

STATE OF ALABAMA)
COLBERT COUNTY)

Minutes of a Regular Meeting
of the
Colbert County Commission
07/06/2023

The Colbert County Commission met today in regular session at the Colbert County Courthouse. Chairman Mansell called the work session to order at 5:00 p.m. Chairman Mansell called the regular meeting to order at 5:49 p.m., All Commissioners answered “present” at the call of the roll. Commissioner Gardiner offered the prayer and led the Pledge of Allegiance. Chairman Mansell declared that a quorum was present for the purpose of the transaction of business.

PUBLIC COMMENTS

Mr. Steve Gipson, 569 Kattie Lane, Tuscumbia, addressed the Commission regarding the presence of items alleged to be junk on property belonging to Chuck and Jessica Gipson. Mr. Steve Gipson stated that the alleged nuisance started in 2019 and Mr. Chuck Gipson had been given a citation in violation of the County Junk Ordinance at that time. He stated his belief that the junk was in public view and desires the issue be addressed. Ms. Pam Gipson, wife of Steve Gipson, also addressed the Commission stating concern for property values and that there was a clear view of the alleged junk from her residence.

Mr. Robert Craig, 426 Kattie Lane, Tuscumbia, informed the Commission that he understood the concerns expressed by Steve and Pam Gipson as the alleged junk was visible from the front of the Steve Gipson residence.

Mr. Chuck Gipson, 609 Kattie Lane, Tuscumbia, addressed the Commission and stated that his hobby was race cars and the cars in his back yard were in the process of being converted to race cars, and denied that the race cars complained about violate the Junk Ordinance. Mrs. Jessica Gipson, wife of Chuck Gipson, also addressed the Commission and stated there is no homeowners’ association having jurisdiction over their property.

BOARD APPOINTEE REPORTS

None

AWARDS AND PRESENTATIONS

None

PUBLIC HEARING

None

CONSENT AGENDA

Chairman Mansell 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 Isom. Chairman Mansell 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 June 20, 2023 minutes and approved the same as written.

2. Approved payment of July 06, 2023 bills as presented by the Chief Financial Officer.
3. Approved \$100,000.00 budget adjustment to the FY 2023 budget for the Sheriff's Department for the purchase of additional vehicles. This adjustment is an advance from the FY 2024 Budget. Sheriff's Department will not make request for 2 vehicles in the FY 2024 Budget.
4. Approved one-time appropriation from Road and Bridge Fund to the Old Railroad Bridge Company in the amount of \$10,487.50.
5. Approved award of the Rebuild Alabama Paving Project Bid to Mid-South Paving at the recommendation of County Engineer.
6. Approved purchase of Times Daily Living Here advertisement in the amount of \$877.00.
7. Gave assent to Declaration of Vacation by Ricky D. Pickett for a portion of Orlando Avenue as presented by County Attorney, and adopted the following Resolution:

RESOLUTION NUMBER 2023-0032

A RESOLUTION ASSENTING TO THE VACATION OF A PORTION OF A PUBLIC STREET, ALLEY, OR RIGHT OF WAY

WHEREAS, a declaration in writing, executed and acknowledged by RICKY D. PICKETT (the "Declarant") has been presented to the Colbert County Commission, proposing vacation of a portion of Orlando Avenue, a public street right-of-way in Colbert County, Alabama; and

WHEREAS, the Declarant desires to vacate a portion of Orlando Avenue, which is located in Colbert County, Alabama, but outside any municipality; and

WHEREAS, the Declarant states that he is the sole owner of the lands abutting the portion of Orlando Avenue to be vacated; and

WHEREAS, the Declarant seeks the Commission's assent to said vacation pursuant to §35-2-54, Code of Alabama (1975, as amended); and

WHEREAS, the Declarant states that the vacation of the portion of Orlando Avenue hereinafter described will not affect the means of ingress and egress to and from the property owned by others in the vicinity of the proposed vacation, and that convenient means of ingress and egress to and from all other property in the vicinity, either by the remaining streets and alleys dedicated to the public.

