

STATE OF ALABAMA)
COLBERT COUNTY)

Minutes of a Regular Meeting
of the
Colbert County Commission
2/03/2026

The Colbert County Commission met today in regular session at the Colbert County Courthouse. Chairman Bendall called the work session to order at 5:03 p.m. with the regular meeting following at 6:00 p.m., 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 Tommy Barnes who was absent. Commissioner Tyrus Mansell offered the prayer led the Pledge of Allegiance. Chairman Bendall declared that a quorum was present for the purpose of the transaction of business.

PUBLIC COMMENTS

Mr. Sonny Cornelius spoke about west end water service expansion. Mr. Cornelius informed the Commission about some work he has done in the West part of Colbert County and stated that he has sold the last piece of property in his development that the County has capacity to supply water to. Mr. Cornelius stated that assurances were given to him by former Commission members that water upgrades would be made as demand increased. He knows that money is an issue but asked the Commission to consider applying for a grant or some other funding source to upgrade the water line serving his development. Mr. Cornelius stated that Commissioner Isom knows the situation and that future growth depends on having a stable water supply; the water is needed and if the Commission could help, he and the other people would appreciate it. He also stated that there's a bunch of people that have spent a bunch of money to move here from Memphis. We have the water at one end of Rose Trail and I'm all for that. But we need it on the other end of Rose Trail as well.

Commissioner David Isom stated that prior to the construction of the new water tank, Rose Trail was in the same situation, lacking water capacity to set new meters. Isom stated that upgrades are a major expense, but the system needs to try to meet the demands of the people and the Commission will be looking at this.

Commissioner Bailey recalled that some funds were available from the state for Leighton for water system repairs and upgrades and asked if it was possible to obtain similar funding for this project. Engineer Robison said he'd look into it; the problem is the scale. Robison stated that due to the distance that must be covered, upgrades are a tremendous cost. Robison agreed with Cornelius that upgrading the water line will make the western part of the County more developable. The County currently buys water from Cherokee on the north side of the high school. There is a 6" mile pipeline that goes north and there is about a mile section along the Natchez Trace where the line is only 3 inches in diameter. Mr. Cornelius put a 6 inch line in his area and thus the 3" line causes a choke point. As a result, the County can't get enough water to flow through the current pipe to fill immediate needs. Robison stated that the 3" line would need replaced with a 6" line, at a cost of roughly \$500,000.00.

Dr. Jeff McCollum addressed the Commission regarding the County's subdivision regulations. Dr. McCollum stated he has owned property in the Coon Dog Cemetery area since about 1968. This area was previously the Thomas Management area on the Franklin/Colbert County line. Over the past several years the property has been held by trust and since has been split up with some being sold off by family members. The total area of land at issue is about 22,000 acres. The family members that sold their property sold to Tutt Land Company who then sold it to Classic Country Land, LLC out of Texas. Classic Country Land has started developing the section they purchased. They are advertising it as having public access to a county road. Dr. McCollum submitted a map of the area to each of the commissioners, showing that the property does not abut any public road. He stated that the property is in the middle of nowhere and the road being advertised as public is actually a logging road. McCollum showed a brochure where the real estate company is advertising it all over the U.S. selling all types of sizes of lots. They have already sold 10 or 15 lots and there

are no roads and there is now traffic running along an unmaintained road from Colbert County to Franklin County. Dr. McCollum is inquiring as to what kind of rules and regulations are set up for a situation like this and who is responsible for the county doing something about it. There is no power there, he says. This is on 2,000 acres. He informed the Commission that the same company has bought property on the west end of Colbert County and optioned another 3,000 acres in Colbert County, which he believes will be developed in the same manner. Dr. McCollum has done more research and provided pictures of the development that Classic Country Land has marketed in Tishomingo, MS. He suggested that if they wanted to go look, not to go without the Sheriff. There are people living in pilot houses, cars, school buses, and tents on the property in Tishomingo with no utilities. Dr. McCollum stated that this is going to be the same situation on a scale that Commissioners can't imagine. This concerns him because there is another 9,000 acres that the family plans to sell and the majority of that acreage is in Colbert County, with 3,000 acres already under contract. McCollum stated that bad things happen when a developer takes a large tract of property and subdivides it into 167 lots with no roads. Dr. McCollum stated that he just wants to make Colbert County aware and has already made Franklin County aware. It is going to be very disruptive and a burden the medical community, the Sheriff's Department, and on Colbert County to allow a development to go on unauthorized.

