

STATE OF ALABAMA )  
COLBERT COUNTY )

Minutes of a Regular Meeting  
of the  
Colbert County Commission  
07/02/2024

The Colbert County Commission met today in regular session at the Colbert County Courthouse. Chairman Gardiner called the work session to order at 5:03 p.m. with the regular meeting following at 5:37 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 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 Mansell 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 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. Approved June 3, 2024, meeting minutes as written and waived reading of same.
2. Approved June 18, 2024 meeting minutes as written and waived reading of same.
3. Approved payment of July 2, 2024, bills as presented by the Chief Financial Officer.
4. Set public hearing to consider application for transfer of ABC 011 - Lounge Retail Liquor - Class II (Package) license from JALA, Inc to SAMU INC., 4385 Highway 157, Leighton, AL (White Oak Liquor) for 5:00, July 16, 2024. The County Administrator is directed to post notice of the hearing in such manner as may be required by law and/or consistent with past practice.
5. Approved Revenue Commissioner's report of final settlement 2023 and adopted the following Resolution:

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**RESOLUTION NUMBER 2024-0034**

A RESOLUTION TO APPROVE REVENUE COMMISSIONER'S REPORT OF ERRORS  
IN ASSESSMENTS, TAXES IN LITIGATION, INSOLVENTS, AND UNSOLD TAX  
LIENS

WHEREAS, the Colbert County Commission received a report of "Insolvents, Errors, Litigations, and Unsold Tax Liens for 2023 and Uncollected Insolvents and Taxes in Litigation for Previous Years" from the Colbert County Revenue Commissioner; and

WHEREAS, pursuant to *Ala.* Code § 40-5-24, the Commission has made careful examination of such report and, in consultation with the Revenue Commissioner has determined which taxes on insolvents could not be collected and finds the report is due to be approved.

NOW THEREFORE, BE IT RESOLVED by the Colbert County Commission that the Report of Insolvents, Errors, Litigations, and Unsold Tax Liens for 2023 and Uncollected Insolvents and Taxes in Litigation for Previous Years be and is hereby approved as submitted by the Colbert County Revenue Commissioner.

BE IT FURTHER RESOLVED, that the Revenue Commissioner is directed to provide notice to the official or officials responsible for issuing state, county, and municipal business or manufacturing licenses that no license shall be issued for any person that has insolvent status until confirmation is provided to such official by the Revenue Commissioner that the insolvent's taxes have been paid, including all fees and interest that have accrued and any costs incurred to collect said taxes.

BE IT FURTHER RESOLVED, that the County Administrator is directed to provide a letter of approval and acceptance for credits to the Comptroller or similar official for final settlement for the Revenue Commissioner.

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6. Approved request from Alzheimer's Association to sponsor Walk to End Alzheimer's event in the amount of \$1,000.
  7. Approved award of Security Grants to Muscle Shoals, Sheffield and Tuscumbia school systems, in the amount of \$50,000 each, to be applied toward security, and adopted the following Resolution:

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**RESOLUTION NUMBER 2024-0035**

A RESOLUTION TO APPROVE GRANTS PAYABLE FROM SIMPLIFIED SELLER  
USE TAX FUND FOR SCHOOL SECURITY

WHEREAS, the Colbert County Commission recognizes the importance of ensuring the safety and security of students, faculty, and staff in our schools; and

WHEREAS, the City School Systems of Sheffield, Tuscumbia, and Muscle Shoals, all located within Colbert County, have identified needs related to school security; and

WHEREAS, the court County commission has determined that supporting these needs is in the best interest of the citizens of Colbert County; and

WHEREAS, the funds for these grants are available from the Simplified Seller Use Tax ("SSUT") fund.

NOW THEREFORE, BE IT RESOLVED by the Colbert County Commission as follows:

1. **Grant Awards:** the Colbert County Commission hereby awards a grant of \$50,000 each to the City School Systems of Sheffield, Tuscumbia, and Muscle Shoals for the purpose of enhancing school security.
2. **Use of Funds:** The awarded funds shall be used solely for the purpose of providing for school security, which may include, but is not limited to, the installation of security equipment, hiring of security personnel, and implementation of safety programs.

