

STATE OF ALABAMA )  
COLBERT COUNTY )

**Minutes of a Regular Meeting  
of the  
Colbert County Commission  
03/02/2021**

The Colbert County Commission met in regular session at the Colbert County Courthouse. Chairperson Bailey called the work session to order at 5:01 p.m., followed by the regular meeting and public hearing at 5:49 p.m., that being the time and place previously scheduled for such work session, regular meeting, and hearing. All Commissioners answered “present” at the call of the roll. Pastor Danny Pettus, Lauderdale County Commission Chair, offered invocation. Administrator Roger Creekmore led the Pledge of Allegiance. Chairperson Bailey declared that a quorum was present for the purpose of the transaction of business.

**PUBLIC COMMENTS**

Mr. Andrew Tuberville spoke about the litter on highway 72 as a result of refuse being hauled to the CWI Landfill in Barton.

**BOARD APPOINTEE REPORTS**

Chairperson Bailey spoke on behalf of the Justice Center Committee which is comprised of District 5 Commissioner Bendall, District 4 Commissioner Bailey, District 3 Commissioner Gardiner, City of Muscle Shoals Mayor Lockhart, City of Sheffield Mayor Stanley, City of Tuscumbia Mayor Underwood, City of Cherokee Mayor/Colbert County Jail Administrator Rutland, Colbert County Sheriff Williamson, and Colbert County Administrator Roger Creekmore, who serves as Committee Secretary. They have reached a basic consensus about the need for determining the location, funding, and operation and maintenance of the facility.

**AWARDS AND PRESENTATIONS**

NONE

**PUBLIC HEARINGS**

Chairperson Bailey called to order a public hearing for the purpose of receiving public comment regarding the applications for ABC licenses 050 - Retail Beer (Off Premises Only) and 070 - Retail Table Wine (Off Premises Only) by DOLGENCORP LLC (Dollar General Store 21828). Chairperson Bailey asked for those wishing to speak in favor of the applications to stand and address the Commission. No person wished to speak in favor of the application. Chairperson Bailey then asked for those wishing to speak against the applications to stand and address the Commission. No person came forward to speak against the application. Chairperson Bailey then declared the public hearing closed.

Chairperson Bailey then called to order a public hearing for the purpose of receiving public comment regarding the proposed vacation of a portion of West Old Covered Bridge Road filed by Betsy Frick. Chairperson Bailey asked for those wishing to speak in favor of the proposed vacation to stand and address the Commission. Betsy Frick and Doug Hester spoke in favor of the proposed vacation. Chairperson Bailey then asked for those wishing to speak against the proposed vacation to stand and address the Commission. Both Mr. & Mrs. Garrick Kenney and Katrina Kenney spoke against the proposed vacation. There being no other persons wishing to speak regarding the proposed vacation, the Chairperson declared the public hearing closed.

## CONSENT AGENDA

Chairperson Bailey announced that the business before the Commission was the approval of the consent agenda. Commissioner Isom made motion to adopt and approve the matters placed on the consent agenda during the work session. The motion was duly seconded by Commissioner Mansell. Chairperson Bailey 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. Waived reading of February 2, 2021 minutes and approved the same as written.
2. Approved payment of February 23, 2021 (retroactive), and Mar 2, 2021 bills as presented by the Chief Financial Officer.
3. Accepted Colbert County MSNHA Presentation (Kelley Group).
4. Authorized the Chairperson to enter into a Project Management Contract with NACOLG for HMGP Project 4426-0009 by adoption of the following resolution:

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### **RESOLUTION 2021-0019**

#### *A RESOLUTION TO AUTHORIZE PROJECT MANAGEMENT CONTRACT FOR HMGP PROJECT 4426-0009*

WHEREAS, the Colbert County Commission received FEMA Hazard Mitigation Grant Program funding for the construction of a new community safe room, and

WHEREAS, a project management fee of five percent of the estimated project total is included in the FEMA grant award.

NOW THEREFORE, BE IT RESOLVED that the Colbert County Commission does hereby authorize its Chairwoman to enter into a contract with the Northwest Alabama Council of Local Governments for a fee not to exceed \$3,581.00 to provide complete project management for HMGP Project 4426-0009.

