

STATE OF ALABAMA)
COLBERT COUNTY)

Minutes of a Regular Meeting
of the
Colbert County Commission
09/02/2025

The Colbert County Commission met today in regular session at the Colbert County Courthouse. Chairperson Bendall called the work session to order at 5:05 p.m. with the regular meeting following at 5:21 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 Tommy Barnes and Commissioner Jimmy Gardiner who were absent. Commissioner Tyrus 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

A proclamation was presented to Colbert County Sheriff’s Department Officers; Deputy Truitt , Deputy Harper, Deputy Anderson, and Lt. Michael Terrell for their extraordinary lifesaving actions on Aug 21, 2025.

PUBLIC HEARING

None

CONSENT AGENDA

Chairperson Bendall 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. 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 Aug 26, 2025, meeting minutes and waived reading of same.
2. Approved September 2, 2025, bills as presented by County C.F.O.
3. Approved a proclamation for Colbert County Sheriff’s Department Officers; Deputy Truitt, Deputy Harper, Deputy Anderson, and Lt. Michael Terrell for their extraordinary lifesaving actions on Aug 21, 2025.
4. Approved Request for Surplus, 2005 Phantom Cargo Trailer, VIN # 5NHUPCD265W023830 from Colbert E.M.A. for sale to Marshall County, and adopted the following Resolution:

RESOLUTION NUMBER 2025-0030

A RESOLUTION TO DECLARE CERTAIN PROPERTY AS SURPLUS PROPERTY

WHEREAS, the Colbert County Commission has been informed by the EMA Director that certain property hereinafter described and previously used in the performance of duties at the Ema 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 EMA.

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 EMA Director 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 EMA Director to dispose of said property in such manner. The Commission finds that the following constitutes surplus property:

Equipment Description	Equipment ID
2005 Phantom Cargo Trailer	5NHUPCD265W023830

5. Approved and adopted the following Resolution to oppose changes to Simplified Sellers Use Tax:

RESOLUTION NUMBER 2025-0031

A RESOLUTION ENCOURAGING THE ALABAMA LEGISLATURE TO OPPOSE ANY LEGISLATIVE CHANGES THAT WOULD DISRUPT THE SSUT PROGRAM’S OPERATIONS OR CALL THE PROGRAM’S CONSTITUTIONALITY INTO QUESTION

WHEREAS, the Alabama Simplified Seller Use Tax (“SSUT”) Remittance Act, codified at Section 40-23-191, et seq., *Code of Alabama* 1975, was enacted in 2015, establishing a process by which the State of Alabama collects use taxes from eligible sellers on behalf of Alabama consumers; and

WHEREAS, in *South Dakota v. Wayfair*, 585 U.S. 162 (2018), the United States Supreme Court held that the State may collect taxes from sellers that have a “substantial nexus” in the State, even where there is no physical presence, provided that the tax does not impose an undue burden on interstate commerce; and

WHEREAS, the SSUT program is designed to fall within the United States Supreme Court’s guidelines and has been a model for other states across the country; and

WHEREAS, the SSUT program is now under attack by a small group of mayors who have been publicly criticizing the same program that, since its enactment, has provided more than \$4.2 billion in essential revenue to the Alabama General Fund, the Alabama Education Trust Fund, Alabama’s 67 county governments, and Alabama’s municipal governments; and

WHEREAS, individual counties and municipalities have no constitutionally valid authority to compel online retailers to collect use taxes from Alabama consumers; and

WHEREAS, challenges to and attacks upon the SSUT program place essential revenue at risk for all levels of government and, therefore, are a threat to our State’s continued growth.

NOW THEREFORE, BE IT RESOLVED by the Colbert County Commission that the County Commission fully supports the current SSUT program as an efficient, constitutional, and operationally effective process for collecting use taxes due on behalf of Alabama consumers who utilize eligible sellers for delivery of taxable products into Alabama.

BE IT FURTHER RESOLVED, that the revenue generated by the SSUT program will continue to support essential governmental services in the county.

BE IT FURTHER RESOLVED, that the County Commission fully supports the use of population data to allocate the County portion of the revenue among our State’s 67 county governments as is currently provided by law.

BE IT FURTHER RESOLVED, that the County Commission strongly opposes any legislative efforts to alter the SSUT program in a way that would disrupt its operations or call into question its constitutionality.

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6. Approved Robinson & Son’s bid for \$1,160,158.00 for work at the Water Treatment Plant.

UNFINISHED BUSINESS

None

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: Received a call from Ashley Barnell, the chairman of the Helen Keller Festival Board, requesting to hold events on the Courthouse lawn for 2026 Keller Festival to draw people uptown instead of Spring Park.

LaSamuel Belue has been hired at the Household Garbage Agency as a PT Litter Crew beginning 9/3/25 with a starting rate of \$12.36/hr. Fabien Reynolds job PT Litter Crew was terminated on 8/26/25 for not calling in after missing work. Lewis Howard was hired as a FT HHG Helper beginning 9/1/25 with a starting pay of \$14.31/hr. From the Road Department, James Crews was hired as HMT1 9/1/25 with a starting salary of \$29,827.12.

County CFO:

CFO April Eaton made the following reports: Needs a response from the email sent to each commissioner regarding attendance to the exit conference on our audit held Tuesday at 10:00 AM. Last week She and Administrator Creekmore had a rating call with Moody’s which went well and should have the rating by next week for the new jail bond issue.

County Attorney:

Attorney Edgar Black made the following reports: The lawsuit between the Colbert County Board of Equalization and Essity over tax assessments has been settled.

E-911/EMA Director:

No Report

County Engineer:

County Engineer Jeremy Robison made the following report: The new water tank is nearly finished as well as the pump station, which is about 95% finished.

NEW BUSINESS

None

DISCUSSION ITEMS BY COMMISSIONERS

None

COMMISSIONER, DISTRICT 1

COMMISSIONER, DISTRICT 2

COMMISSIONER, DISTRICT 3

COMMISSIONER, DISTRICT 4

CHAIRPERSON

COMMISSIONER, DISTRICT 6