

STATE OF ALABAMA )  
COLBERT COUNTY )

Minutes of a Regular Meeting  
of the  
Colbert County Commission  
11/07/2023

The Colbert County Commission met today in regular session at the Colbert County Courthouse. Chairman Mansell called the work session to order at 5:04 p.m. with the regular meeting following at 6:02 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 with the exception of Commissioner Gardiner who was absent. Michael Smith 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

None

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 Barnes made motion to adopt and approve the matters placed on the consent agenda during the work session. The motion was duly seconded by Commissioner Bailey. 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. Approved Minutes October 17, 2023.
2. Approved payment of November 7, 2023 bills as presented by the Chief Financial Officer.
3. Approved Pink trash cans for breast cancer awareness program. 150 cans will be ordered to start program.
4. Approved request for payment of unused accrued annual leave by Austin Evans in the amount of \$584.66.
5. Approved request to declare two (2) Chevrolet Tahoe vehicles in use by the Sheriff's Department as surplus property and to donate the same to Nitrate City VFD and Littleville VFD and adopted the following Resolution:

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**RESOLUTION NUMBER 2024-0008**

*A RESOLUTION TO DECLARE CERTAIN PROPERTY IN USE BY THE SHERIFF'S DEPARTMENT AS SURPLUS PROPERTY*

WHEREAS, the Colbert County Commission has been informed by the Colbert County Sheriff that certain property hereinafter described and previously used in the performance of duties by the Sheriff is no longer required for use by County personnel; and

WHEREAS, the Commission has determined that such property is surplus property and the County has no further use of such property due to the age and condition thereof, and that it is not economical for the County to retool or refit the property in order for it to be able to be placed in service by the Sheriff.

NOW THEREFORE, BE IT RESOLVED by the Colbert County Commission that the following described property be declared surplus property and be disposed of by the Colbert County Sheriff in a manner that will require no further expenditure by the County or expose the County to any liability in the further use of or operation of such property and the County Commission does hereby authorize the Colbert County Sheriff to dispose of said property in such manner. The Commission finds that the following constitutes surplus property:

<b>Equipment Description</b>	<b>Equipment I.D.</b>
2015 Chevrolet Tahoe	1GNLC2EC6FR611097
2015 Chevrolet Tahoe	1GNSK2EC8FR665841

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6. Approved the dedication of a portion of County Line Road, from the intersection of 6<sup>th</sup> Street to the intersection of Hwy 184. Dedicated to former Commissioner Emmitt E. Jimmar Jr. The Colbert County Road Department is authorized to place appropriate signage along the County right of way of the dedicated portion of County Line Road.
  7. Approved request to declare certain property in use by the Colbert County Drug Task Force as surplus property and adopted the following Resolution:

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**RESOLUTION NUMBER 2024-0009**

*A RESOLUTION TO DECLARE CERTAIN PROPERTY IN USE BY THE COLBERT DRUG TASK FORCE AS SURPLUS PROPERTY*

WHEREAS, the Colbert County Commission has been informed by the Drug Task Force Coordinator that certain property hereinafter described and previously used in the performance of duties by the Colbert County Drug Task Force is no longer required for use by County personnel; and

WHEREAS, the Commission has determined that such property is surplus property and the County has no further use of such property due to the age and condition thereof, and that it is not economical for the County to retool or refit the property in order for it to be able to be placed in service by the Colbert County Drug Task Force.

NOW THEREFORE, BE IT RESOLVED by the Colbert County Commission that the following described property be declared surplus property and be disposed of by the Drug Task Force Coordinator in a manner that will require no further expenditure by the County or expose the County to any liability in the further use of or operation of such property and the County Commission does hereby authorize the Drug Task Force Coordinator to dispose of said property in such manner. The Commission finds that the following constitutes surplus property:

<b>Equipment Description</b>	<b>Equipment I.D.</b>
2009 Polaris Sportsman 500 ATV	4XAMN50A08A529776
C & W Utility Trailer	46CF912148M006092
2002 Ford Expedition	1FMPU18L22LA10033

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8. Approved request to declare certain property in use by the Colbert County I.T. Dept. as surplus property and adopted the following Resolution:

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**RESOLUTION NUMBER 2024-0010**

*A RESOLUTION TO DECLARE CERTAIN PROPERTY IN USE BY THE COLBERT COUNTY COMMISSION AS SURPLUS PROPERTY*

WHEREAS, the Colbert County Commission has been informed by the Information Technology Officer that certain property hereinafter described and previously used in the performance of duties by the Colbert County Commission is no longer required for use by County personnel; and

WHEREAS, the Commission has determined that such property is surplus property and the County has no further use of such property due to the age and condition thereof, and that it is not economical for the County to retool or refit the property in order for it to be able to be placed in service by the Colbert County Commission.

