

STATE OF ALABAMA )  
COLBERT COUNTY )

Minutes of a Regular Meeting  
of the  
Colbert County Commission  
02/6/2024

The Colbert County Commission met today in regular session at the Colbert County Courthouse. Chairman Mansell called the work session to order at 5:02 p.m. with the regular meeting following at 6:07 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 Barnes who was absent. Commissioner Gardiner offered the invocation and led the Pledge of Allegiance. Chairman Mansell declared that a quorum was present for the purpose of the transaction of business.

PUBLIC COMMENTS

Keith Jones and his staff with NACOLG addressed the Commission and provided an update on the services and programs provided by NACOLG to the County and its residents. Mr. Jones supplied the Commissioners with an overview of active grant applications and programs throughout the County as well as Transportation and Senior services administered by NACOLG.

Wendy Snitzer spoke regarding an upcoming event at the Sheffield Standpipe and invited the public to attend.

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 Bendall. 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 for January 2, 2024.
2. Approved payment of February 6, 2024 bills as presented by the Chief Financial Officer.
3. Approved payment request from Probate Judge Daniel Rosser for certification of voter list in the amount of \$2,219.25.
4. Accepted west end water tank findings and consented to allow County Engineer to proceed with bid on project and to begin steps necessary to purchase property needed for additional water tank.
5. Approved a measure encouraging Colbert County voters to vote in favor of Amendment 1 in the upcoming primary election and adopted the following Resolution:

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**RESOLUTION NUMBER 2024-0013**

**A RESOLUTION SUPPORTING PASSAGE OF AMENDMENT 1 TO THE ALABAMA  
CONSTITUTION**

WHEREAS, voters will soon consider Amendment 1, which will be on the ballot during the 2024 Primary Election held on March 5, 2024; and

WHEREAS, the Legislature regularly passes local laws and local constitutional amendments that impact the services provided to the county's residents, as well as the mechanisms for funding these services; and

WHEREAS, some of these taxpayer-funded services include law enforcement, education, fire protection, ambulance services, the regulation of alcoholic beverages, and economic development; and

WHEREAS, since 1984, the Alabama Constitution has required that no legislation be considered by the Legislature until both of the State's annual budgets are passed and delivered to the Governor; and

WHEREAS, there is an exception that allows the Legislature to consider other matters ahead of the budgets by adopting a "Budget Isolation Resolution" (BIR) by a vote "of not less than three-fifths of a quorum present"; and

WHEREAS, the language of this exception has been interpreted various ways since 1984 and has generated lawsuits in recent years over how many votes are needed to adopt a BIR; and

WHEREAS, if a court finds that a local law's BIR was adopted improperly, it could result in that local law being challenged on procedural grounds, even if the local law otherwise passed both chambers and became law; and

WHEREAS, Amendment 1 would allow local bills and local constitutional amendments to be considered by the Legislature without the adoption of a BIR, removing a procedural step from the legislative process; and

WHEREAS, the Association of County Commissions of Alabama has adopted a resolution encouraging Alabamians to vote yes to Amendment 1 on March 5, 2024.

NOW THEREFORE, BE IT RESOLVED by the Colbert County Commission that it encourages the citizens of the county to go to the polls on March 5, 2024, and make their voices heard on Amendment 1.

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6. Approved request for payment of unused accrued annual leave to Brandi Howell in the amount of \$4,975.74
7. Approved request from Jonathan Terry to donate 80 hours of unused accrued annual leave to Kali Terry.
8. Approved expenditure of \$90,000.00 in LATCF funds in the amount of \$43,049.06 for the purchase of a new Dodge Patrol Car and balance of \$46,950.94 for purchase of sodium chloride (Salt), for the Road Department.
9. Approved January 30, 2024 revision to job description for the position of Park Manager - Rose Trail Park and classified the position as starting at pay scale Grade 10, Step 1.
10. Approved payment for cost of installation of one fire hydrant for the T.V.A. watermain project, in the amount of \$7,657.21, to be paid from General Fund. Sheffield Utilities is supplying the fire hydrant.
11. Approved the purchase of table at annual NAACP Breakfast in the amount of \$240.00.
12. Approved Alabama Alcohol ABC Board County levies for licensing for 2024 - 2025 and authorized County Administrator Roger Creekmore to complete Alabama

Alcoholic Beverage Control Board form, execute the same on behalf of the Commission, and return to the Alabama Alcoholic Beverage Control Board.