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5. Authorized EMA Director to enter into Cooperative Agreement with Northwest Alabama RC&D Council by adoption of the following resolution:
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### **RESOLUTION 2021-0020**

#### *A RESOLUTION AUTHORIZING COOPERATIVE AGREEMENT WITH NORTHWEST ALABAMA RC&D COUNCIL*

WHEREAS, the Colbert County Emergency Management Authority (“EMA”) previously applied for and was awarded a grant from the Northwest Alabama RC&D Council to aid in the implementation of an EMA proposal entitled “Weather Radios”; and

WHEREAS, the terms of said grant require the EMA to enter into a Cooperative Agreement governing the distribution and reimbursement of funds in the amount of \$11,257.50 as a result of said grant award.

NOW THEREFORE, BE IT RESOLVED BY THE COLBERT COUNTY COMMISSION that Michael David Smith, as EMA Director, be and is hereby authorized to enter into the said Cooperative Agreement in substantially the form attached hereto as Exhibit "A" and is further authorized to execute such other documents as he deems necessary and advisable in complying with the terms of the grant and the Cooperative Agreement.

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6. Set Public Hearing for March 10, 2021 at 2:00 PM regarding submission of applications for FY2020 Community Development Block Grant funds and authorized posting of the following notice related thereto:
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**COLBERT COUNTY COMMISSION**

**PUBLIC HEARING NOTICE**

The Colbert County Commission will hold a public hearing on Wednesday, March 10, 2021 at 2:00 p.m. in the Colbert County Commission Chamber, 201 N. Main Street, Tuscumbia, Alabama 35674 to discuss the submission of an application for FY2020 Community Development Block Grant-CV (CDBG-CV) program funds. The County Commission wishes to obtain citizens' input on community needs within the County, particularly related to the COVID-19 pandemic. As part of the hearing process, citizens will be asked to verbally assist in the completion of a Needs Assessment document. Information to be presented includes the amount of grant funds available, the range of eligible activities which may be undertaken and a discussion of the proposed project the Colbert County Commission intends to submit to the Alabama Department of Economic and Community Affairs (ADECA).

For more information, or if you require special accommodations at the hearing, contact Mr. Roger Creekmore, County Administrator, Colbert County Commission, at 2565-386-8501. If you cannot attend in person, or you do not feel comfortable due to concerns related to COVID-19, you may mail your written comments to the Colbert County Commission, Attn: Roger Creekmore, County Administrator, 201 N. Main Street, Tuscumbia, Alabama 35674 prior to the public hearing.

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7. Appointed Tom Heflin to a seat on the Inspiration Landing Development Cooperative District Board by adoption of the following resolution:
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**RESOLUTION 2021-0021**

***A RESOLUTION TO APPOINT A MEMBER TO THE BOARD OF  
THE INSPIRATION LANDING DEVELOPMENT COOPERATIVE  
DISTRICT***

WHEREAS, the term of a member of the Inspiration Landing Development Cooperative District 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:

Tom Heflin

WHEREAS, Tom Heflin was determined to be the most qualified applicant by the Commission; and

WHEREAS, no other person was nominated by the Commission or has applied for appointment, the Commission is desirous of appointing said Tom Heflin to said board.

NOW THEREFORE, BE IT RESOLVED BY THE COLBERT COUNTY COMMISSION that Tom Heflin be and he is hereby appointed to serve a term on the Inspiration Landing Development Cooperative District Board.

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

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8. Authorized the Chairperson to enter into a contract with NACOLG for administration of CDBG Grant Project CY-CM-PF-20-010 by adoption of the following resolution:
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**RESOLUTION 2021-0022**

***A RESOLUTION OF THE COLBERT COUNTY COMMISSION  
AUTHORIZING THE NORTHWEST ALABAMA COUNCIL OF  
LOCAL GOVERNMENTS TO ADMINISTER CDBG PROJECT CY-  
CM-PF-20-010***

WHEREAS, the Colbert County Commission has received a CDBG County grant for drainage improvements in Colbert County, Alabama; and

WHEREAS, the receipt of this grant is conditional upon providing conditions to the Alabama Department of Economic and Community Affairs by no later than March 31, 2021.

NOW THEREFORE, BE IT RESOLVED that the Colbert County Commission does hereby authorize the Northwest Alabama Council of Local Governments to provide administration services for the project as provided for under ADECA Policy Letter 1 (Revision 9).

BE IT FURTHER RESOLVED that the Colbert County Commission authorizes its Chairperson to enter into a contract with the Northwest Alabama Council of Local Governments to provide said services for a fee not to exceed \$15,000.

