

STATE OF ALABAMA }

COLBERT COUNTY }

MINUTES OF A REGULAR MEETING
OF THE
COLBERT COUNTY COMMISSION
APRIL 2, 2019

The Colbert County Commission met on April 2, 2019 in regular session at the Colbert County Courthouse. Chairman Barnes called the work session meeting to order at 5:00 p.m. and the regular meeting at 6:04 p.m. being the time and place previously scheduled for such sessions. Chairman Barnes, Commissioner Black, Commissioner Bailey, Commissioner Bendall, Commissioner Gardiner and Commissioner Hovater were present at the meeting. Chairman Barnes declared a quorum was present for the purpose of the transaction of business. Interim County Administrator Mike Melton was present and kept the minutes of the meeting. Commissioner Hovater offered the invocation.

CONSENT AGENDA

Chairman Barnes announced that business before the Commission was the approval of the consent agenda. Commissioner Black made motion to approve consent agenda as set during the work session. Commissioner Bailey seconded the motion. Chairman Barnes read the items comprising the consent agenda, as follows:

1. Waive reading of the minutes from the March 19, 2019 regular meeting and approve the same as written.
2. Waive reading of the minutes from the March 26, 2019 special meeting and approve the same as written.
3. Approved payment of bills as presented.
4. Approved procedure for scheduling interviews with the five (5) applicants for EMA Director who score highest based upon the previously adopted ranking system. Each Commissioner shall submit his or her score ranking to Mr. Melton on or before April 16, 2019. Mr. Melton will then compile those rankings. He will then contact the applicants to be interviewed to arrange time slots. The Commission has tentatively set May 7, 2019 as the target to vote to fill the EMA Director position.
5. Set a special called meeting to occur on April 23, 2019 for the purpose of conducting interviews for EMA Director. Each Commissioner indicated his or her willingness to allow two (2) members of the Colbert County Emergency Management Communications District Board of Directors to participate in each interview.
6. Approved the Purchase and Sale Agreement with R & E, LLC regarding 201 N. Water St., Tuscumbia, as presented by the County Attorney. Chairman Barnes is authorized to execute and deliver the Agreement to R & E, LLC.

7. Approved the following resolution regarding exercise of banking authority:

BE IT RESOLVED BY THE COLBERT COUNTY COMMISSION that Mike Melton, as Interim County Administrator or Chairman Tommy Barnes, be and each is hereby authorized to access any safe deposit box maintained in the name of Colbert County, Alabama, the Colbert County Commission, or such similar name indicating ownership by Colbert County, at First Metro Bank. BE IT FURTHER RESOLVED that Mr. Melton and Chairman Barnes each be and each is hereby authorized to transact any and all business regarding said safe deposit box on behalf of the County, including full access to the contents thereof, and also including terminating the safe deposit agreement with First Metro Bank on behalf of the County.

BE IT FURTHER RESOLVED, that the authority granted to Mr. Melton and Chairman Barnes in this Resolution be and is hereby extended to any such person who is then serving as County Administrator or Chairman of the Colbert County Commission on the date either of said persons exercises or attempts to exercise authority, dominion, or control over said safe deposit box.

8. Approved negotiated bid of Butler Construction in the amount of \$307,000.00, and awarded contract to Butler Construction as contractor in the construction of the new office building for the Road/Water Departments.

NEW BUSINESS

Chairman Barnes announced that the next item of business was the consideration of a resolution to request funding from the Shoals Economic Development Authority to provide for payment of a proposal submitted by Connected Nation, Inc., and relating to broadband internet access throughout Colbert County. Commissioner Hovater introduced the following resolution and moved for its approval:

RESOLUTION NUMBER 2019-04-002_____

RESOLUTION OF THE COLBERT COUNTY COMMISSION

WHEREAS, a primary function of the Colbert County Commission is to provide for the safety, economic growth, and highest possible quality of life for the citizens of the County; and

WHEREAS, recent data indicates that over 20% of the population in Colbert County does not have access to broadband as defined by the Federal Communications Commission; and

WHEREAS, Colbert County has a need to improve broadband access and adoption; and

WHEREAS, to best meet that need, a critical first step is to identify and understand local assets along with opportunities and barriers to technology advancement in Colbert County; and

WHEREAS, the potential for economic growth within Colbert County would be greatly improved by making so-called "broadband" or "high-speed" internet service available to all Colbert County citizens; and

WHEREAS, the Colbert County Commission is considering a proposal for Community Broadband Assessment and Planning submitted by Connected Nation, Inc., for the collection of data regarding the use and adoption of broadband internet in Colbert County and for the development and execution of a technology action plan and implementation of a Connected Community Engagement Program to aid in determination of how to best meet Colbert County's need for expanded access to broadband internet service; and

WHEREAS, Connected Nation, Inc., has proposed a fixed engagement fee of \$73,000 based upon estimates of staff hours, travel, and expenses associated with provision of planning and implementation services contemplated by the proposal; and

WHEREAS, the Colbert County Commission, in order to fund the cost of the proposal, requests the assistance of the Shoals Economic Development Authority (“SEDA”) and the Shoals Industrial Development Committee (“SIDC”).

