

STATE OF ALABAMA)
COLBERT COUNTY)

Minutes of a Regular Meeting
of the
Colbert County Commission
2/15/2022

The Colbert County Commission met today in regular session at the Colbert County Courthouse. Chairman Bendall called the work session to order at 5:00 p.m. being the time and place for the work session. Regular meeting was convened at 5:51 p.m., being the time and place previously scheduled for regular meeting. Upon calling the regular meeting to order, Chairman Bendall passed Chairmanship of the Commission to Commissioner Isom for a period of eight (8) months. All Commissioners answered "present" at the call of the roll. Commissioner Mansell offered the prayer and led the Pledge of Allegiance. Chairman Isom declared that a quorum was present for the purpose of the transaction of business.

PUBLIC COMMENTS

Several residents from the Baker Lane Community spoke to the Commission in opposition to a proposed R.V. Park at the approximate intersection of Baker Lane and Betty Rose Lane. Residents voiced concerns about increased traffic, safety, sewage disposal, possible location being in a flood plain and decreased property values which could result from the Park location. County Engineer Robison stated that the sewage/septic systems would have to be in compliance with and approved by the Health Department, and that he would investigate the flood plain location. County Attorney Edgar Black stated that the County was not granted zoning powers by the legislature and did not have Zoning Authority necessary to prevent a park such as this from being located in the County. Another resident of Baker Lane inquired about a grey area between the City of Tuscumbia and the County. Black answered, that if Tuscumbia has a municipal planning commission, they can exercise authority up to 3 miles beyond the municipal limit and in 2023 up to 1 mile beyond such limit. Commissioner Barnes asked if a HOA could be set up. Mr. Foster the owner of the proposed development commented that he has no intentions for his development to be used as a mobile home park and that it will be a family area that will abide by the rules. Barnes expressed his concerns about any liability falling back on the County. A resident questioned the developments plan for entry into the park. Foster replied that the road will be widened and it will be a private road. A concerned resident asked if there was an ordinance stating how far it will be from his house. Black responded no there is not. Commissioner Bailey suggested that additional signage be made for the safety of the neighborhood. Mr. Waddell asked if the development has to follow the County guidelines. It was answered that it falls under subdivision regulations.

BOARD APPOINTEE REPORTS

None

AWARDS AND PRESENTATIONS

None

PUBLIC HEARING

None

CONSENT AGENDA

Chairman Isom announced that the business before the Commission was the approval of the consent agenda. Commissioner Barnes made motion to adopt and approve the matters placed on

the consent agenda during the work session. The motion was duly seconded by Commissioner Bailey. Chairman Isom 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 1, 2022 minutes and approved the same as written.
2. Approved payment of February 15, 2022 bills as presented by the Chief Financial Officer.
3. Scheduled Public Hearing for application for transfer of Lounge Retail Liquor – Class II (Package) license by Rans Business, Inc., d/b/a Tuscumbia Liquor Store, on March 1, 2022 @ 5:00 P.M.
4. Scheduled Public Hearing for application for transfer of Retail Beer (Off Premises Only) license by Rans Business, Inc., d/b/a Tuscumbia Mini Mart, on March 1, 2022 @ 5:00 P.M.
5. Approved Request to Surplus 2004 F-250, VIN 1FTNW20P64EB12419 from Colbert EMA with proceeds to be used on the equipment for another truck in the fleet by adoption of the following Resolution:

RESOLUTION NUMBER 2022-0026

A RESOLUTION TO DECLARE PROPERTY IN SERVICE BY THE EMERGENCY MANAGEMENT AGENCY AS SURPLUS PROPERTY

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

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
2004 F-250 Truck	1FTNW20P64EB12419

6. Approved request by County Engineer to declare CE098 Tractor as surplus property by adoption of the following Resolution:

RESOLUTION NUMBER 2022-0027

A RESOLUTION TO DECLARE CERTAIN PROPERTY IN SERVICE BY THE ROAD DEPARTMENT 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 Road 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 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 Road 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 County Engineer 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 County Engineer to dispose of said property in such manner. The Commission finds that the following constitutes surplus property:

Equipment Description	Equipment ID
2014 John Deere Tractor	CE098

-
7. Approved Speed Breaker Installation and Traffic Control Measures on Blue Road.
 8. Approved Swampaversary Table Purchase Request sponsorship in the amount of \$1,000.00 4-23-22.
 9. Approved Appointment of Jamie Klaska to the Colbert 911 Board, term ending January 01, 2026.

All Commissioners voted AYE and the motion was adopted.

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 announced that there is a vacancy for NACOLG non -elected board of directors due to the passing of Andy Wayne Smith. He reported that after confirming with EMA, there is funds left in the initial CDBG-CV grant will not be used. Rather than returning the money to ADECA, he would like to purchase 60 laptops for the Sheriff's and other County Departments. He stated that this is a savings for the general fund. The old computers will be wiped clean and made available for the Volunteer Fire Department.

Chief Financial Officer:

None.

County Attorney:

None.

EMA Director:

Director Michael Smith reported that they have had problems with people living in storm shelters. Over the weekend someone has gotten into Sheffield's Appleton Storm Shelter. Smith is asking if the County could padlock the shelter doors and do away with electronic locks to be sure that they are opened and closed properly. Multiple keys for the shelters can be assigned to responders. Barnes questioned if the shelters could be conveyed to the corresponding cities. Michael Smith replied yes they can be, to anyone that will take them. Smith reported that railroad work is going

on in the County and that they have had a terrible time getting answers as to when they will be working and how long the work will go on. More work will be coming this week.

