

STATE OF ALABAMA )  
COLBERT COUNTY )

Minutes of a Regular Meeting  
of the  
Colbert County Commission  
11/18/2025

The Colbert County Commission met today in regular session at the Colbert County Courthouse. Chairman Bendall called the work session to order at 5:06 p.m. with the regular meeting following at 5:27 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. Commissioner Tommy Barnes offered the prayer and led the Pledge of Allegiance. Chairman 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**

Chairman 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 Mansell. Chairman 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 Nov 4, 2025, meeting minutes and waived reading of same.
2. Approved Nov 18, 2025, bills as presented by County CFO Eaton.
3. Approved ACCA / SSUT Resolution Intervening as a Defendant in the SSUT Litigation as follows:

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**RESOLUTION NUMBER 2026-0009**

A RESOLUTION AUTHORIZING COLBERT COUNTY TO INTERVENE AS A DEFENDANT IN THE SIMPLIFIED SELLER USE TAX (SSUT) LITIGATION

WHEREAS, the Alabama Simplified Seller Use Tax (SSUT) Remittance Act, codified at Section 40-28-191 *et seq.*, Code of Alabama 1975, established a process by which the State of Alabama collects use taxes from eligible sellers on behalf of Alabama consumers; and

WHEREAS, on August 12, 2025, the City of Tuscaloosa, the School District of the City of Tuscaloosa, and the City of Mountain Brook filed a lawsuit in the Circuit Court of Montgomery County, Alabama against Vernon Barnett, in his official capacity as Commissioner of the Alabama Department of Revenue (Circuit Court of Montgomery County, Alabama Case Number CV-25-901031.00), asking the Court to direct Commissioner Barnett to disqualify particular business entities from the SSUT program; and

WHEREAS, on November 10, 2025, the Court imposed a 30-day deadline for any other interested parties to file motions to intervene in this litigation; and

WHEREAS, the SSUT program has been an essential source of revenue for Colbert County, and the plaintiffs' lawsuit, if successful, would jeopardize the County's ability to maintain the current level of governmental services it provides to the public.

NOW THEREFORE, BE IT RESOLVED by the Colbert County Commission that the County is directed to take all necessary actions, whether by itself or as part of a joint undertaking, to seek intervention as a defendant in the SSUT litigation and to protect the County's interests in this critical revenue.

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4. Approved requested payment for Gate 6 Road drainage easement from Road and Bridge Fund as follows:

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**RESOLUTION NUMBER 2026-0010**

A RESOLUTION AUTHORIZING THE CHAIR OF THE COLBERT COUNTY COMMISSION TO EXECUTE A RELEASE AGREEMENT, DRAINAGE EASEMENT, AND TO APPROVE PAYMENT OF FUNDS TO THE BATES

WHEREAS, the Colbert County Commission has negotiated a Release Agreement and a Drainage Easement ("Agreements") with Lillie Mae Bates (also known of record as Lilly Mae Bates), Clarence Bates, Jr., and Thomas Bates relating to drainage improvements and associated work on property owned by the Bates; and

WHEREAS, the Commission finds that execution of the Agreements is in the best interest of the County and will resolve all outstanding matters addressed therein; and

WHEREAS, the Commission further finds that payment of the agreed-upon consideration set forth in the Agreements is required for completion of the transaction.

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

1. **Authorization to Execute Agreements.** The Chair of the Colbert County Commission is hereby authorized and directed to execute the *Release Agreement* and the *Drainage Easement* between Colbert County and the Bates, in substantially the form presented to the Commission.
2. **Authorization of Payment.** The Commission authorizes payment to the Bates in the amount specified in the Agreements and directs the County Chief Financial Officer to issue payment from the appropriate fund upon execution of all necessary documents.
3. **Additional Acts.** The Chair, County Administrator, and County Attorney are authorized to take all actions that in any of their sole discretions is necessary, advisable, or convenient to carry out the intent of this Resolution and to finalize the transaction.

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5. Approved the following Resolutions for expenditures of 287(g) funds on behalf of the Sheriff's Department:

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**RESOLUTION NUMBER 2026-0005**

A RESOLUTION APPROVING EXPENDITURE OF FUNDS RECEIVED FOR COLBERT COUNTY SHERIFF'S DEPARTMENT PARTICIPATION IN ICE / 287(G) PROGRAM

WHEREAS, The Sheriff of Colbert County entered into a Service Agreement with the United States Department of Homeland Security Immigration and Customs Enforcement for specific enforcement actions; and

WHEREAS, the General Fund of Colbert County was paid a One Time Stipend / Reimbursement in the amount of \$130,000.00 as a result of the Colbert County Sheriff's Department participation in the 287(g) program; and

WHEREAS, The Colbert County Commission has responsibility for the allocation and expenditure of monies contained in the County General Fund; and

WHEREAS, Eric Balentine, the Sheriff of Colbert County is requesting the expenditure of 287(g) funds for law enforcement purposes, specifically, the purchase of a Prisoner Transport Van. The State Bid price for this vehicle is \$78,410.50; and

WHEREAS, the Commission desires to approve the allocation of 287(g) funds to cover the purchase price of this vehicle.

