

STATE OF ALABAMA)
COLBERT COUNTY)

Minutes of a Regular Meeting
of the
Colbert County Commission
09/03/2024

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 5:40 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 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 payment of September 3, 2024, bills as presented by the Chief Financial Officer.
2. Approved Bid award, EMA Facility for Spring Creek to H & N Construction in the amount of \$737,850.00 and adopted the following Resolution:

RESOLUTION NUMBER 2024-0042

**A RESOLUTION AWARDING BID FOR SPRING CREEK BOATHOUSE
PROJECT**

WHEREAS, the Colbert County Emergency Management Agency did send out advertisements for bids for furnishing all labor and materials and performing all work required in the installation of a new boathouse storage building and rail access on Spring Creek, and bids received were publicly opened on August 29, 2024; and

WHEREAS, that at the appointed time and place, specified above, the following bids were opened and tabulated as follows:

NAME	BASE BID	ADDITIVE ALT #1
B H CRAIG CONSTRUCTION CO., INC	No Bid	No Bid
CATES & PUCKETT CONSTRUCTION CO., INC.	\$863,855.00	No Bid
H & N CONSTRUCTION, INC.	\$737,850.00	No Bid

NOW THEREFORE, BE IT RESOLVED BY THE COLBERT COUNTY COMMISSION that the lowest, responsive, and responsible bidder has been determined to be H & N Construction, Inc. with a total bid price of \$737,850.00.

BE IT FURTHER RESOLVED, that the lowest responsive and responsible bidder, H & N Construction, Inc., is now awarded the bid for furnishing all labor and materials and performing all work required in the installation of a new boathouse storage building and rail access on Spring Creek pursuant to the specifications as advertised.

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3. Approved MOU with Helen Keller Hospital.
 4. Approved NACOLG annual contract with no changes for Ford City Senior Center Aging Services Agreement.
 5. Approved the following annual resolution for 2025 Severe Weather Preparedness Tax Holiday for February 21-23 of 2025:
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RESOLUTION NUMBER 2024-0041

A RESOLUTION PROVIDING FOR COLBERT COUNTY'S PARTICIPATION IN THE "SEVERE WEATHER PREPAREDNESS SALES TAX HOLIDAY" AS AUTHORIZED BY SECTIONS 40-23-230 THROUGH 40-23-233, CODE OF ALABAMA, 1975

WHEREAS, during its 2012 Regular Session, the Alabama Legislature enacted Act No. 2012-256 (40-23-230 through 40-23-233, *Code of Alabama* 1975), effective April 26, 2012, which provides an exemption of the state sales and use tax for certain purchases related to severe weather preparedness supplies during the first full weekend in February 2012 and the last full weekend of February in subsequent years; and

WHEREAS, 40-23-233, *Code of Alabama* 1975, authorizes the county commission to provide for an exemption of County sales and use taxes for purchases of items covered by the Act during the same time period in which the state sales and use tax exemption is in place, provided a resolution to that effect is adopted at least 30 days prior to the last full weekend in February; and

WHEREAS, the Colbert County Commission has affirmatively voted to grant the exemption of County sales and use taxes on purchases covered by 40-23-230 through 40-23-233 *Code of Alabama* 1975 during the last full weekend of February 2025, beginning at 12:01 AM on Friday, February 21, 2025, and ending at 12 midnight on Sunday/Monday, February 23-24, 2025; and

WHEREAS, *Code of Alabama* 1975, §11-51-210 (e) requires that the County Commission notify the Alabama Department of Revenue of any new local tax or amendment to an existing local tax levy at least 30 days prior to the effective date of the change; and

WHEREAS, the exemption of certain County sales and use taxes for the last full weekend of February 2025 here in adopted by the County Commission is an amendment to the County's sales and use tax levy warranting notice to the Alabama Department of Revenue as provided in *Code of Alabama 1975*, §11-51-210 (c).

NOW THEREFORE, BE IT RESOLVED by the Colbert County Commission that it does hereby provide for an exemption of the County sales and use tax on purchases of items covered by 40-23-230 through 40-23-233, *Code of Alabama 1975*, beginning at 12:01 AM on Friday February 21, 2025, and ending at 12 midnight on Sunday/Monday, February 23-24, 2025.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of the September 3, 2024, meeting of the Colbert County Commission and be immediately forwarded to the Alabama Department of Revenue in compliance with *Code of Alabama 1975*, §11-51-210 (e).

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6. Approved to Reallocate Board of Registrars working days for Linda Joly.
 7. Approved applicant April Eaton to serve on the Alabama Mountain Lakes Board and adopted the following Resolution:

RESOLUTION NUMBER 2024-0043

A RESOLUTION APPOINTING A MEMBER TO THE BOARD OF THE
ALABAMA MOUNTAIN LAKES TOURISM BOARD

WHEREAS, the term of a member of the Alabama Mountain Lakes Tourism Board has expired and the Commission being desirous of making the necessary appointment 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:

April Eaton

WHEREAS, April Eaton was determined to be the most qualified applicant by the Commission; and

NOW THEREFORE, BE IT RESOLVED BY THE COLBERT COUNTY COMMISSION that April Eaton be and she is hereby appointed to serve a term on the Alabama Mountain Lakes Tourism Board commencing on _____ and ending on _____.

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

8. Approved County Transportation plan for Rebuild Alabama.
9. Approved to surplus CT 131, Kenworth Dump Truck VIN 1NKZ4TX4RJ359103 and CT 132 Kenworth Dump Truck VIN 1NKZX4TX9RJ376298, in the Road Department and adopted the following Resolution:

RESOLUTION NUMBER 2024-0044

**A RESOLUTION TO DECLARE CERTAIN COUNTY 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 performance of duties in the office of the County Engineer 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 it would be of no economic benefit for the County to retool or refit the property in order that it be able to be returned to service in the office of the County Engineer.

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:

Equipment Description	Equipment ID
Dump Truck, Kenworth VIN 1NKZX4TX4RJ359103	CT131
Dump Truck, Kenworth VIN1NKZX4TX9RJ376298	CT132

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: HHG Austin Hollander and Elijah Jones were hired as FT helpers both starting Sep. 3 @t 13.89/Hr. Reginald McKelvy, Tyler Pennington and Brently Graves were all terminated. Creekmore directed the attention of the Commission to an acre of property located in the Crooked Oak community adjoining Charity Chapel Church purchased by the County, April of 1980, for the purpose erecting a repeater (communications) tower for the Road Department. Charity Chapel Church has expressed an interest in acquiring it. EMA director and road department will investigate as to any future needs for the property.

County CFO:

CFO Eaton Reminded Commissioners of the last Budget Meetings directly after the regular meeting tonight. Eaton requested the Commissions signatures on a new bank account for the Sheriff department's vehicles to be tracked and accounted for separately.

County Attorney:

None

E-911/EMA Director:

Preparedness tax before January

County Engineer:

Engineer Robison Reported that Paving Projects are finished and still have striping left.

NEW BUSINESS

None

DISCUSSION ITEMS BY COMMISSIONERS

Commissioner Barnes stated that he was at a conference last week where he found it interesting how much the recyclers direction is which they are moving. He stated that we need to step up recycling in our area and come up with some better ideas. Commissioner Bailey thanked EMA Director Jody Hitt for how quickly he responded to the Essity fire. Hitt stated that it was also do to all of the volunteers as well.

COMMISSIONER, DISTRICT 1

COMMISSIONER, DISTRICT 2

CHAIRMAN

COMMISSIONER, DISTRICT 4

COMMISSIONER, DISTRICT 5

COMMISSIONER, DISTRICT 6

