STATE OF ALABAMA)
COLBERT COUNTY)

Minutes of a Regular Meeting of the Colbert County Commission 08/05/2025

The Colbert County Commission met today in regular session at the Colbert County Courthouse. Chairman Bendall called the work session to order at 5:04 p.m. with the regular meeting following at 5:31 p.m., the time and place previously scheduled for such work session and regular meeting. All Commissioners answered "present" at the call of the roll with the exception of Commissioner Barnes who was absent. Commissioner Mansell offered the invocation and led the Pledge of Allegiance. Chairperson Bendall 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

Chairperson Bendall announced that the business before the Commission was the approval of the consent agenda. Commissioner Gardiner 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. Chairperson Bendall 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 July 15, 2025, meeting minutes and waived reading of same.

2. Approved August 5, 2025, bills as presented by County C.F.O.

3. Approved instructing the County Engineer to proceed with acquisition of drainage easement from the Bates family for installation of drainage to remediate flooding of the Bates property and Gate 6 road.

4. Approved request by Presiding Circuit Judge Kyle Brown to appoint Jonathan Smith and Shelia Morgan to the Colbert County Law Library Committee. Each appointee will serve a four-year term.

5. Approved request by Michael Moore for payment of unused accrued annual leave in the amount of $373.05.

6. Approved request by Revenue Commissioner to surplus the following office equipment: Brother Fax Machine, Ser. # U63274H6J325650, H.P. Office Jet Pro 8600 Printer, Ser. # CN31JBXGNW, Biz Hub 362 router, Ser. # A11U011000601. Adopted the following Resolution regarding the same:

RESOLUTION NUMBER 2025-0026

A RESOLUTION TO DECLARE CERTAIN PROPERTY IN USE BY THE REVENUE COMMISSIONER TO BE SURPLUS PROPERTY

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

Equipment Description	Equipment ID
Brother Fax Machine	**U63274H6J325650**
HP Office Jet Pro 8600	**CN31JBXGNW**
Bizhub 362	**A11U011000601**

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7. Approved resolution for participation by Colbert County E.M.A. in an inter-local mutual aid agreement as authorized by Alabama Code §§ 31-9-9 and 31-9-11:

RESOLUTION NUMBER 2025-0027

A RESOLUTION TO AUTHORIZE COLBERT COUNTY EMERGENCY MANAGEMENT AGENCY'S PARTICIPATION IN MUTUAL AID AGREEMENT

WHEREAS, Act of Alabama 2025-206 amended the Code of Alabama 1975, §§ 31-9-9 and 31-9-11 to extend the scope wherein local emergency management organizations may provide reciprocal aid and assistance to other public or private agencies in the State of Alabama pursuant to a mutual aid agreement; and

WHEREAS, Act of Alabama 2025-206 grants the authority to the governing body of the position to develop mutual aid agreements with other public and private agencies within the state for mutual aid and assistance to protect the public peace, health, and safety, and to preserve the lives and property of the people of the state, and it further provides that employees of political subdivisions have the same powers and immunities when they act outside of the political subdivision pursuant to a mutual aid agreement; and

WHEREAS, each entity desiring to participate in the Alabama Inter-Local Mutual Aid Agreement is required to adopt a resolution, signifying its desire to participate and its agreement to the terms and conditions of participation; and

WHEREAS, the Colbert County Commission desires to adopt and participate in the Alabama Inter-Local Mutual Aid Agreement and understands and agrees to the provisions set out therein.

NOW THEREFORE, BE IT RESOLVED by the Colbert County Commission that the Director of the Colbert County Emergency Management Agency is hereby granted authority to enter this and future mutual aid agreements, as needed, to support prevention, protection, mitigation, response, and recovery of planned or unplanned events, emergencies, and/or disasters.

BE IT FURTHER RESOLVED, that it is the intent of the Colbert County Commission, by adoption of this resolution, to enter into the Alabama Inter-Local Mutual Aid Agreement with all other participating entities and to agree to all terms and conditions set out therein.

BE IT FURTHER RESOLVED, that a copy of this resolution be immediately forwarded to the Alabama Association of Emergency Managers and the State of Alabama Emergency Management Agency with a request that the Colbert County Commission be included as a participant of the Alabama Inter-Local Mutual Aid Agreement.

