

Minutes of a Regular Meeting
of the
Colbert County Commission
06/18/2024

The Colbert County Commission met today in regular session at the Colbert County Courthouse. Chairman Gardiner called the work session to order at 5:00 p.m. with the regular meeting following at 5:24 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 prayer 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

BOARD APPOINTEE REPORTS

None

AWARDS AND PRESENTATIONS

None

PUBLIC HEARING

None

CONSENT AGENDA

Chairman Gardiner announced that the business before the Commission was the approval of the consent agenda. Commissioner Bailey made a 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 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. Approved June 4, 2024, meeting minutes and waived reading of same.
2. Approved payment of June 18, 2024, bills as presented by the Chief Financial Officer.
3. Assented to Declaration of Vacation of a Portion of A Public Right of Way, for C.D. Williams Real Properties as presented by County Attorney and adopted the following Resolution:

RESOLUTION NUMBER 2024-0031

**A RESOLUTION ASSENTING TO A DECLARATION OF VACATION OF A PORTION
OF A PUBLIC STREET OR RIGHT OF WAY**

WHEREAS, a declaration in writing, executed and acknowledged by C.D. Williams Real Properties, Inc. (the "Declarant") has been presented to the Colbert County Commission, proposing vacation of the following described portion of a public street right-of-way in Colbert County, Alabama, to wit:

All named and unnamed right of ways and alleys contained within the boundaries of Muscle Shoals City Addition, a subdivision according to the plat thereof as recorded in the Office of the Judge of Probate of Colbert County, Alabama in Plat Book 2, Page 155; a copy of said plat being attached hereto as Exhibit A

and

WHEREAS, the Declarant states that it is the sole owner of the lands abutting the portion of the streets or alleys to be vacated by the Declarant; and

WHEREAS, the Declarant seeks the Commission’s assent to said vacation pursuant to Section 35-2-54, Code of Alabama, 1975; and

WHEREAS the Declarant states that vacation of the above-described public street rights-of-way will not affect the means of ingress and egress to and from the property abutting the same, and that convenient means of ingress and egress to and from all other property in the tract of land embraced in the map, plat, or survey of Muscle Shoals City Addition, either by the remaining streets and alleys dedicated by such map, plat, or survey, or by other streets or alleys dedicated.

NOW THEREFORE, BE IT RESOLVED by the Colbert County Commission that the assent of the Commission is hereby given to the declaration of vacation, executed by C.D. Williams Real Properties, Inc. of the following described portion of a public street right of way, to wit:

All named and unnamed right of ways and alleys contained within the boundaries of Muscle Shoals City Addition, a subdivision according to the plat thereof as recorded in the Office of the Judge of Probate of Colbert County, Alabama in Plat Book 2, Page 155; a copy of said plat being attached hereto as Exhibit A

BE IT FURTHER RESOLVED that a certified copy of this Resolution be given to Declarant, to be filed and recorded with the declaration of vacation by C. D. Williams Real Properties, Inc., in such manner as meets the requirements imposed by Section 35-2-54, Code of Alabama, 1975.

- 4. Approved the following Resolution declaring results for the May 21, 2024 Special Election held in School District 4:

RESOLUTION NUMBER 2024-0032

RESOLUTION AND ORDER OF COUNTY COMMISSION DECLARING RESULTS OF FIVE MILL SCHOOL TAX ELECTION HELD IN THE CITY OF TUSCUMBIA

WHEREAS, the Colbert County Commission at a special meeting held on May 22, 2024, determined that the results of a special election duly held on the 21st day of May, 2024, in School District 4, Colbert County, Alabama, being coterminous with the corporate limits of the City of Tuscumbia, Alabama, to determine whether or not in addition to any taxes now authorized or that may hereafter be authorized by the constitution or laws of the State of Alabama, a special city-wide school tax of five mills on each dollar (being the same as 50 cents on each \$100.00) worth of taxable property in said District 4 shall be levied and collected annually for public school purposes within said District 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), were as follows:

FOR PROPOSED TAXATION 132

AGAINST PROPOSED TAXATION 16

WHEREAS, the aforesaid results did not include provisional votes, which after being counted, resulted in a change in the final, official vote, as follows:

FOR PROPOSED TAXATION 134

AGAINST PROPOSED TAXATION

17

NOW, THEREFORE, this County Commission finds that said special election was duly and legally held in the City of Tuscumbia, Colbert County on the 21st day of May, 2024, as aforesaid, and that returns of said election have now been made to this Board, and upon canvass of the returns of said election, the Board finds and hereby declares the results of said election to be as follows:

RESULTS OF THE VOTE ON THE SPECIAL CITY-WIDE FIVE MILL SCHOOL TAX ELECTION FOR THE CITY OF TUSCUMBIA:

FOR PROPOSED TAXATION

134

AGAINST PROPOSED TAXATION

17

BE IT FURTHER RESOLVED and **ORDERED** by this Commission that a report in writing, under oath of the members of the Commission, declaring the results of said election, be made and filed in the office of the Probate Judge of Colbert County, and that a copy of such report be printed in the Colbert County Reporter, a newspaper published in Colbert County, Alabama; that such report declaring the results of said election be in substantially the following form:

The Colbert County Commission of Colbert County, Alabama, having officially canvassed the returns of the special election held on the 21st day of May, 2024, in and for School District 4, Colbert County, Alabama, being coterminous with the corporate limits of the City of Tuscumbia, Alabama, to determine whether or not, within said District 4, there shall be levied and collected a special district tax at the rate of five mills on each dollar (being the same as 50 cents on each \$100.00) of the assessed valuation of the taxable property in School District 4, Colbert County, Alabama, being coterminous with the corporate limits of the City of Tuscumbia, Alabama, 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), and continuing until and including the levy for the tax year of the City of Tuscumbia that will begin on October 1, 2053, (for which last tax year the said tax will become due and payable on October 1, 2054) for school purposes within School District 4, Colbert County, Alabama, being coterminous with the corporate limits of the City of Tuscumbia, Alabama, hereby declares under oath that the results of said special election are as follows:

RESULTS OF THE VOTE ON THE SPECIAL CITY-WIDE FIVE MILL SCHOOL TAX ELECTION FOR THE CITY OF TUSCUMBIA:

FOR PROPOSED TAXATION

134

**COLBERT COUNTY COMMISSION, GOVERNING
BODY OF COLBERT COUNTY, ALABAMA**

Chairman

Member

Member

Member

Member

Member

Sworn to and subscribed
Before me, this ____ day
of May, 2024.

Notary Public

BE IT FURTHER RESOLVED and **ORDERED** by this Commission that all other action approved by in the May 22, 2024 meeting, including but not limited to, the levy of the special education tax of five mills on each dollar (being the same as 50 cents on each \$100.00) of the assessed valuation of the taxable property in School District 4, Colbert County, Alabama, being coterminous with the corporate limits of the City of Tuscumbia, Alabama for a period of thirty (30) consecutive years.

**NOTICE OF RESULTS OF SPECIAL CITY-WIDE FIVE MILL SCHOOL TAX
ELECTION FOR THE CITY OF TUSCUMBIA**

The Colbert County Commission of Colbert County, Alabama, having officially canvassed the returns of the special election held on the 21st day of May, 2024, in and for the City of Tuscumbia, Colbert County, Alabama, to determine whether or not, within said City, there shall be levied and collected a special City tax at the rate of five mills on each dollar (being the same as 50 cents on each \$100.00) of the assessed valuation of the taxable property in the City of Tuscumbia 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), and continuing until and including the levy for the tax year of the City of Tuscumbia that will begin on October 1, 2053, (for which last tax year the said tax will become due and payable on October 1, 2054) for school purposes within the City of Tuscumbia, hereby declares under oath that the results of said special election are as follows:

**RESULTS OF THE VOTE ON THE SPECIAL CITY-WIDE FIVE MILL SCHOOL TAX
ELECTION FOR THE CITY OF TUSCUMBIA:**

FOR PROPOSED TAXATION **134**

AGAINST PROPOSED TAXATION **17**

**COLBERT COUNTY COMMISSION, GOVERNING BODY OF COLBERT
COUNTY, ALABAMA**

Chairman

Member

Member

Member

Member

Member

Sworn to and subscribed before me,
this ____ day of June, 2024.

Notary Public

5. Approved 911 dispatch contract for 2024-2025.
6. Approved submittal of application for ADEM DWSRF grant to study potential interconnections of the County Water System. This is a 100% grant.
7. Approved requested purchase of table for Sheffield City Schools Event in the amount of \$500.00
8. Approved declaration of July 5, 2024 as a County Holiday.