County Engineer:

Jeremy Robison reported that one of the lights was left at the tennis courts on Commons in Tuscumbia and is holding water by it. They are asking help from the Commission to level out the land to avoid puddling.

NEW BUSINESS

Chairman Isom stated that the next item of business would be premium pay for County Employees. Commissioner Bailey introduced the following resolution and moved for its immediate adoption:

RESOLUTION 2022-0028

A RESOLUTION FOR EXPENDITURE OF AMERICAN RESCUE PLAN FUNDS FOR TEMPORARY PREMIUM PAY PROGRAM

WHEREAS, Colbert County Alabama (the "County") has received American Rescue Plan Act fiscal recovery funds ("ARPA funds") and is charged with ensuring that such funds are expended in accordance with state and federal law; and

WHEREAS, providing premium paid to eligible County employees is an authorized use of ARPA funds; and

WHEREAS, the Colbert County Commission (the "Commission") has determined that appropriating ARPA funds to provide premium pay to eligible County employees in response to their performing essential work during the COVID-19 pandemic is a necessary and reasonable use of these funds; and

WHEREAS, the Commission desires to establish a temporary premium pay program to provide premium pay to eligible County employees as additional compensation during certain designated pay periods.

NOW THEREFORE, BE IT RESOLVED BY THE COLBERT COUNTY COMMISSION as follows:

1. There is hereby established the Colbert County temporary premium pay program ("TPP Program") to provide temporary premium pay ("TPP") as additional compensation to eligible County employees during designated pay periods ("TPP pay periods").
2. Except as otherwise provided herein, eligible County employees are employees whose assigned work duties require them to regularly interact in person with the public or their coworkers, or to regularly physically handle items that were handled by the public or their coworkers. Elected county officials are not eligible employees for the purposes of the TPP Program.
3. Except as otherwise provided in paragraphs 6, 7, and 8 of this Resolution, during each TPP pay., Eligible employees will receive as additional compensation TPP in the amount of \$7.50 per hour up to a maximum total amount of \$3000.00 for eligible full-time employees and \$1500.00 for eligible part-time employees.
4. The TPP pay periods are as follows: Five (5) consecutive pay periods starting with the pay period beginning with the 1st pay period of April, 2022.
5. TPP shall be in addition to an eligible employee's regular rate of wages and other compensation, with no reduction, substitution, offset, or other diminishment of the employee's current and prospective wages or other compensation.
6. TPP payments shall be included in the calculation of an employee's regular rate of pay for purposes of calculating overtime pay.
7. During the TPP Program, additional compensation attributable to the TPP Program, including additional compensation for overtime pay attributable to the payment of TPP, shall not exceed \$3000.00 for each eligible full-time employee and \$1500.00 for each eligible part-time employee.

8. The County will not use ARPA funds for any compensation attributable to TPP that exceeds \$13.00 per hour, including additional overtime pay attributable to the payment of TPP.
9. In accordance with the provisions of the American Rescue Plan Act and rules adopted thereunder, TPP:
 - a. Shall not be provided for work performed while an employee is working remotely from a residence or other non-job-related location; and
 - b. Shall not be provided to the extent that TPP would increase the total annual wages and remuneration for an eligible employee that is exempt under the Fair Labor and Standards Act overtime provisions above \$70,260 or another amount equal to 150% of the higher of Alabama's or the County's annual average wage for all occupations as defined by the most recent Bureau of Labor Statistics' Occupational Employment and Wage Statistics; and
10. The County Administrator is hereby authorized to expend ARPA funds in accordance with the provisions of this Resolution for any and all additional compensation and additional covered benefits provided to employees as a result of the TPP payments authorized herein.
11. Payment of TPP, as authorized by this Resolution, shall be contingent on the continued appropriation and availability of ARPA funds for this purpose.

Motion was given second by Commissioner Gardiner. Chairman Isom asked County Administrator to call the roll and a roll call vote was had as follows:

District 1	Aye
District 2	Aye
District 3	Aye
District 4	Aye
District 5	Nay
District 6	Aye

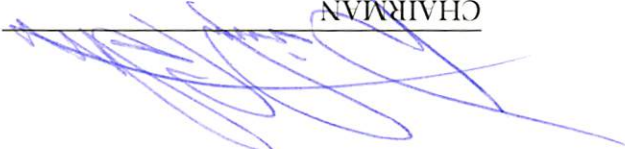
Chairman Isom declared the motion had carried and the Resolution adopted.

DISCUSSION ITEMS BY COMMISSIONERS


Commissioner Barnes discussed several intersections throughout the County where there are numerous accidents, which included intersections in the Spring Valley area where major roads intersect with Alabama Highway 20. County Engineer said he would address the concerns with ALDOT.


Commissioner Bailey informed the Commission of the Executive Director Job opening at Colbert Animal Services.


There being no further business to come before the Commission, upon motion made by Commissioner Barnes and seconded by Commissioner Bailey, the meeting was adjourned at 6:27 PM.

CHAIRMAN


COMMISSIONER, DISTRICT 5


COMMISSIONER, DISTRICT 4


COMMISSIONER, DISTRICT 3


COMMISSIONER, DISTRICT 2

COMMISSIONER, DISTRICT 1