NOW THEREFORE, BE IT RESOLVED BY THE COLBERT COUNTY COMMISSION that request be made to the Board of Directors of SEDA for consideration of the proposal submitted by Connected Nation, Inc., and upon determination that the cost of same qualifies for funding under the provisions of Ala. Code § 45-17-91.23, that it make request by resolution of its Board of Directors for the authorization and approval by the SIDC of an appropriation in the amount of \$73,000 to Colbert County, Alabama, to be used as payment for Connected Nation’s engagement fee for the proposal described herein.

Commissioner Gardiner seconded the motion and upon said motion being put to a voice vote, Chairman Barnes announced that the resolution had been approved. Chairman Barnes announced that the next item of business was consideration of a request made by Rachel Lewis on behalf of Explore the Shoals Magazine. Commissioner Gardiner introduced the following resolution and moved for its approval:

BE IT RESOLVED BY THE COLBERT COUNTY COMMISSION THAT the County purchase a “half horizontal” advertisement in Explore The Shoals Magazine, in the amount of \$860.00.

BE IT FURTHER RESOLVED THAT the County Administrator provide copy of the previous year’s advertisement to Susann Hamlin and request her assistance with copy and design of said advertisement, and also to request that each Commissioner’s name be included thereon.

Commissioner Bendall seconded the motion and upon said motion being put to a vote, all voted “AYE” and “NAYS” were none.

Chairman Barnes announced that the resolution had been approved.

Chairman Barnes announced that the next item for consideration was the application of Cozumel Cantina LLC for issuance of 020 – RESTAURANT RETAIL LIQUOR license to be issued by the State of Alabama Alcoholic Beverage Control Board. Commissioner Gardiner moved to approve the application and further that the County Administrator notify the local ABC Enforcement Office as follows:

PLEASE BE ADVISED that the enclosed application for a 020 – RESTAURANT RETAIL LIQUOR license by Cozumel Cantina LLC, 8255 Second Street, Leighton, AL 35646 was **APPROVED** during a regular meeting of the Colbert County Commission held on April 2, 2019.

Commissioner Black seconded the motion, and upon said motion being put to a vote, 5 Commissioners voted “AYE” and 1 Commissioner voted “Nay.”

Chairman Barnes announced that the application had been approved.

Chairman Barnes announced that the next item for consideration was a vote to determine whether the County Administrator position would be offered to Roger Creekmore or April Bearden, those persons being the two (2) finalists in the Commission’s selection process. Chairman Barnes recognized

Commissioner Gardiner's request to obtain the floor, and thereupon Commissioner Gardiner introduced the following resolution and moved for its approval:

BE IT RESOLVED BY THE COLBERT COUNTY COMMISSION, that the position of County Administrator be offered to Mr. Roger Creekmore, and that, upon negotiation of mutually agreeable terms of employment, he be hired to fill the position of County Administrator.

BE IT FURTHER RESOLVED, that the job description of the position currently held by April Bearden be expanded to include additional duties to be approved by the Commission, and that the title for such position be changed to Chief Financial Officer, and that such position shall report directly to the Colbert County Commission. The final job description will be agreed upon by the Commission and Ms. Bearden, and that, upon reaching such agreement, the position of Chief Financial Officer be offered to Ms. April Bearden and that, upon negotiation of mutually agreeable terms of employment, she be hired to fill the position of Chief Financial Officer.

Commissioner Black seconded the motion and upon being put to a vote, all Commissioners voted "AYE" and the "NAYS" were none.

Chairman Barnes announced that the resolution had been approved.

Administrator/EMA Director: Recognized the work that Community Action has been doing for our community. Battle of the bands has decided to donate part of their proceeds to add to the scholarship fund for getting EMT's out the rural parts of Colbert County. The benefit Colbert County first responders doors open at 9:00 p.m. Saturday April 6, 2019 at the Florence Lauderdale Coliseum. There was a safety deposit box discovered at First Metro Bank that does not have any current employees of the Colbert County Commission to access it. The past signees were James Bingham, Rex Burleson, Charles Douthit, James Brumley and Donna Lellen. It was decided that the current Interim Administrator, current Chairman and the Current Administrator will have access to the safety deposit box.

Engineer: Mr. Bedford reported that there was meeting held at the volunteer fire department regarding the Wheeler Mountain Project. This meeting was to inform the community that they are on tract with the project and that although they cannot see progress, a lot has been made behind the scenes to meet their goals. Mr. Bedford would like to recommend the Commission consideration to look at using the proceeds just received from the gas tax and to consider making a loan. The Commission received a proposal showing detailed suggestions from Mr. Bedford and would like to readdress the proposal at the next meeting for discussion. Regarding the office building at the Road Department, a bid in the amount of \$307,000 was received by Butler Construction to build.

Attorney: Mr. Black offered no report.

With no further business, Chairman Barnes asked for a motion to adjourn. Commissioner Black made

motion to adjourn, and the motion was seconded by Commissioner Bailey. A vote was had and Chairman Barnes announced the Meeting adjourned at 6:40 p.m.