3. **Source of Funds:** The grants awarded herein shall be payable from the County's receipts under the SSUT.

4. **Implementation:** The respective City School Systems are responsible for ensuring that the funds are used in accordance with the purpose specified and shall provide a report to the Colbert County Commission detailing the use of the grant funds on or before September 1, 2025. The Chair of the Colbert County Commission is hereby authorized to enter into such agreements with the City School System as he may deem necessary for the proper implementation and disbursement of the grant funds.

5. **Effective Date:** This resolution shall take effect immediately upon its adoption.

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8. Approved Colbert County Firefighters request for donation of approx. 1 acre of property bordering South Hickory Street for construction of new building and adopted the following Resolution:

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### **RESOLUTION NUMBER 2024 – 0033**

#### **A RESOLUTION AUTHORIZING CONVEYANCE OF CERTAIN REAL PROPERTY TO THE COLBERT COUNTY ASSOCIATION OF VOLUNTEER FIRE DEPARTMENTS**

WHEREAS Colbert County owns real property which is located in Parkway Plaza Subdivision, Colbert County

WHEREAS, the Colbert County Association of Volunteer Fire Departments ("CCAVFD") has requested that the County convey to it a certain portion of this property for its use in exchange for CCAVFD maintaining the County's property in Blocks 1 and 10, Parkway Plaza Subdivision; and

WHEREAS, the Colbert County Commission recognizes the importance of the CCAVFD to the residents of Colbert County; and

WHEREAS, the Colbert County Commission deems it in the best interest of the citizens of Colbert County to convey a portion of the County's property to the CCAVFD.

NOW THEREFORE, BE IT RESOLVED by the Colbert County Commission as follows:

1. **Authorization of Conveyance.** The Colbert County Commission hereby authorizes the conveyance of the property described on Exhibit "A" attached hereto to the CCAVFD.
2. **Terms of Conveyance.** The conveyance shall be without consideration and shall be carried out by way of a statutory warranty deed, which shall be prepared and reviewed by the Commission's legal counsel.
3. **Execution of Documents.** The Chairperson of the Colbert County Commission, and the County Administrator, as necessary, are hereby authorized and directed to execute and deliver all documents and perform all acts as may be necessary to complete the conveyance as described herein.
4. **Further Actions.** All County officers and agencies are hereby directed to cooperate fully in the execution of this resolution and the conveyance of the property.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its passage and approval.

9. Approved appointment of Commissioner Tommy Barnes to ACCA Legislative Committee.

10. Approved request for payment of unused accrued annual leave to Elizabeth Batts in the amount of \$1,892.69.

11. Approved request for payment of unused accrued annual leave to Deborah Robinson in the amount of \$164.60.
12. Approved requests from County Engineer to declare as surplus property a CE094 Alamo Eagle 10 flex wing cutter and CE055 Rosco RB48 Hydrasweep and adopted the following Resolution:

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**RESOLUTION NUMBER 2024-0036**

A RESOLUTION TO DECLARE CERTAIN PROPERTY AS SURPLUS PROPERTY

WHEREAS, the Colbert County Commission has been informed by the County Engineer that certain property hereinafter described and previously used in the performance of duties at the Road 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 Road 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 County Engineer 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 County Engineer to dispose of said property in such manner. The Commission finds that the following constitutes surplus property:

Equipment Description	Equipment ID
2012 Alamo Eagle 10 Flex Wing Cutter	CE094
2001 Rosco RB48 HydraSweep	CE055

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13. Approved County Engineer to proceed with construction of driveway for west end water tank site.
14. Approved to set budget hearing dates: August 5, 6, 13, 26, 27, and September 3, each at 5:00 P.M. or immediately following the Regular Meeting of the County Commission if such date is a Regular Meeting date in the Colbert County Commission Chambers in the Colbert County Courthouse. The County Administrator is directed to post notice of such meetings as may be required by law.
15. Approved Administrator to proceed with telephone system upgrades with Danmark Technologies.

