

STATE OF ALABAMA )  
COLBERT COUNTY )

Minutes of a Regular Meeting  
of the  
Colbert County Commission  
09/07/2021

The Colbert County Commission met today in regular session at the Colbert County Courthouse. Chairman Bendall called the work session to order at 5:08 p.m. with the regular meeting following at 5:32 p.m., being the time and place previously scheduled for such work session and regular meeting. All Commissioners answered "present" at the call of the roll except Commissioner Mansell, who was absent. EMA Director Michael Smith offered the Invocation and led the Pledge of Allegiance. Chairman Bendall declared that a quorum was present for the purpose of the transaction of business.

PUBLIC COMMENTS

None

AWARDS AND PRESENTATIONS

None

PUBLIC HEARING

None

CONSENT AGENDA

Chairman Bendall announced that the business before the Commission was the approval of the consent agenda. Commissioner Gardiner made motion to adopt and approve the matters placed on the consent agenda during the work session. The motion was duly seconded by Commissioner Barnes. Chairman Bendall 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 August 17, 2021 minutes and approved the same as written.
2. Approved payment of September 7, 2021 bills as presented by the Chief Financial Officer.
3. Approved request for tax abatement by Life Data Labs Inc. by adoption of the following Resolution:

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**RESOLUTION NUMBER 2021-0054**

*A RESOLUTION TO GRANT TAX ABATEMENT TO LIFE DATA LABS, INC*

**WHEREAS**, this Resolution is made this 17<sup>th</sup> day of August, 2021 (the Effective Date) by the Colbert County Commission, Colbert County, Alabama, (the Granting Authority) to grant a tax abatement for Life Data Labs, INC (the Company).

**WHEREAS**, the Company has announced plans for a new project; that being, the purchase and installation of packaging equipment such as baggers, palletizers, conveyers, a case erector and other personal property (the Project), at 12290 Hwy 72, Cherokee, Colbert County, Alabama, within the jurisdiction of the Granting Authority; and

**WHEREAS**, pursuant to the Tax Incentive Reform Act of 1992 (Section 40-9B et seq., **Code of Alabama 1975**, as amended) (the Act), the Company has requested from the Granting Authority an abatement of all state and local noneducational property taxes and all construction-related transaction taxes, except those local construction-related transaction taxes levied for educational purposes or for capital improvements for education, except those construction-related transaction taxes locally designated for educational purposes or for capital improvements for education, and except the 0.5% general sales and use taxes levied by Colbert County, which pursuant to Alabama Act No. 2007-351 cannot be abated; and

**WHEREAS**, the Company has requested that the abatement of state and local noneducational property taxes be extended for a period of ten (10) years, in accordance with the Act; and

**WHEREAS**, the Granting Authority has considered the request of the Company and the completed Application to Granting Authority for Abatement of Taxes from Life Data Labs INC, copy attached as Attachment One, and Application to Granting Authority for Abatement of Taxes from Life Data Labs INC, copy attached as Attachment Two, filed with the Granting Authority by the Company in connection with their request; and

**WHEREAS**, the Granting Authority has found the information contained in the Company's applications to be sufficient to permit the Granting Authority to make a reasonable cost/benefit analysis of the proposed Project, copy attached as Attachment Three, pages 1, 2, 3, and 4, and to determine the economic benefits to the community; and

**WHEREAS**, the Project will involve an investment of approximately \$3,761,958, which consists of the purchase and installation of packaging equipment by Life Data Labs, Inc.; and

**WHEREAS**, the Company is duly qualified to do business in the State of Alabama and have powers to enter into and to perform and observe the agreements and covenants on their part contained in the Tax Abatement Agreement; and

**WHEREAS**, the Granting Authority represents and warrants to the Company that it has power under that constitution and laws of the State of Alabama, including particularly the provisions of the Act, to carry out provisions of the Tax Abatement Agreement.