Jeremy Robison responded by saying that it is not a public road and we do have subdivision regulations. He and attorney Edgar Black have had discussions of this coming into Mississippi, into Franklin County and possibly into Colbert County and there is a need to get ahead of it. Robison stated that our subdivision regulations require that every lot that is created must have at least 60 ft. of public road frontage and those lots do not.

Attorney Black stated that the regulations have a provision in it that you can file a lawsuit to stop it. Administrator Roger Creekmore suggested to Attorney Black to contact Classic Country Land to provide them with a written statement citing our subdivision regulations. Robison stated that it is our intent that every lot created in Colbert County always have 60ft of frontage along a public right of way.

A citizen made mention that if you google search Classic Country Land, you will find over 20 lawsuits filed in multiple states against Classic Country Land involving similar types of developments.

Nicole Fulks, Executive Director of The Caring Place of the Shoals, spoke on behalf of Eileen Nunnally in her absence. Fulks thanked the Commission for their contribution of \$7,000. Caring Place of the Shoals is a 501(c)(3) adult day service program (adult daycare) for those with dementia or the frail elderly. They offer community and a sense of belonging in a safe, secure, and nurturing environment. They are the first adult day center in the nation to achieve the Montessori gold level status level, which is indeed an honor. Also, the Caring Place is the only adult day center in the Shoals. They do not take their funding lightly asking support from both their County Commissions and all of their townships. The board of directors of the Caring Place pledges to raise a minimum \$100,000 every year. They have very generous corporate sponsors and partner with NACOLG which offers scholarships for some of their caring place clients and no one is turned away, keeping in mind this is an end-of-life disease. It is imbedded in our communities. School groups come to help as well as students from the nursing programs and social work programs from both Shoals Community College and University of North Alabama every week. The Caring Place is also a teaching facility. is the Caring Place asks the Commission for its help to get the word out to tell what The Caring Place is and what it does to serve the community as well as for its continued support. The Caring Place is open M-F 8:30 am to 5:00 pm. They also have a caregiver support group that is open to anyone.

BOARD APPOINTEE REPORTS

None

AWARDS AND PRESENTATIONS

None

PUBLIC HEARING

None

CONSENT AGENDA

Chairperson Bendall announced that the business before the Commission was the approval of the consent agenda. Commissioner Gardiner made a 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 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. Approved January 20, 2026, meeting minutes and waived reading of same.
2. Approved February 3, 2026, bills as presented by County C.F.O.
3. Approved a request for payment of unused accrued annual leave by Latessa Bates in the amount of \$1,332.24.
4. Approved a request for payment of unused accrued annual leave by William Pilkinton in the amount of \$236.32
5. Approved purchase of table sponsorship for NAACP Freedom Awards Breakfast in the amount of \$280.00.
6. Assented to Declaration of Vacation filed by Allen L. Knight and Sylvia Jean Knight for a portion of Waterford Drive by adoption of the following Resolution:

RESOLUTION NUMBER 2026-0015

A RESOLUTION ASSENTING TO A DECLARATION OF VACATION OF A PORTION OF A PUBLIC STREET OR RIGHT OF WAY

WHEREAS, a declaration in writing, executed and acknowledged by Allen L. Knight and Sylvia Jean Knight (the "Declarants") has been presented to the Colbert County Commission, proposing vacation of the following described portion of a public street right-of-way in Colbert County, Alabama, to-wit:

A tract of land lying in part of the Southeast 1/4 of the Northwest 1/4 of Section 11, Township 3 South, Range 10 West, Colbert County, Alabama, and being more particularly described as follows: COMMENCE at the Southeast corner of the Southwest 1/4 of the Southwest 1/4 of said Section 11; thence North 00°41'30" East, 2400.00 feet; thence South 73°32'05" East, 51.88 feet; thence North 00°41'43" East, 36.40 feet to an Iron Pin Set (capped typical Alexander Land Surveying Property Corner LSCA 628) on the North right of way line of Wilson Court; thence North 00°41'43" East, 90.39 feet to a 6"x 6" Concrete Monument Found; thence North 00°23'36" East, 298.09 feet to an Uncapped 5/8" Rebar Found; thence South 89°55'23" East, 200.40 feet to an Uncapped 5/8" Rebar Found, being the POINT OF BEGINNING of the herein described tract, said point being the Southwestern most corner of Waterford Drive right of way line (50' right of way); thence, along the West right of way line, North 04°55'32" West, 68.44 feet to an Iron Pin Set; thence, along said right of way line, along a curve to the right having a Chord Bearing and Distance of North 12°19'29" East, 36.84 feet and a Radius of 60.00 feet, for an Arc Length of 37.44 feet to an Uncapped 5/8" Rebar Found; thence, leaving said right of way line, South 62°34'28" East, 53.64 feet to an Iron Pin Set on the Southeasterly right of way line of Waterford Drive; thence, along said right of way line, along a curve to the left having a Chord Bearing and Distance of South 38°40'58" West, 9.05 feet and a Radius of 6.60 feet, for an Arc Length of 9.97 feet to an Iron Pin Set; thence, along said right of way line, South 04°55'47" East, 72.75 feet to an Iron Pin Set; thence North 89°55'23" West, 50.20 feet to the POINT OF BEGINNING of the tract of land hereby described, said tract of land contains 0.11 acres ± and is subject to any and all easements or restrictions of record or unrecorded affecting said property and a utility easement for the existing water service line located on the above-described property near Waterford Drive in favor of Colbert County, Alabama, a political subdivision of the State of Alabama, its successors and assigns.

WHEREAS, the Declarants state that they are the sole owners of the lands abutting the portion of the streets or alleys to be vacated by the Declarants; and

WHEREAS, the Declarants seek the Commission's assent to said vacation pursuant to Section 35-2-54, Code of Alabama, 1975; and

WHEREAS, the Declarants state that vacation of the above-described public street rights-of-way will not affect the means of ingress and egress to and from the property abutting the same, and that convenient means of ingress and egress to and from all other property in the tract of land embraced in the map, plat, or survey of Peytona Points Subdivision, either by the remaining streets and alleys dedicated by such map, plat, or survey, or by other streets or alleys dedicated.

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 Allen L. Knight and Sylvia Jean Knight of the following described portion of a public street right-of-way, to-wit:

A tract of land lying in part of the Southeast 1/4 of the Northwest 1/4 of Section 11, Township 3 South, Range 10 West, Colbert County, Alabama, and being more particularly described as follows: COMMENCE at the Southeast corner of the Southwest 1/4 of the Southwest 1/4 of said Section 11; thence North 00°41'30" East, 2400.00 feet; thence South 73°32'05" East, 51.88 feet; thence North 00°41'43" East, 36.40 feet to an Iron Pin Set (capped typical Alexander Land Surveying Property Corner LSCA 628) on the North right of way line of Wilson Court; thence North 00°41'43" East, 90.39 feet to a 6"x 6" Concrete Monument Found; thence North 00°23'36" East, 298.09 feet to an Uncapped 5/8" Rebar Found; thence South 89°55'23" East, 200.40 feet to an Uncapped 5/8" Rebar Found, being the POINT OF BEGINNING of the herein described tract, said point being the Southwestern most corner of Waterford Drive right of way line (50' right of way); thence, along the West right of way line, North 04°55'32" West, 68.44 feet to an Iron Pin Set; thence, along said right of way line, along a curve to the right having a Chord Bearing and Distance of North 12°19'29" East, 36.84 feet and a Radius of 60.00 feet, for an Arc Length of 37.44 feet to an Uncapped 5/8" Rebar Found; thence, leaving said right of way line, South 62°34'28" East, 53.64 feet to an Iron Pin Set on the Southeasterly right of way line of Waterford Drive; thence, along said right of way line, along a curve to the left having a Chord Bearing and Distance of South 38°40'58" West, 9.05 feet and a Radius of 6.60 feet, for an Arc Length of 9.97 feet to an Iron Pin Set; thence, along said right of way line, South 04°55'47" East, 72.75 feet to an Iron Pin Set; thence North 89°55'23" West, 50.20 feet to the POINT OF BEGINNING of the tract of land hereby described, said tract of land contains 0.11 acres ± and is subject to any and all easements or restrictions of record or unrecorded affecting said property and a utility easement for the existing water service line located on the above-described property near Waterford Drive in favor of Colbert County, Alabama, a political subdivision of the State of Alabama, its successors and assigns.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be given to Allen L. Knight and Sylvia Jean Knight, to be filed and recorded with the declaration of vacation by Allen L. Knight and Sylvia Jean Knight in such manner as meets the requirements imposed by Section 35-2-54, Code of Alabama, 1975.

