

STATE OF ALABAMA }

COLBERT COUNTY }

MAY 16, 2017

Colbert County Commission met today in regular session at the Colbert County Courthouse. Commissioner Gardiner, acting as Chairman in Chairman Jimmar's absence, called the meeting to order at 5:25 p.m. Commissioners present were Commissioner Barnes, Commissioner Black, Commissioner Gardiner, Commissioner Bendall, and Commissioner Hovater. Commissioner Jimmar was not present. Commissioner Gardiner declared a quorum was present and that the meeting was convened and opened for the purpose of transaction of business. County Administrator Kathy Polk was also present and kept the minutes of the meeting. Commissioner Bendall offered the invocation.

PUBLIC HEARING DAWSON DISTILLERY LICENSE.

Commissioner Gardiner announced that the business before the Commission was a Public Hearing for Dawson Distillery requesting a manufacturer license to manufacture and sell alcoholic beverage. Commissioner Gardiner announced that each person speaking would have a time limit of 3 minutes. Commissioner Barnes made motion to open public hearing and Commissioner Black seconded the motion. All Commissioners voted aye to begin the Public Hearing. Commissioner Gardiner announced that the Commission was now in public hearing and called for anyone to speak in support of the license to manufacture alcoholic beverage.

Joanna Dawson, owner of Dawson Distillery, stated that she had completed all Federal requirements, State requirements, and asked Commissioners to give their approval. Ms. Dawson also stated that it would not be a retail site. Distilled spirits would be manufactured, bottled, and sent to State warehouse in Montgomery for distribution. Mr. Donnie Winters, ABC office in Florence, stated that the license allowed for on-site tasting and sale of one bottle per person per day at distillery.

Commissioner Gardiner called for anyone to speak in support of license. No response. Commissioner Gardiner called a second time for anyone to speak in support of license. No response. Commissioner Gardiner called a third and final time for anyone to speak in support of license. No response.

There being no other persons wishing to speak in favor of the license, Commissioner Gardiner called for anyone to speak against license.

Rev. Greg Beasley, Pastor, Valley Grove Baptist Church
121 Cottonwood Dr.
Muscle Shoals, AL 35661

Rev. Beasley expressed concern about what alcohol does to families and as a former Trooper Chaplain his job reporting alcohol related accident and deaths.

Mr. Truman Hallmark
226 Melissa Drive
Muscle Shoals, AL 35661

Mr. Hallmark doesn't want his children and grandchildren facing drivers that have been drinking. He does not want to be from a County that has moonshine.

Mr. Doug McDonald
2324 Hardin Ave.
Muscle Shoals, AL 35661

Mr. McDonald stated that his wife and daughter were injured in an automobile accident when they were hit by a drunk driver. His daughter was disabled as a child due to accident and died at 24 years old.

Rev. James Owens, Pastor, Spring Valley Church of Christ
Spring Valley Road
Tuscumbia, AL 35674

Rev Owens stated that he opposed sale of alcohol on premise and owner had explained earlier that license did not include on site sell or tasting. He thought she should know what the license included.

Mr. James Watson
814 Buena Vista
Muscle Shoals, AL 35661

Mr. Watson serves as a Chaplain and stated that alcohol is already here and can be obtained anywhere and we do not need to add to an existing problem.

Rev. Mark Mayfield, Pastor, Leighton Baptist Church
101 Battery Road
Tuscumbia, AL 35674

Rev. Mayfield wants on record that he opposes alcohol and to stand up for what you believe. As a Pastor, he warns people that alcohol will hurt them and it goes against God's word.

Ms. Regina Wright

306 2nd Street

Tuscumbia, AL 35674

Ms. Wright stated that she grew up in Spring Valley and questions if the infrastructure of that area can accommodate this business, such as the water supply and condition of roads. What changes will need to be made?

Rev. Kirk Bishop

115 Spring Creek Lane

Tuscumbia, AL 35674

Rev. Bishop stated that he counsels with people that alcohol has influenced their lives and his prayer is for Commission not to move forward with this request for license.

Mr. Winters, with ABC office stated that Ms. Dawson may not have known that the license included being able to taste and sell on premises.

Rev. Ted Vafeas

312 Pershing Ave.

Muscle Shoals, AL 35661

Rev. Vafeas stated that everything legal is not moral and that he is against produce, not the people. God knows our hearts and we will all stand before him one day.