**NOW, THEREFORE, BE IT RESOLVED** by the Colbert County Commission, Colbert County, Alabama, the Granting Authority, as follows:

Section 1. Approval is hereby given to the applications of the Company and abatement is hereby granted of all state and local noneducational property taxes and all construction-related transaction taxes, except those local construction-related transaction taxes levied for educational purposes or for capital improvements for education, except those construction-related transaction taxes locally designated for educational purposes or for capital improvements for education, as the same may apply to the fullest extent permitted by the Tax Incentive Reform Act of 1992 (Section 40-9B-1 et seq., **Code of Alabama 1975**, as amended), and except the 0.5% general sales and use taxes levied by Colbert County, which pursuant to Alabama Act No. 2007-351 cannot be abated.

Section 2. The period of abatement for the state and local noneducational property taxes shall extend for a period of ten (10) years measured as provided in the Act, unless the Company ceases operation for which these property tax abatements are granted. Should the Company cease operation the abatements granted herein are considered null and void.

Section 3. Any other property, real or personal, located in Colbert County, Alabama, and owned by Life Data Labs, Inc., being the sole member of Life Data Labs, Inc is not included in this tax abatement.

Section 4. The Granting Authority hereby does not assess a fee associated with the granting of these abatements.

Section 5. The governing body of the Granting Authority is authorized to enter into a Tax Abatement Agreement with the Company to provide for the abatement granted in Section 1 and Section 2.

Section 6. A certified copy of this Resolution, with the applications and Tax Abatement Agreement, shall be forwarded to the Company to deliver to the appropriate local taxing authorities and to the Alabama Department of Revenue in accordance with the Act.

Section 7. The governing body of the Granting Authority is authorized to take any and all actions necessary or desirable to accomplish the purpose of the foregoing of this Resolution.

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4. Appointed the following persons to the Colbert County Department of Human Resources Board of Directors: Katie McWilliams, term ending 09/03/27, Sherry Burt, term ending 09/03/27 and Lisa Gardner, term ending 03/15/23.
  5. Rejected Emergency Bids for transport van to be used by the Colbert County Sheriff's Department by adoption of the following Resolution:
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**RESOLUTION NUMBER 2021-0055**

*A RESOLUTION TO REJECT ALL BIDS FOR A 2017 OR NEWER, WHITE, 15-SEAT PASSENGER VAN WITH LESS THAN 60,000 MILES, TO BE DELIVERED NO LATER THAN SEPTEMBER 30, 2021*

WHEREAS, bids were received by the Sheriff for a 2017 or newer, white, 15-seat passenger van with less than 60,000 miles, to be delivered no later than September 30, 2021; and

WHEREAS, two (2) bids were received as follows:

NAME OF BIDDER	DESCRIPTION	AMOUNT
GARNER AUTOS	2017 Chevrolet Express Van, 15 passenger, 51,444 miles	\$29,000.00 + tax, if required
LONG LEWIS OF THE SHOALS	2020 Transit 350, 15 passenger van, 32,000 miles	\$49,898.00

WHEREAS, the Colbert County Commission may reject bids if the lowest bid substantially exceeds the amount appropriated for the goods or services for which bids were requested; and

WHEREAS, the apparent low bid, in the amount of \$29,000 plus tax, if applicable, substantially exceeds the amount appropriated for the goods or services sought.

NOW THEREFORE, BE IT RESOLVED BY THE COLBERT COUNTY COMMISSION that all bids received for a 2017 or newer, white, 15-seat passenger van with less than 60,000 miles, to be delivered no later than September 30, 2021 are hereby rejected.

BE IT FURTHER RESOLVED, that the aforesaid may be re-bid to secure better pricing in accordance with Alabama law.