NOW THEREFORE, BE IT RESOLVED by the Colbert County Commission that the following described property be declared surplus property and be disposed of by the Information Technology Officer in a manner that will require no further expenditure by the County or expose the County to any liability in the further use of or operation of such property and the County Commission does hereby authorize the Information Technology Officer to dispose of said property in such manner. The Commission finds that the following constitutes surplus property:

<b>Equipment Description</b>	<b>Equipment ID</b>
Eight (8) 10k sas hard drives for HP server	N/A
One (1) Dell server rack	N/A
Dell server shelves and slides	N/A

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9. Approved the following Resolution authorizing the County Administrator to execute and deliver such documents as may be necessary for the County to opt-out of a class settlement with 3M Company in multidistrict litigation known as “In re: Aqueous Film Forming Foams Products Liability Litigation:

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**RESOLUTION NUMBER 2024-0011**

*A RESOLUTION AUTHORIZING OPT-OUT OF CERTAIN CLASS ACTION SETTLEMENTS*

WHEREAS, there is currently pending litigation styled “In re: Aqueous Film-Forming Foams Products Liability Litigation in the United States District Court for the District of South Carolina, Charleston Division, having Civil Action Number 2:18-mn-02873-RMG (the “Litigation”); and

WHEREAS, a Preliminary Approval Order for Class Settlement has been entered in the Litigation which provides a means for members of the settlement class named therein to “opt-out” of the proposed class settlement; and

WHEREAS, the Colbert County Commission is desirous of being excluded from the proposed class settlement pursuant to Section 8.5 of the “Settlement Agreement Between Public Water Systems and 3M Company” as filed in the Litigation (Docket Entry No. 3370-3).

NOW THEREFORE, BE IT RESOLVED by the Colbert County Commission that Roger Creekmore, as County Administrator, be and he is hereby authorized to execute on behalf of the Colbert County Commission for the Colbert County Rural Water Department and for Colbert County, Alabama, the letter and affidavit attached hereto as Exhibit “A” and to serve the same on the persons stated therein.

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10. Approved the following Resolution authorizing the County Administrator to execute and deliver such documents as may be necessary for the County to opt-out of a class settlement with 3M Company in multidistrict litigation known as “In re: Aqueous Film Forming Foams Products Liability Litigation:

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**RESOLUTION NUMBER 2024-0012**

*A RESOLUTION AUTHORIZING OPT-OUT OF CERTAIN CLASS ACTION SETTLEMENTS*

WHEREAS, there is currently pending litigation styled “In re: Aqueous Film-Forming Foams Products Liability Litigation in the United States District Court for the District of South Carolina, Charleston Division, having Civil Action Number 2:18-mn-02873-RMG (the “Litigation”); and

WHEREAS, a Preliminary Approval Order for Class Settlement has been entered in the Litigation which provides a means for members of the settlement class named therein to “opt-out” of the proposed class settlement; and

WHEREAS, the Colbert County Commission is desirous of being excluded from the proposed class settlement pursuant to Section 9.7 of the “Class Action Settlement Agreement” entered between The Chemours Company, The Chemours Company FC, LLC, DuPont de Nemours, Inc., Corteva, Inc., and E.I. DuPont De Nemours and Company and the Class Representatives as filed in the Litigation.

NOW THEREFORE, BE IT RESOLVED by the Colbert County Commission that Roger Creekmore, as County Administrator, be and he is hereby authorized to execute on behalf of the Colbert County Commission for the Colbert County Rural Water Department and for Colbert County, Alabama, the letter and affidavit attached hereto as Exhibit “A” and to serve the same on the persons stated therein.

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11. Approved request by County Engineer to allow County Engineer to negotiate on behalf of the County regarding potential property acquisition from Estes Brothers Construction.

12. Approved \$5,000.00 appropriation to the Leighton Cooperative District.

**UNFINISHED BUSINESS**

None

## REPORTS FROM STAFF

Chairman Mansell 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 that the Sheriff's Department in conjunction with Colbert Household Garbage, will begin roadside cleanup using inmates in the County Jail. Target start date December 2. Austin Evans has resigned from the Colbert County Sheriff's Department. Hunter Terry has resigned from the Colbert County Road Department. Creekmore reported that effective Nov. 16, the Revenue Commissioner's office has hired LaKeshia Shanes as Administrative Assistant 1 with a beginning pay rate of \$12.78/hr., (\$26,591.48 annually). The Sheriff Dept. hired Maleksinta Goodloe as permanent PT SRO beginning Nov 1 at \$29,920/yr.; Calvin Berryman as a non certified deputy beginning at 33,923.88; Jordan Miller as APOST Certified Deputy beginning pay of \$35,467.78; Tyler Barnett as APOST Certified Deputy with beginning pay of \$35,467.78 and Scott Wallace as a permanent Part Time SRO with and annual salary of \$29,920.00.

### **Chief Financial Officer:**

Chief Financial Officer April Eaton gave a financial report. We ended the year under budget in General Fund. The Road Dept. ended over budget because of the Rebuild Alabama project as well as the Solid Waste Dept. being over budget because of issues involving the closure of the

Barton Landfill. Eaton also reported that \$971,290.00 was set aside to be added to the infrastructure fund.

### **County Attorney:**

County Attorney Edgar Black reported that he proposed resolutions authorizing county to opt out of PFAS settlements as we are pursuing our own litigation.

### **EMA Director:**

EMA Director Michael Smith reported that there is a natural disaster declaration for drought and spoke about farm service agency loans through USDA as well as disaster loan program through small business administration.

### **COUNTY ENGINEER:**

Chief Engineer Jeremy Robison reported that winter mowing is going well and the paving project is about 40% complete. He has given two promotions to Gilbert Barga and Tanner Myrick to HMT2. And a promotion to Justin Lambert to Water Tech. Robison is expecting to receive their 2<sup>nd</sup> new dump truck soon.

## NEW BUSINESS

None

## DISCUSSION ITEMS BY COMMISSIONERS

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COMMISSIONER, DISTRICT 1

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CHAIRMAN

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COMMISSIONER, DISTRICT 3

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COMMISSIONER, DISTRICT 4

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COMMISSIONER, DISTRICT 5

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COMMISSIONER, DISTRICT 6