

STATE OF ALABAMA }

COLBERT COUNTY }

JULY 11, 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 5:30 p.m., being the time and place previously scheduled for such regular session. Commissioners present were Commissioner Barnes, Commissioner Black, Commissioner Gardiner, Commissioner Bendall, and Commissioner Hovater. Chairman 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 Barnes offered the invocation.

PUBLIC HEARING WHITE OAK MARKET

Commissioner Gardiner announced that the business before the Commission was a Public Hearing for Samu, Inc., doing business as White Oak Market, located at 4395 West Hwy 157, Leighton, Alabama, requesting liquor license for off premises only table wine. 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 for off premises table wine.

No response. Commissioner Gardiner called a second time to speak in support of license. No response. Commissioner Gardiner called a third and final time for anyone to speak in support of the license. No response. There being no person wishing to speak in favor of the license, Commissioner Gardiner called for anyone to speak against the license. No response. Commissioner Gardiner called a second time for anyone to speak against the license. No response. Commissioner Gardiner called a third and final time for anyone to speak against the license. No response. Commissioner Gardiner called for any Commissioners to speak regarding the license. Commissioner Barnes made motion to close the Public Hearing. Commissioner Black seconded the motion. All Commissioners voted aye. 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	Yes

Commissioner Gardiner announced the result of the vote was 4 votes in favor of the license and 1 vote 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.

PUBLIC HEARING SPRING VALLEY MARKET

Commissioner Gardiner announced the next business before the Commission was a Public Hearing for Satyam Business Inc., doing business as Spring Valley Market, located at 2620 Ricks Lane, Leighton, Alabama, requesting a liquor license for off premises only retail beer. Commissioner Barnes made motion to open Public Hearing. Commissioner Black seconded the motion. All Commissioners voted aye to open the Public Hearing. Commissioner Gardiner announced that the Commission was now in Public Hearing and called for anyone to speak in favor of the license. Rhonda Salazar, applicant for the license, spoke for the license. Commissioner Gardiner called for anyone to speak for the license. No response. Commissioner Gardiner called again for anyone to speak for the license. No response. Commissioner Gardiner called a final time for anyone to speak for the license. No response. There being no other person wishing to speak for the license, Commissioner Gardiner called for anyone to speak against the license. Edward Riner spoke against the license.

Commissioner Gardiner called for anyone to speak against license. Sonny Owens spoke against the license. Commissioner Gardiner called for anyone to speak against the license. No response. Commissioner Gardiner called for anyone to speak against the licenses. No response. Commissioner Gardiner called a final time for anyone to speak against the license. No response. Commissioner Gardiner called for any Commissioners to speak regarding the license.

Commissioner Bendall spoke against stating that it would not bring in much revenue and life is more valuable. Commissioner Black made motion to close Public Hearing. Commissioner Barnes seconded the motion. All Commissioners voted aye. Commissioner Gardiner called for a vote by district and a roll call vote was had:

District 1	Commissioner Barnes	Yes
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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 in favor of the license and 2 against the license. Commissioner directed that the vote be reduced to writing and forwarded by the Administrator to the ABC Board.

CONSENT AGENDA

Commissioner Gardiner stated the item of business before the Commission was the approval of the Consent Agenda. Commissioner Black made a 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 and waived reading of minutes from June 20, 2017 Commission meeting.
2. Approved payment of bills as presented.
3. Approved request by Probate Judge Daniel Rosser to make amendment on proposal from previous meeting on iPads and software. The proposal will be paid all from this year's budget to avoid finance charges.
4. Approved resolution for project to be considered as MPO project which includes the construction of a traffic overpass over the Norfolk Southern right of way, at or near its existing intersection with Avalon Avenue, or at such other location across the presently existing right of way.
5. Approved purchase of Ad for Times Daily publication of "Living Here" as presented by Lindsey Holt. The cost of the half page ad is \$779.40.
6. Approved request from Probate Judge Daniel Rosser for payment for services in certifying a voter's list to be used by the Absentee Clerk in the Special Primary Election, August 15, 2017. The amount requested was \$1,916.95.
7. Approved payment of \$5,436.000 to Harris Computer Systems for software to provide required information for Healthcare program. An additional amount of \$550.00 was approved for Annual Maintenance and support.
8. Approved transfer of 1990 Ford F-600 from the County Road Department to County Maintenance Department.

9. Approved speed limit change to 35 mph for Mt. Mills Road from Hwy 247 to Fire Tower Road as recommended by County Engineer John Bedford.
10. Approved speed limit change to 25 mph for Daily Loop as recommended by County Engineer John Bedford.
11. Approved speed limit change to 40 mph for Mt. Mills Road from Fire Tower Road to Hwy 72.
12. Approved request from Mike Melton to solicit business to provide towing service for river response issues. Mr. Melton stated that E911 is receiving calls from river traffic for issues that are not emergencies. EMA is not equipped to provide round the clock towing services for the public.

SUNDAY LIQUOR SALES

Commissioner Gardiner announced the next item of business is the Sunday Sales of liquor in the County. Commissioner Black made motion to request Legislature to make amendment to approve Sunday Sales. Commissioner Barnes seconded the motion. Commissioner Gardiner called for a vote. Commissioner Barnes, Commissioner Black, Commissioner Gardiner, and Commissioner Hovater voted aye. Commissioner Bendall voted nay. Commissioner Gardiner announced the results were 4 votes in favor of Sunday Sales and 1 vote against. Commissioner Gardiner directed County Attorney to draft a resolution for the next Commission meeting.

E911 BOARD OF DIRECTORS APPOINTMENT

Commissioner Gardiner announced the next item of business if the appointment of E911 Board of Directors member. Mr. Kirk Jones appointment has expired. Commissioner Gardiner called for nominations for the appointment. Commissioner Black nominated Tim McMullins. Commissioner Hovater nominated Kirk Jones. Commissioner Gardiner called for a vote for Tim McMullins. Commissioner Barnes, Commissioner Black, and Commissioner Bendall voted for Tim McMullins. Commissioner Gardiner called for a vote for Kirk Jones. Commissioner Gardiner and Commissioner Hovater voted for Kirk Jones. Commissioner Gardiner announced the result of the vote was 3 votes in favor of Tim McMullins and 2 votes for Kirk Jones. Commissioner Gardiner directed that the result of the vote be reduced to writing by the Administrator and that the same be forwarded to the Board and to Mr. McMullins.

REPORTS FROM STAFF

Administrator: Ms. Polk reported that Sheriff Williamson has made some personnel changes that had previously been approved. Sgt. Jamie Klaska has been promoted to the Lieutenant's position. Asst. Chief/Jail Administrator DeShannon Bowling requested to be moved back to Deputy position. Marcus Rutland has been promoted to Jail Administrator. Michael Colin James has been hired as a full time Booking/Jailer at the Jail.

Engineer: Mr. Bedford offered no report.

Attorney: Mr. Black offered no report.

DISCUSSION ITEMS BY COMMISSIONERS

Commissioner Barnes reported that he had been notified of underground storage tank system leak at Rayo Mart in Nitrate City. ADEM is aware of this issue and has an approved corrective action plan. ADEM is notifying adjacent property owners and the possibility of monitoring on their property.

Commissioner Barnes announced "Back to School Party" at Michael Center in Sheffield on August 5, 2017.

Commissioner Black announced that he has been invited and will attend a Task Force regarding juvenile delinquency in Montgomery.

Commissioner Gardiner recognized Justin Gasque, as the new Coroner, due to the death of Carlton Utley. Mr. Gasque was appointed as interim by Probate Judge Daniel Rosser until the Governor makes an official appointment.

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