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8. Approved to award bid, chemical detector for hazmat team, to Agilent Technologies in the amount of $56,539.04. Expenditure is 100% grant funded. The following resolution was adopted in respect thereto:

RESOLUTION NUMBER 2025-0028

A RESOLUTION TO AWARD COMPETITIVE BID FOR HANDHELD CHEMICAL DETECTOR

WHEREAS, the Colbert County Emergency Management Agency did send out advertisements for bids for a Handheld Chemical Detector, with requests for bids being issued, received, and opened in accordance with applicable law; and

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

NAME	AMOUNT
Safeware, Inc.	$75,495.00
Agilent Technologies	$56,529.04
Pendar Technologies	$75,500.00

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9. Approved resolution, DWSRF grant, water distribution needs and interconnections, to accept grant funding in the amount of $450,000.00:

RESOLUTION NUMBER 2025-0029

A RESOLUTION TO APPROVE GRANT FOR STUDY OF WATER DISTRIBUTION SYSTEM NEEDS

WHEREAS, the Colbert County Commission was awarded Drinking Water State Revolving Fund ("DWSRF") Emerging Contaminant ("EC") grant funding in the amount of $450,000.00 to perform a study to assess the County's water distribution system needs and interconnections with the Town of Cherokee, Hawk Pride Mountain Water System, Town of Leighton, and LaGrange Mountain Water Authority, to support guidelines established by the Environmental Protection Agency for Emerging Contaminants in drinking water; and

WHEREAS, the Commission has voted and approved Chairperson Darol Bendall to act on behalf of the Commission to execute DWSRF EC Application documents.

NOW THEREFORE, BE IT RESOLVED by the Colbert County Commission that it hereby consents to accept the ADEM grant funding in the amount of $450,000.00, and authorizes The Kelley Group to act on behalf of the County as the Engineer of Record for the project.

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10. Approved interdepartmental overtime for water / road department.

11. Set Budget meeting dates for Monday Aug 11 and Aug 25 at 5:00 P.M.

UNFINISHED BUSINESS

Chairperson Bendall commented on the Gate 6 Road drainage issue. He stated that the uncovering of the drain pipe discovered under Gate 6 Road has resulted in the issue we are facing. Bendall then said that it is unknown whether former County Engineer John Bedford knew of the pipe's existence. Bendall said that former County Engineer Larry Black stated he did not know the pipe existed. Bendall then acknowledged that the Bates family moved to their current address on Gate 6 Rd in 1962 and have stated that the pipe was not visible or apparent at that time. Bendall also stated that the drainage pipe running under Gate 6 Road was covered or clogged at some point in time. Bendall acknowledged that during a big rain event, County Engineer Robison assessed the flood issue and discovered the clogged or covered pipe and freed it of obstruction which may have contributed to problems with flooding on the Bates property.

Chairperson Bendall proposed purchasing a 10-20 ft. drainage easement from the Bates family and installing an underground drain line system.. Rev. Thomas Bates was recognized by the Chair and stated his concerns regarding what happens to the water when the new drainage is installed. Bates stated that he wanted the problem alleviated on his mother's property without causing problems for someone else. The Chair then recognized County Engineer Robison who explained that acquisition of the easement and construction of the drainage system will not increase the amount of water flowing off of the Bates property. Robison stated that water already flowing onto the Bates property will be drained through the proposed easement.

REPORTS FROM STAFF

Chairman Bendall 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: Creekmore read a communication from Karen Crow from the Auburn Extension Office requesting the Commission's letter supporting her office's application for a grant to be used to evaluate ponds on public land operated by 501(c)(3). The Chair asked Mr. Creekmore to draft and send the requested letter.

NACOLG sent communication stating that Commissioner Barnes has been appointed to the following committees: Environment, Energy, and Land Use Steering Committee; Water Subcommittee (Chairperson); Help the Counties Innovation Council Committee; and Resilient Counties Innovation Council.

There was a resignation in the Sheriff's Department from part-time employee Amanda Boczar, effective July 29. Fabian Reynolds was hired by Household Garbage Collection Agency as a part-time litter crew helper beginning July 30 and with a starting pay of $12.36/hr. Keith Owen Vinson resigned his position as Litter Crew Helper effective July 23.

County CFO:

CFO April Eaton made the following reports: CFO Eaton provided the Commissioners a financial report announcing that we were ¾ of the year as of June 30.

County Attorney:

No Report

E-911/EMA Director:

No Report

County Engineer:

County Engineer Jeromy Robison made the following reports: Painting of the flag on the new water tower in Commissioner Isom's district began this week. Administrator Creekmore added that Commissioner Isom obtained approval from the TVA in Lieu of Tax Committee to commit $12,000 towards the painting of the flag. The flag will cost the Commission $500.00.

NEW BUSINESS
None

DISCUSSION ITEMS BY COMMISSIONERS
None

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COMMISSIONER, DISTRICT 1

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COMMISSIONER, DISTRICT 2

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COMMISSIONER, DISTRICT 3

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COMMISSIONER, DISTRICT 4

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CHAIRPERSON

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COMMISSIONER, DISTRICT 6