Mrs. Mary Isbell

2027 Aston Circle

Muscle Shoals, Al 35661

Mrs. Isbell stated that she knows what LaGrange Mountain stands for and it's a rural community, not a big draw for a business. She ask to keep it a rural farm community.

Commissioner Gardiner called for anyone to speak against approval of license. No response. Commissioner called a second time for anyone to speak against license. No response. Commissioner Gardiner called a third and final time for anyone to speak against license. No response,

Commissioner Gardiner asked Commissioners if they had any comments to make.

Commissioner Black questioned if there are rules that limit tasting or on site sales. Mr. Winters stated that ABC limits sales to one 750 mL bottle per person

per day that local governing bodies determine hours for sales. Tasting is monitored by owner, not ABC. ABC can do random inspection. Ms. Dawson would be subject to ABC audit.

Commissioner Barnes asked what determines if State honors Commissioners vote. Mr. Winters stated that there is no appeal process after Commission votes.

Commissioner Bendall stated that he does not want to be the person that allows alcohol to cause problems and death

Commissioner Black stated that history of Colbert County is that Sheffield had alcohol in the city in the past, but with respect for citizens, it is legal and is a tough issue for Commissioners.

Commissioner Barnes stated that areas have huge problems with underage alcohol, drugs, and tobacco. The Lord has given us individual choices and decisions.

Commissioner Gardiner stated that this vote has been a struggle and Ms. Dawson has completed all the paperwork and documentation required to get a license and Colbert County has voted and approved legal sale of alcohol. Most of the people that have spoken are representing the district the Dawson Distillery is in and Commissioners must vote their conscience.

There being no other comments from Commissioners, Commissioner Barnes made motion to close the public hearing. Commissioner Bendall seconded the motion. All Commissioners voted aye. Commissioner Gardiner announced that the public hearing was closed.

Commissioner Gardiner called for a vote by district, and roll call vote was had:

District 1	Commissioner Barnes	Yes
District 2	Commissioner Black	Yes
District 3	Commissioner Gardiner	Yes
District 5	Commissioner Bendall	No
District 6	Commissioner Hovater	No

Commissioner Gardiner announced that the result of the vote was 3 votes in favor of the license and 2 votes against the license. Commissioner Gardiner directed that the result of the vote be reduced to writing and forwarded by the Administrator to the ABC Board.

CONSENT AGENDA

Commissioner Gardiner stated the business before the Commissioner was the approval of the Consent Agenda. Commissioner Barnes made motion to approve

the Consent Agenda. Commissioner Bendall seconded the motion. The motion passed with all Commissioners voting aye. The following items of business were approved by the Commission.

1. Approved minutes from May 2, 2017 Commission meeting.
2. Approved payment of bills as presented.
3. Approved request by Sheriff Williamson to declare surplus car #24-2004 Crown Victoria with mileage of 205,531 VIN #2FAHP71WX4X159731.

REPORTS FROM STAFF

Administrator: Ms. Polk reported that the State Public Examiners have started the Commission Office audit for fiscal year October 1, 2015 through September 30, 2016. Ms. Polk presented reports from Revenue Commissioner Oswalt for his 2016 tax year. Mr. Oswalt will be going to Montgomery for his 2016 final settlement.

Engineer: Mr. Bedford announced the promotion of two Water Department employees. Edward Sullivan and Ryan Fisher are promoted to Water Tech II.

Attorney: Mr. Black offered no report.

CORONER REQUEST EQUIPMENT

Commissioner Gardiner announced the next item of business on the agenda is the request from Coroner Carlton Utley for cooler equipment to store deceased victims while contacting next of kin. Mr. Paul Storey, CEO of Keller Hospital, met with the Commission and will work with County Attorney to draw up agreement to use Keller facilities.

ATTORNEYS REQUEST SECURITY BADGES

Commissioner Gardiner announced the next item on Commission agenda is request that County Attorneys be allowed to obtain badges that will make it possible for them to by-pass the security process. County Attorney Edgar Black will have a list of Colbert County Attorneys for the Commissioners. Commissioner Gardiner stated that the Commission will discuss this item at the next regular meeting.

With no further business, Commissioner Bendall made motion to adjourn the meeting. Commissioner Black seconded the motion. All Commissioners concurred.