NOW THEREFORE BE IT RESOLVED, by the Colbert County Commission, that, having deemed that the purchase of a Prisoner Transport Van is a necessary, reasonable, and proportionate expenditure of the 287(g) funds, elects to allocate \$78,410.50 of the 287(g) funds for the purchase of a prisoner transport van.

IN WITNESS WHEREOF, the Colbert County Commission has caused this Resolution to be executed in its name and on its behalf by its Chair on the 18th day of November 2025.

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#### **RESOLUTION NUMBER 2026-0006**

#### **A RESOLUTION APPROVING EXPENDITURE OF FUNDS RECEIVED FOR COLBERT COUNTY SHERIFF'S DEPARTMENT PARTICIPATION IN ICE / 287(G) PROGRAM**

WHEREAS, the Sheriff of Colbert County entered into a Service Agreement with the United States Department of Homeland Security Immigration and Customs Enforcement for specific enforcement actions; and

WHEREAS, the General Fund of Colbert County was paid a One Time Stipend / Reimbursement in the amount of \$130,000.00 as a result of the Colbert County Sheriff's Department participation in the 287(g) program; and

WHEREAS, the Colbert County Commission has responsibility for the allocation and expenditure of monies contained in the County General Fund; and

WHEREAS, Eric Balentine, the Sheriff of Colbert County, is requesting the expenditure of 287(g) funds for law enforcement purposes, specifically, the purchase and installation of new communication equipment in five (5) patrol cars at a cost of \$6,320.96; and

WHEREAS, the Commission recognizes the need for modern, reliable communication equipment in patrol vehicles for protection of the citizenry of Colbert County, and desires to approve the allocation of 287(g) funds for the purchase of new communication equipment.

NOW THEREFORE BE IT RESOLVED, by the Colbert County Commission, having deemed that the purchase communication equipment a necessary, reasonable, and proportionate expenditure of the 287(g) funds elects to allocate \$6,320.96 of the 287(g) funds for the purchase and installation of radios and accessories for five (5) patrol vehicles.

IN WITNESS WHEREOF, the Colbert County Commission has caused this Resolution to be executed in its name and on its behalf by its Chair on the 18<sup>th</sup> day of November 2025.

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#### **RESOLUTION NUMBER 2026-0007**

#### **A RESOLUTION APPROVING EXPENDITURE OF FUNDS RECEIVED FOR COLBERT COUNTY SHERIFF'S DEPARTMENT PARTICIPATION IN ICE / 287(G) PROGRAM**

WHEREAS, the Sheriff of Colbert County entered into a Service Agreement with the United States Department of Homeland Security Immigration and Customs Enforcement for specific enforcement actions; and

WHEREAS, the General Fund of Colbert County was paid a One Time Stipend / Reimbursement in the amount of \$130,000.00 as a result of the Colbert County Sheriff's Department participation in the 287(g) program; and

WHEREAS, the Colbert County Commission has responsibility for the allocation and expenditure of monies contained in the County General Fund; and

WHEREAS, Eric Balentine, the Sheriff of Colbert County, is requesting the expenditure of 287(g) funds for law enforcement purposes, specifically, the installation of graphics, logos, and striping on five (5) patrol cars at a cost of \$7,395.00; and

WHEREAS, the Commission recognizes that the presence of marked patrol vehicles contributes to enhanced public safety, and desires to approve the allocation of 287(g) funds for the installation of graphics to patrol vehicles.

NOW THEREFORE BE IT RESOLVED, by the Colbert County Commission, having deemed that the installation of graphics to patrol vehicles is a necessary, reasonable, and proportionate expenditure of the 287(g) funds elects to allocate \$7,395.00 of the 287(g) funds for the installation of graphics, logos, and striping on five (5) patrol vehicles.

IN WITNESS WHEREOF, the Colbert County Commission has caused this Resolution to be executed in its name and on its behalf by its Chair on the 18<sup>th</sup> day of November 2025.

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6. Approved requested for payment of unused accrued annual leave for Joya Blair in the amount of \$7,219.20.
7. Approved request to declare as surplus property a 2024 Ford Expedition, VIN 12FMJU1J82REA0795.
8. Approved request for MLK Unity Breakfast table purchase in the amount of \$350.00.
9. Approved the following county levies for new ABC license types:

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#### **RESOLUTION NUMBER 2026-0008**

#### **A RESOLUTION TO ESTABLISH COUNTY LEVIES FOR NEW ABC LICENSE TYPES**

WHEREAS, the 2025 Alabama Legislative Session resulted in the creation of three (3) alcohol license types to be issued by the Alabama ABC Board, being the following: Education Tourism Distillery License, Special Event Storage License, and Government Venue License.

