 4 in the County (herein called "the District") on April 16, 2024, between the legal hours for holding elections and at the regular voting places in the District, for the purpose of submitting to the electors of the District the question of whether the County shall be authorized to renew and continue the annual levy, for a period of thirty (30) consecutive years beginning with the levy for the tax year that will begin on October 1, 2024 (for which first tax year taxes will become due and payable on October 1, 2025), a special ad valorem tax for public school purposes in the District at the rate of 5.0 mills on each dollar of the assessed value of the taxable property in said District, being the tax that was originally authorized and provided for in Amendment No. 170 to the Constitution of Alabama, it being intended that the said special tax to be voted on at the said election shall constitute a continuance and renewal of the said tax and shall not constitute an increase in the rate of taxation presently authorized in the District.

Section 3. Voting Places. The said election called shall be held and conducted at the regularly established voting places in the District except as to the casting of ballots of absent voters as hereinafter provided.

Section 4. Notice of Election. The sheriff of the County is hereby directed to give notice of said election in the manner prescribed by law, by publication in the Colbert County Reporter, a newspaper published in the County and having general circulation in the District, once a week for three consecutive weeks prior to the date fixed for said election, the first publication of such notice to be at least thirty days before the date of the said election, and also by posting a written notice of said election at three public places within the District, each of which shall be posted not less than thirty days prior to the date fixed for said election. The said notice to be so published and posted shall be in substantially the following form:

NOTICE OF SPECIAL ELECTION FOR RENEWAL
AND CONTINUATION OF THE LEVY OF THE
5.0 MILL DISTRICT SCHOOL TAX IN SCHOOL
DISTRICT NO. 4 (CITY OF TUSCUMBIA)
IN COLBERT COUNTY

Notice is hereby given that the Colbert County Commission has called and ordered a special election to be held in School District No. 4 on April 16, 2024, at which there will be submitted to the qualified electors of said district, for their determination by ballot, the question of whether a special district tax of fifty-five on each one hundred dollars (equal 5.0 mills on each dollar) of the assessed value of the taxable property located within the said school district shall be levied for public school purposes for a period of thirty (30) consecutive years commencing with the tax year that will begin on October 1,

2024 (for which first tax year the tax will become due and payable on October 1, 2025), which levy shall be in renewal and continuation of the 5.0 mill school district tax now being levied in the district.

The boundaries of School District No. 4 are coterminous with the corporate limits of the City of Tuscumbia, Alabama.

The said election will be held at the voting places regularly established for County elections in School District No. 4 between the legal hours for the holding of elections.

SHERIFF OF COLBERT COUNTY, ALABAMA

Section 5. Form of Ballot. The form of official ballot to be used at said election shall be in substantially the following form, except that there shall appear on the envelope accompanying each ballot for absent voters an affidavit substantially equivalent to the applicable form of affidavit prescribed for absent voters by law:

OFFICIAL BALLOT

SCHOOL DISTRICT NO. 4
COLBERT COUNTY, ALABAMA

SPECIAL ELECTION FOR RENEWAL AND
CONTINUATION OF THE LEVY OF THE
5.0 MILL SCHOOL DISTRICT TAX

(Amendment No. 170, Constitution of Alabama of 1901)

April 16, 2024

Shall the governing body of Colbert County, Alabama, be authorized to levy a special district tax of fifty cents on each one hundred dollars (equal to 5.0 mills on each dollar) of the assessed value of the taxable property located within School District No. 4 in said county, the area comprising the said district being all the area lying within the corporate limits of the City of Tuscumbia in Colbert County, for public school purposes for a period of thirty (30) consecutive years commencing with the tax year that will begin on October 1, 2024 (for which tax year the tax will become due and payable on October 1, 2025), which levy shall be in renewal and continuation of the 5.0 mill school district tax now being levied in the said school district?

() FOR proposed taxation

() AGAINST proposed taxation

The voter shall make a cross mark (X) before the proposition that expresses his or her choice.

Section 6. Ballots for Absent Voters. The form of the ballots for absent voters to be cast at the election shall be the same as that provided above except as follows:

- (a) In lieu of the words "Official Ballot" at the heading of the ballot there shall be substituted the words "Official Absentee Ballot";

(b) In lieu of the instructions to voters appearing at the end of the Official Ballot there shall be substituted the following:

Instructions to Voters

The voter shall record his or her choice, whether for or against the said special tax, by placing a cross mark before or after the words expressing his or her choice.

(c) Each absentee ballot shall be accompanied by an envelope on which there shall be printed an affidavit in the form prescribed by law for absent voters for elections held in this state.

Section 7. Conduct of Election. The special election to be held in the District on April 16, 2024, shall be held and the results of such election shall be declared in the same manner and by the same officers as the results of regular elections for county officers, under the general election laws of the state.

5. Approved purchase of program ad for the Colbert County Sports Hall of Fame in the amount of \$500.00.
6. Approved payment request to Emily Benson in the amount of \$2,475.00 for testing of voting machines for the March 5, 2024 Primary Election.
7. Approved award of Homeland Security Grant bid for security equipment for the new EMA building to Amber Video and Audio Services in the amount of \$24,590.00.
8. Approved award of Homeland Security AMHS bid to NAFECO in the amount of \$79,492.60.

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:

CFO April Eaton reported on behalf of Administrator Creekmore who was absent and gave an update on physical damage insurance.

Chief Financial Officer:

CFO April Eaton reported that the Rebuild Alabama Loan draw down closing on March 1st. She is opening another bank account to put remaining proceeds to draw from on continuing paving project.

County Attorney:

Attorney Edgar Black reported that he is working with property owners for purchase of land for the west end water tank.

EMA Director:

Director Smith reported on the RC&D NOAA Weather Radio Project. Each county in the NW RC&D area will receive a \$10,000.00 grant, 382 radios, will be distributed in Cherokee and Ford City. County will purchase up front and be reimbursed by RC&D.

Director Smith updated the Commission on the progress of the New EMA building. Pre-Construction meeting was held on Feb. 16, 2024. An order to proceed will be issued as soon as timeline is established by the asbestos abatement contractor.

County Engineer:

County Engineer Jeremy Robison presented a general services contract to be signed by Chairman with Engineers of the South for design of the West End water tank.

NEW BUSINESS

None

DISCUSSION ITEMS BY COMMISSIONERS

None

COMMISSIONER, DISTRICT 1

CHAIRMAN

COMMISSIONER, DISTRICT 3

COMMISSIONER, DISTRICT 4

COMMISSIONER, DISTRICT 5

COMMISSIONER, DISTRICT 6