**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: The Commission office is dealing with issues with the existing phone system and service provider, Windstream. Windstream is now billing the County \$1,500.00 for each copper phone line running to our facilities, resulting in an upcharge of over \$30,000.00. At the direction of the Administrator, I.T. Manager Eugene Rikard has been exploring alternatives our current provider. Danmark Technologies has made a proposal

for a VOIP system. They will replace every phone with new VOIP phones, which will be the property of, and maintained by Danmark as part of the service. This will save the county a minimum of \$3,500.00/Month. Creekmore reported that we have a vacancy with the 911 board which will be on the Agenda for the July 16 meeting. Administrator hosted a meeting with Mayor Stanley of Sheffield, Sheffield Utilities and the Kelley Group to discuss the sew line / lift station going to the new jail and EMA building. There are issues of ownership and need for cost estimates for one of the parties to apply for an ARC Grant for the project. Creekmore would like to allow the Kelly Group to continue to work on it. Commissioners concurred. In the Sheriff Department, Molly Fountain has taken a new position as Jail Clerk at an annual pay of \$34,389.18. In the Road Department, Dillan Jones and Jim Fisher have been hired as HMT - 1, at an annual pay of \$28,953.60. Creekmore discussed the SSUT Grants to the school systems for security purposes and suggested that some SSUT funds be used on Courthouse security, specifically, the replacement of the metal detector at the main entrance at an estimated cost of \$20,000.00. Commissioners agreed.

#### **County CFO:**

CFO April Eaton reported that our audit for the 2022'-23' fiscal year is in progress. Ms. Eaton also reported that that ¾ of our budget year is complete and she will have a progress report at a future meeting.

#### **County Attorney:**

None

#### **E-911/EMA Director:**

None

#### **County Engineer:**

County Engineer Jeremy Robison reported as follows: Paving is going well and is now moving up to Colbert Heights. Robison also thanked the Commissioners for our holiday.

#### **Comments by Other Elected Officials:**

None

### **NEW BUSINESS**

None

### **DISCUSSION ITEMS BY COMMISSIONERS**

Commissioner Barnes stated that Alloys and Rose Trail projects have started and are progressing well. Paving at Alloys using ARPA funds may not be able to complete within the contract period and the remaining ARPA allocation may need to divert to perhaps Bainbridge Road.

Commissioner Bailey reported that WZZA celebrated it 52<sup>nd</sup> anniversary. Bailey also stated that some improvement needs to be made in informing the public in regard to security light installation, applications for such should be made to Sheffield Utilities. Also, thanks everyone for supporting the Cat Café at Colbert Animal Services. Bailey announced that the WC Handy Festival schedule is ready to be viewed on the website at [www.wchandyfestival.com](http://www.wchandyfestival.com).

Commissioner Isom stated that Bradley Bump, our new caretaker at Rose Trail, is doing an outstanding job. Isom also reported that they are making headway on new signage hoping to get some paving soon.

Chairman Gardiner thanked those for going to former Commissioner David Black's visitation and acknowledgement of the loss to the community. Gardiner stated that he remembers watching debates when he was younger and his mother drawing the curtain in the voting booth to privately vote. This made him think about the power of debate on our country and his uncertainty of how much his vote will count but stated that he does know what we can do and that's pray. Gardiner reminds us that freedom does not come free. He also announced that we are 2 weeks out from the 28<sup>th</sup> annual Saddle Up for St. Jude and hopes all can come up for the event. He's asking for prayers for all of the participants.

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COMMISSIONER, DISTRICT 1

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COMMISSIONER, DISTRICT 2

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CHAIRMAN

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COMMISSIONER, DISTRICT 4

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COMMISSIONER, DISTRICT 5

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COMMISSIONER, DISTRICT 6