WHEREAS, the Alabama ABC Board has requested that each wet county in Alabama set a county license fee to be imposed upon the issuance of any of the new license types.

NOW THEREFORE, BE IT RESOLVED by the Colbert County Commission that, effective as of the date of this Resolution, each person who is licensed by the ABC Board as an Education Tourism Distillery License, Special Event Storage License, or Government Venue License within the unincorporated portions of Colbert County, Alabama shall, upon issuance of any of the aforementioned license types, and prior to engaging in such business, pay to the County, for the privilege of so engaging in such business, an annual license fee as follows:

<b>LICENSE TYPE</b>	<b>COUNTY LICENSE FEE</b>
<b>Education Tourism Distillery</b>	\$250.00
<b>Special Event Storage</b>	\$550.00
<b>Government Venue</b>	\$1,000.00

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BE IT FURTHER RESOLVED that nothing contained in this Resolution shall be understood or deemed to in anywise affect the county license fees imposed by the Colbert County Commission upon any other ABC license type.

BE IT FURTHER RESOLVED that the County Administrator is directed to submit proper notification of the passage of this Resolution to the Licensing and Compliance Division of the Alabama Alcoholic Beverage Control Board and to do such other things as he, in his sole discretion, may deem necessary, wise, or expedient for carrying out the purpose of this Resolution.

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## 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: Jason Beasley resigned as transport officer for the Sheriff's Department effective November 10, 2025. Dakota Camas will transfer from Corrections Officer to Transport Officer effective November 16, 2025 with a salary of \$33,113.60. Effective Nov 16, Shawn Fields will begin work as a F.T. Corrections Deputy, CPR certified, with a salary of \$34,654.33.

Creekmore also reported that Joya Blair resigned from the Revenue Commissioners' Office effective November 28, 2025.

Jonathan McLaughlin was hired by HHG Department as a F.T. Household Helper, beginning November 17, 2025 at a starting pay rate of \$14.75/hr.

Creekmore reminded the Commission of a 911 board appointment upcoming that Jamie Klaska currently holds.

Creekmore requested the Commission add an item to the agenda establishing the County levies for new ABC license types.

### **County CFO:**

CFO April Eaton made the following reports: Legislative Conference is coming up Dec 10-11. Eaton requests that the Commission let her know if anyone would like to attend. She also informed the Commission that she will not be in attendance for Dec. 2 Commission meeting.

### **County Attorney:**

No Report

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

Director Jody Hitt made the following reports: February 16-20, The Alabama Association for Emergency Management will be going to Washington DC for the annual meeting, Hitt asked if there were any objections to his attending, the Commission did not voice any objection.

### **County Engineer:**

County Engineer Jeremy Robison made the following reports: Christmas lunch, provided by L.O. Bishop will be Dec. 16 at noon at the Road Department. Commissioners and the Sheriff are invited to attend.

## NEW BUSINESS

A motion was made by Commissioner Gardiner and seconded by Commissioner Isom to approve request for a full-page ad purchase, *TimesDaily* Progress Edition at ½ price for \$1,458.50. The Chair stated that the matter before the Commission was approval of said ad and called for any discussion. There being none, Chairman Bendall asked the County Administrator to call the roll, and a roll call vote was had as follows:

District 1	Yea
District 2	Yea
District 3	Yea

District 4	Yea
District 5	Nay
District 6	Yea

The Chair stated that the motion carries with five votes in favor of the motion and one vote against.

## **DISCUSSION ITEMS BY COMMISSIONERS**

Commissioner Mansell thanked Commissioner Bailey for her hard work with municipalities in passing a resolution joining the SSUT Litigation. He also thanked everyone for their part in it. Mansell is leaving tonight for the ACCA board meeting in Montgomery. He asked if there are any concerns the Commission would like him to discuss. Commissioner Barnes responded by saying that during the legislative session, legislation was not introduced in regards to strengthening the animal control laws and service animals as well noise ordinances.

Commissioner Isom wished everyone a safe Thanksgiving and family gathering, urging us to remember what the reason of the gathering is for. Commissioner Bailey stated that she received a phone call from Mayor Hudson informing her that Muscle Shoals would be in favor of the ACCA Litigation Resolution. She also urged the Commission to help their wives with the cooking and cleaning over the holiday. April Bearden reminded everyone that the Sheriff is having their community Thanksgiving meal at the Roundhouse for about 250 families from 11:00PM to 2PM Thanksgiving Day. If you know of anyone that does not have a place to go for Thanksgiving or the means to have a Thanksgiving meal, please let them know that this is available.

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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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CHAIRMAN

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COMMISSIONER, DISTRICT 6