NOW THEREFORE, BE IT RESOLVED, by the Colbert County Commission that the assent of the Commission is hereby given to the declaration of vacation executed by RICKY D. PICKETT, of the following described portion of Orlando Avenue, a public street right-of-way, to wit:

Commence at the Southwest corner of the Northeast 1/4 of the Northwest 1/4, of said Section 14 as shown on the plat of Roseland Heights and Lake View Subdivision recorded in Plat Book 2, Page 457, Office of the Judge of Probate, Colbert County, Alabama (calculated no monument found) thence South 02°30'00" West a distance of 422.00 feet to a point; thence South 88°28'21" East a distance of 101.83 feet to a point lying at the intersection of the East right of way of Roseland Court (100-foot platted right of way) and the North right of way of Orlando Avenue (40-foot platted right of way) which is the **Point of Beginning**; thence with said north line of Orlando Avenue (NAD83 Alabama State Plane West Basis of Bearings) South 88°28'21" East a distance of 1168.17 feet to an iron pin set; thence leaving said north line of Orlando Avenue South 01°46'56" East a distance of 40.00 feet to an iron pin set on the south line of said Orlando Avenue and the West line of Lakeshore Drive (50-foot platted right of way); thence leaving the West line of Lakeshore Drive and with said South line of Orlando Avenue North 88°28'21" West a distance of 1168.16 feet to a point on the shared corner of the south line of Orlando Avenue and the East line of Roseland Court (100-platted right of way); thence with said east line of Roseland Court and leaving the south line of Orlando Avenue North 01°46'39" East a distance of 40.00 feet to the point of beginning.

BE IT FURTHER RESOLVED that the Colbert County Commission does hereby assent to the divesting of all public rights, and the rights of Colbert County, Alabama, in said vacated portion of Orlando Avenue, including any rights therein which might have been acquired by the public by prescription.

BE IT FURTHER RESOLVED that a duly certified copy of this Resolution be delivered to the Declarant which must be attached to, filed with, and recorded in the office of the Judge of Probate of Colbert County, Alabama, with his written declaration of vacation in such manner as meets the requirements imposed by §35-2-54, Code of Alabama (1975, as amended).

UNFINISHED BUSINESS

None

REPORTS FROM STAFF

Chairman Barnes 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 Creekmore informed the Commission that Tyler Morris was hired at Road Department as HMT 1, effective July 3, 2023 at an hourly rate of \$13.26, step 1 in HMT 1 scale. Eric James has been hired by the Household Garbage Dept. as a Full-Time Helper at a rate of \$13.23 /hr. Jaylei Justis Allen will begin work as a Full-Time Jailer, effective July 15, at an annual rate of \$30,499.56.

Creekmore also announced the resignation of Emma South as H.R. Manager to be effective July 21, and asked for permission to retain Ms. South as Part-Time Temporary employee to assist in training and on-boarding of the new hire for this position. The Commission gave permission to do so. Creekmore asked the Commission if there would be any objection to filling a position currently vacant at the Jail due to an on the job injury. There was not objection from Commissioners.

Chief Financial Officer:

CFO Eaton reported that she will present a 3rd Quarter Financial Report at the July 18 Commission meeting. Preliminary Budget Meetings will schedule beginning in August.

County Attorney:

None

EMA Director:

None

County Engineer:

Chief Engineer Jeremy Robison announced the Road Department's intention to purchase a surplus tractor from the City of Muscle Shoals. Engineer also announced the approval of a \$534,000.00 grant from ADEM, as part of the State ARPA funds. Monies will be used for improvements at the County Water Plant.

DISCUSSION ITEMS BY COMMISSIONERS

Commissioner Barnes announced a clean-up day in the Ford City Area for July 22.

Commissioner Gardiner reminded the Commission of the St. Jude's Trail Ride event, July 13-15.

Commissioner Bailey discussed the upcoming Handy Festival with additional events in Colbert County.

Upon motion made by Commissioner Gardiner, which was duly seconded and unanimously approved, the meeting was adjourned at 5:56 PM.

COMMISSIONER, DISTRICT 1

CHAIRMAN, DISTRICT 2

COMMISSIONER, DISTRICT 3

COMMISSIONER, DISTRICT 4

COMMISSIONER, DISTRICT 5

COMMISSIONER, DISTRICT 6