9. Approved rescheduling regular August 20th Commission meeting to August 27, 2024 at 5:00 P.M..

UNFINISHED BUSINESS

None

REPORTS FROM STAFF

Chairman Gardiner 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. There are 2 unanticipated vacancies on the Board of Equalization for the Revenue Commissioners office. Mr. Crochen Seal and Mr. Kyle Buchanan will no longer serve. The Code of Alabama allows for the 45-day, temporary appointment of board members, to be made by the Chairman of the County Commission. Chairman Gardiner has appointed Ms. Sharon Burns and Mr. Raymond Howard as 45-day, temporary Board of Equalization members. Creekmore relayed a request from the District Judge to consider July 5th as a holiday. Franklin County has done so. Commissioners added request as an agenda item. There was a request from the Boy Scouts at Camp Westmoreland asking the Commission if they would make an appropriation to defray cost of the roof replacement on the Ranger Building. Commissioners asked if Lauderdale County was also contributing. Chairman Gardiner instructed that the request be made an agenda item for the July 2 Commission meeting. The administrator reported that Wesley Gage Wear was hired, effective June 17th on the Litter Crew, part-time no benefits at \$12.00 /hr. pay rate. Tyler Pennington was terminated from his position on the part-time litter crew, effective June 10. Tonia Price was hired, effective June 12, at the Water Department, in the position of Water Clerk, part-time, at the rate of \$15.00/hr. no benefits. Amber Hodges was hired in the Probate Judge's office, effective June 17, in the position of Tag Clerk, at an annual rate of \$26,591.48.

County CFO:

CFO April Bearden requested suggested budget meetings to be held August 5, 6, 13, 26 and 27 with the regular meeting to be held on September 3rd if needed.

County Attorney:

None

E-911/EMA Director:

Director Jody Hitt reported that his first week as director started off with a wild ride. He explained the reason for the failure of the Storm Siren System to activate last week. The system was installed beginning in the late 90's will require attention with built-in fail-safe redundancies. An increased maintenance and replacement budget should be considered. Hitt said they are looking at a system that will be county wide and works through a satellite. Hitt is looking at revising S. O. P. and assign individuals / DNR. They will be checking the conditions of all sirens as well as looking into extra training.

County Engineer:

County Engineer Jeremy Robison reported as follow: Richard Kentrell was given the wrong pay scale. It should have been \$50,356.80, including 5% cost of living. Robison also reported that the paving contractor is covering a lot of ground with some of Commissioner Baley's District finished as well as Commissioner Bendall's District. They will soon start on Alloys and move west.

Comments by Other Elected Officials:

Sheriff Eric Balentine addressed the Commissioners and informed them of a F. A. T. machine being in use at the Shooting Range. This machine gives scenarios to help the officers determine how to deescalate various situations. They will be charged a discounted rate of \$25.00 per person, Sheriff Balentine invited the Commissioners attend and experience a part of what the officers do. Also, Balentine stated that he does not usually endorse products however, there is a "Hero Link" he has purchased for all of his officers. The Hero Link is a bracelet that stores your medical

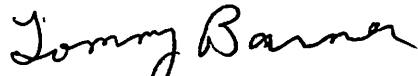
information. Balentine said that if one of his deputies needed help, paramedics will have all of the deputy's information to medically assist them. He has already purchased 100 of them to ensure they all have one. The price is \$20.00 each for law enforcers and first responders. He stated that it would be nice for non-verbal elderly people to one to help save lives fast. The Sheriff wants to sponsor some "Hero Links" for the Leighton Community and is looking for ways to raise money to help purchase more.

NEW BUSINESS

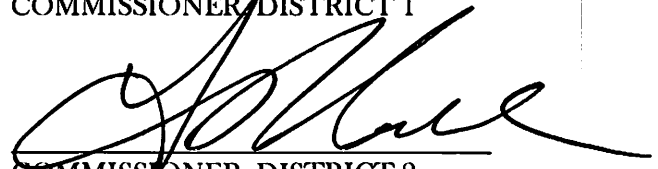
None

DISCUSSION ITEMS BY COMMISSIONERS

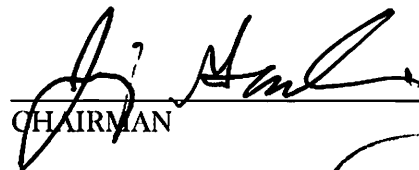
None



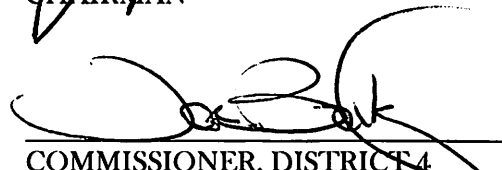
COMMISSIONER, DISTRICT 1



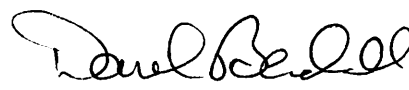
COMMISSIONER, DISTRICT 2



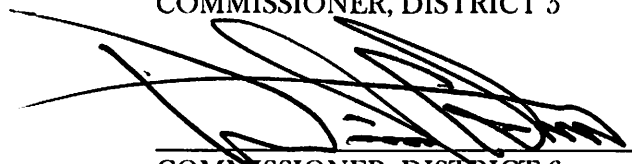
CHAIRMAN



COMMISSIONER, DISTRICT 4



COMMISSIONER, DISTRICT 5



COMMISSIONER, DISTRICT 6