## 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 made the following reports: Project "Don't Drop It on Alabama" spring clean-up is coming up. This project will be headed by our Household Garbage Director Jake Flannagan. Campgrounds bids will be opened February 22. Administrator announced the resignation of Calvin Berryman as of January 12, from the Sheriff Department. The Sheriff's Department transferred a 2018 F-150 to the Commission for Alloys Park. Insurance agent Tyson Johnson with Henniger, Johnson and Latham, met with Administrator Creekmore and said developed a plan for agreed to a value coverage for County Vehicles. There is continued escalation cost of insurance. Administrator Creekmore also reported that we are going to have to put a roof on the north wing of the courthouse due to leakage when it rains.

### **Chief Financial Officer:**

CFO April Eaton handed out financial reports to the Commission. She reported that as of Dec 31<sup>st</sup>, we were at 25% of the budget year. A lot of 1<sup>st</sup> quarters cost were 1<sup>st</sup> time expenditures which make our numbers over 25%. Eaton stated that over all we're in pretty good shape.

### **County Attorney:**

Attorney Edgar Black reported that on January 2<sup>nd</sup> the Commission made an offer to purchase certain property from Estes Bros. Const., Inc., located in Cherokee. Black reported that the offer has was rejected. Therefore, the January 2<sup>nd</sup> offer is null. Should owners wish to bring forth any offer of sale in the future, the item would be placed on a Commission meeting agenda for consideration.

### **EMA Director:**

Director Smith reported that both community storm shelters are installed in Muscle Shoals and Sheffield and finishing work is in progress. There will still be some work to do with utility connections and other site work. Smith reported that storm spotter training will be this Thursday night at 6 pm at Cherokee High School. Smith also reported an update on bids for the new EMA facility. Bids were opened today, Brad Slater Construction was the low bid of \$1,500,500.00 saving the County \$348,500 from the original bid last year. Asbestos abatement bid will be opened on February 22, 2024. Director Smith asked that the bid award be added to the meeting agenda for consideration.

### **County Engineer:**

County Engineer Jeremy Robison thanked the community for their patience during the snow and ice we recently received. Robison reported that the Rebuild Alabama paving project is hoped to resume in March. There was a promotion given to Michelle Thompson due to the retirement of Brandi Howell.

## NEW BUSINESS

A motion was presented by Commissioner Bailey and seconded by Commissioner Isom for the approval of lowest responsive, responsible bidder Brad Slater Construction for the EMA building in the amount of \$1,500,500.00. The Chair stated that the matter before the Commission was the award of the project, and called for any discussion. There being no further discussion, Chairman Mansell asked the County Administrator to call the roll and a roll call vote was had as follows:

District 1	Absent
District 2	Yes

District 3	Yes
District 4	Yes
District 5	No
District 6	Yes

The Chair announced that the motion to approve Brad Slater Construction received four (4) votes in favor of approval, (1) vote against and stated that the following Resolution was adopted:

**RESOLUTION NUMBER 2024-0014**

**A RESOLUTION TO AWARD SUCCESSFUL BID FOR CONSTRUCTION OF EMERGENCY MANAGEMENT AGENCY PROJECT**

WHEREAS, the Colbert County Emergency Management Agency did send out advertisements for bids to develop a new Emergency Management Agency headquarters and 911 Dispatch Center, which bids received were publicly opened on February 2, 2024 at the time and place set therefor; and

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

NAME	AMOUNT
H&N Copnstruction	\$1,587,000
Butler Construction	\$2,475,500
Brad Slater Construction	\$1,500,500

NOW THEREFORE, BE IT RESOLVED BY THE COLBERT COUNTY COMMISSION that the lowest, responsive, and responsible bidder has been determined to be Brad Slater Construction with a total bid price of \$1,500,500.00.

BE IT FURTHER RESOLVED, that the lowest responsive and responsible bidder, Brad Slater Construction, is now awarded the bid for a new EMA headquarters and 911 Dispatch Center pursuant to the specifications as advertised.

**DISCUSSION ITEMS BY COMMISSIONERS**

Commissioner Isom stated that a water tank will affect the whole West end of the county and we need to look at the East end as well. Isom thanked everyone involved in the water tank project and making it happen.

There being no other business to come before the Commission, upon motion made, duly seconded, and unanimously adopted, the meeting was adjourned at 6:11 P.M.

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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