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7. Approved a request for payment of unused accrued Annual Leave by Billy Jefferson in the amount of \$2,785.36
 8. Approved the following Resolution to purchase side arms for the Deputies in the amount of \$11,315.00 from 287(g) funds:

RESOLUTION NUMBER 2026-0016

A RESOLUTION APPROVING EXPENDITURE OF FUNDS RECEIVED FOR
COLBERT COUNTY SHERIFF'S DEPARTMENT PARTICIPATION IN ICE / 287(G)
PROGRAM

WHEREAS, the Sheriff of Colbert County entered into a Service Agreement with the United States Department of Homeland Security Immigration and Customs Enforcement for specific enforcement actions; and

WHEREAS, the General Fund of Colbert County was paid a One Time Stipend / Reimbursement in the amount of \$130,000.00 as a result of the Colbert County Sheriff's Department participation in the 287(g) program; and

WHEREAS, the Colbert County Commission has responsibility for the allocation and expenditure of monies contained in the County General Fund; and

WHEREAS, Eric Balentine, the Sheriff of Colbert County, is requesting the expenditure of 287(g) funds for law enforcement purposes, specifically, the purchase of Fire Arms to equip Sheriff's Department Personnel at cost of \$11,315.00; and

WHEREAS, the Commission recognizes the necessity of properly equipping Sheriff's Department Personnel to enhance public safety. Therefore, the Commission desires to approve the allocation of 287(g) funds for the purchase of Fire Arms for use by Sheriff's Department Personnel.

NOW THEREFORE BE IT RESOLVED, by the Colbert County Commission, having deemed that the purchase of Fire Arms is a necessary, reasonable, and proportionate expenditure of the 287(g) funds elects to allocate \$11,315.00 of the 287(g) funds for the purchase of Fire Arms at a cost of \$11,315.00; and

UNFINISHED BUSINESS

None

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 made the following reports: Effective Feb. 4, 2026, Luther Brown was hired at the Road Dept. as a HMT1 with a beginning salary of \$30,721.60. Will Pilkinton resigned from the Road Dept. effective February 6, 2026. Effective January 30, Anthony Strickland resigned from the Road Dept. Morgan Vandiver was hired at the HHG Agency as a FT HHG Helper starting February 4, 2026 at an hourly rate of \$14.34 per hr. Corban Chaney resigned from HHG Agency as FT HHG Helper effective January 29, 2026. Letessa Bates resigned from the Sheriff Dept's Jail as well as Billy Jefferson. The large storm shelter generators need replacing in Ford City and Littleville. The cost will be \$9,385 each. If both are replaced at the same time, there will be a \$500. discount on each generator totaling \$17,790. Money is set aside in the storm shelter fund to replace them. This will not deplete the funds. Commissioners agreed to proceed with replacement.

County CFO:

CFO April Eaton made the following reports: The financial report has been completed through Dec 31st. One time a year payments were highlighted in yellow. Overall, we look pretty good.

County Attorney:

No Report

E-911/EMA Director:

EMA Director Jody Hitt made the following reports: They will be at Lowes on the 21st of this month giving out weather radios.

County Engineer:

Chief Engineer Jeremy Robison made the following reports: Larry Howard, water department superintendent, was injured on the job during the ice storm and is doing better. This leaves Jordan Shirley as the only operator who has not had a day off since Howard's accident. Kenny Nunley, a retired treatment plant operator from Sheffield, has agreed to come in and help a couple days a week by contract, working Friday and Saturday to give Shirley a break. The rail car building is now owned by AE Shoals. The Barton water tank is in front of their building. AE Shoals would like to put their logo on the water tank and are willing to pay for that. The estimate is around \$20,000. They are asking for approval to do so. Commissioner Gardiner and Bailey advised that the County Engineer and County Attorney draft an agreement for such to have on the agenda for the February 17 Commission meeting.

NEW BUSINESS

None

DISCUSSION ITEMS BY COMMISSIONERS

Commissioner Isom thanked the Road Department and HHG Agency for their efforts during the ice storm. Administrator Creekmore has tickets for the MLK breakfast if any Commissioners are interested.

COMMISSIONER, DISTRICT 1

COMMISSIONER, DISTRICT 2

COMMISSIONER, DISTRICT 3

COMMISSIONER, DISTRICT 4

CHAIRMAN

COMMISSIONER, DISTRICT 6