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9. Authorized Commissioner Bailey to sign on behalf of the Commission a Letter of Intent to the Alabama Department of Economic and Community Affairs regarding Appalachian Regional Commission POWER Funding.
10. Appointed Shinika Byrd and Brad Counce to the Colbert County DHR Board by adoption of the following resolution:

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**RESOLUTION 2021-0023**

***A RESOLUTION TO APPOINT MEMBERS TO THE COLBERT COUNTY DEPARTMENT OF HUMAN RESOURCES BOARD***

WHEREAS, the terms of two members of the Colbert County Department of Human Resources Board have expired and the Commission being desirous of making the necessary appointments to said board; and

WHEREAS, notice was given to the public of said pending vacancies 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:

Shinika Byrd

Brad Counce

WHEREAS, Shinika Byrd and Brad Counce were determined to be the most qualified applicants by the Commission; and

WHEREAS, no other persons were nominated by the Commission or have applied for appointment, the Commission is desirous of appointing the said Shinika Byrd and Brad Counce to said board.

NOW THEREFORE, BE IT RESOLVED BY THE COLBERT COUNTY COMMISSION that Shinika Byrd and Brad Counce be and they are hereby appointed to serve a term on the Colbert County DHR Board commencing on \_\_\_\_\_ and ending on \_\_\_\_\_.

The County Administrator is hereby directed to notify the above-named persons of their appointments and further to notify the respective board of said appointments.

**OLD BUSINESS**

**REPORTS FROM STAFF**

Chairperson Bailey 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 was contacted by CGI with a request to use the Commission's letterhead for solicitation. It was generally agreed by all of the Commissioners not to approve that request. They also stated that they were going to do tourism highlights at no charge to the County. He reported that beginning Feb 15, 2021, the Sheriff has hired Hunter White as PT Jailer at the rate of 10.26/hr. Rocky Holden retired and was replaced by Tony Tomlinson, who will receive the same benefits. Administrator Creekmore updated the Commission on the status of the CBDG CV Grant (Covid). It is their hope that by the end of March will be the closing date. However, we are having difficulty finding a trailer. This will be discussed at the next agenda meeting.

**Chief Financial Officer:**

CFO April Bearden informed the Commission that the County is in the middle of its 2018 fiscal year audit.

**County Attorney:**

No Report.

**EMA Director:**

Director Michael Smith reported an update on the Covid Vaccines. He stated that the State of Alabama is expecting 40,000 doses of Johnson and Johnson (J&J) vaccines but was uncertain of when it will be allocated.

**County Engineer:**

Chief Engineer Jeremy Robison reported that Jason Smith will be the replacement for HMM2 beginning March 1, 2021.

**NEW BUSINESS**

Chairperson Bailey announced that the next item of business before the Commission was the consideration of applications for ABC licenses 050 - Retail Beer (Off Premises Only) and 070 - Retail Table Wine (Off Premises Only) by DOLGENCORP LLC (Dollar General Store 21828). Upon motion made by Commissioner Bendall\_\_\_ and duly seconded by Commissioner Mansell, Chairperson Bailey called for debate of the motion by Commissioners. There being none, Chairperson Bailey asked Administrator Creekmore to call the roll of Commissioners, and a roll call vote was had as follows:

Commissioner Barnes	Yea
Commissioner Mansell	Nay
Commissioner Gardiner	Yea
Commissioner Bailey	Yea
Commissioner Bendall	Nay
Commissioner Isom	Yea

Chairperson Bailey announced that the motion to approve the applications had carried and directed Administrator Creekmore to inform the Alabama Alcoholic Beverage Control of the Commission’s action.

Chairperson Bailey announced that the next item of business before the Commission was the consideration of a petition for partial vacation of West Old Covered Bridge Road filed by Betsy Frick. Commissioner Isom made motion to consider the petition. Chairperson Bailey called for a second. No Commissioner seconded the motion. Chairperson Bailey announced that the motion had died for lack of a second.

Chairperson Bailey announced that, there being no further business, upon motion duly made and seconded and passed by the Commissioners, the meeting was adjourned.

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COMMISSIONER, DISTRICT 1

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COMMISSIONER, DISTRICT 2

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COMMISSIONER, DISTRICT 3

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
COMMISSIONER, DISTRICT 5

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COMMISSIONER, DISTRICT 6