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6. Appointed the following person to the Bear Creek Development Authority Board of Directors: Brad Whitehead, term ending 05/20/2026.
  7. Approved request by the Sheriff to use proceeds from property sale of 2006 Silvership MKII-S Boat for purchase of one new patrol vehicle.
  8. Approved plat - Resurvey of Lot 22 Baker Place
  9. Approved bid for Mobile Vaccine Trailer - CDBG-CV Project. Award to Missouri Great Dane in the amount of \$108,850.00 by adoption of the following Resolution:
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**RESOLUTION NUMBER 2021-0056**

*A RESOLUTION AWARDING BID FOR MOBILE VACCINE TRAILER*

WHEREAS, the Colbert County Emergency Management Agency did send out advertisements for bids for a mobile vaccine trailer, which said bid was issued on July 16, 2021, and bids received were publicly opened on August 2, 2021 at 2:00 PM in the Colbert County Commission Meeting Room; and

WHEREAS, that at the appointed time and place, specified above, the following bids were opened and tabulated as follows:

<b>NAME</b>	<b>AMOUNT</b>
<b>MILLENIU TRAILERS</b>	\$109,818.00
<b>MISSOURI GREAT DANE</b>	\$108,850.00

NOW THEREFORE, BE IT RESOLVED BY THE COLBERT COUNTY COMMISSION that the lowest, responsive, and responsible bidder has been determined to be Missouri Great Dane with a total bid price of \$108,850.00.

BE IT FURTHER RESOLVED, that the lowest responsive and responsible bidder, Missouri Great Dane, is now awarded the bid for a mobile vaccine trailer pursuant to the specifications as advertised.

10. Awarded bid for ten (10) Chest Compression Devices - CDBG-CV Project. Award to Stryker in the amount of \$150,972.30 by adoption of the following Resolution:

**RESOLUTION NUMBER 2021-0057**

*A RESOLUTION TO AWARD BID FOR PURCHASE OF TEN (10) CHEST COMPRESSION DEVICES*

WHEREAS, the Colbert County Emergency Management Agency did send out advertisements for bids for the purchase of ten (10) chest compression devices, which said bid was issued on July 16, 2021, and bids received were publicly opened on August 2, 2021 at 2:00 PM in the Colbert County Commission Meeting Room; and

WHEREAS, that at the appointed time and place, specified above, the following bids were opened and tabulated as follows:

<b>NAME</b>	<b>AMOUNT</b>
<b>STRYKER</b>	\$150,972.30

NOW THEREFORE, BE IT RESOLVED BY THE COLBERT COUNTY COMMISSION that the lowest, responsive, and responsible bidder has been determined to be Stryker with a total bid price of \$150,972.30.

BE IT FURTHER RESOLVED that the lowest responsive and responsible bidder, Stryker, is now awarded the bid for ten (10) Chest Compression devices pursuant to the specifications as advertised.

**UNFINISHED BUSINESS**

**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 upcoming board appointments for Shoals Economic Development Authority (SEDA and North Alabama Council of Local Governments (NACOLG).

**Chief Financial Officer:**

CFO April Eaton reported that the County has started its 2020 audit. There will be a budget meeting following the regular meeting and she is concluding the fiscal year at the end of the month.

**County Attorney:**

Attorney Edgar Black reported that he was anticipating close for Friday on the Muscle Shoals Holdings property acquisition.

**EMA Director:**

Director Michael Smith reported that September is National Preparedness Month. He also reported that as of 9/3/21, Colbert County is 37.91% fully vaccinated and 46.93% has had their first vaccine. He also reported that the mobile vaccine clinic was canceled for the last month’s event in Leighton due to the cancelation of their event. Smith is going to apply for an \$500,000.00, under the CBDG\_CV grant, which may be available through ADECA.

**County Engineer:**

Chief Engineer Jeremy Robison reported that the CBDG drainage project is complete and was done slightly under budget. The Road Department is installing a drainage unit on 6<sup>th</sup> St. to mitigate water coming from North American Lighting.

**NEW BUSINESS**

None

**DISCUSSION ITEMS BY COMMISSIONERS**

Chairman Bendall announced that there was no further business to come before the Commission, and upon motion duly made and seconded, the meeting was adjourned at 5:32 P.M.

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COMMISSIONER, DISTRICT 1

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COMMISSIONER, DISTRICT 2

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COMMISSIONER, DISTRICT 3

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COMMISSIONER, DISTRICT 4

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CHAIRMAN

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COMMISSIONER, DISTRICT 6