

**MINUTES OF THE REGULAR MEETING
OF THE ETOWAH COUNTY COMMISSION
ETOWAH COUNTY, ALABAMA
November 2, 2021**

Public Hearing: Shane Ellison, CAO, conducted a public hearing at 9:00 am regarding the proposed redistricting maps for Etowah County due to the 2020 Census. Shane briefly discussed the main areas that would have changes and the map was displayed during the hearing. All of the legal posting requirements were met prior to the hearing today and there were no comments or questions during the hearing.

Commissioner Jamie Grant called the meeting to order on the 2nd Day of November, 2021 at 9:10 am with Commissioner Statum asking the Prayer and Commissioner Jamie Grant leading the Pledge to the Flag.

CALL OF ROLL TO ESTABLISH A QUORUM: The following 6 out of 6 Commission members were at the meeting and accordingly a quorum was present:

District 1 – Joey Statum	District 4 – Tim Ramsey
District 2 – Johnny Grant	District 5 – Jeffery Washington
District 3 – Jamie Grant	District 6 – Craig Inzer

PUBLIC COMMENTS FROM CITIZENS: Harvey Martin and Leonard Kiser addressed the Commission. Harvey Martin turned in a public request for more expense report information on the Commissioners. He also requested budget information and said he planned to hand deliver to budget to all of the citizens in the county and to file a lawsuit against the Sheriff.

Leonard Kiser said after talking to other people since the last meeting, he doesn't think an Attorney General opinion should be required and that the Commissioners could take away the expense account from the Sheriff if they chose to take action. He complained about the amount of money the Sheriff in Etowah County made saying it was more than the Circuit Judges make (the 4th highest paid in the State) and that the Sheriff was losing over \$200,000 a month with the jail. He also said that when Sheriff Horton ran for office, he said he wouldn't take more money than his salary and that he wouldn't take any money from the food fund for the inmates.

PUBLIC COMMENTS FROM ELECTED OFFICIALS AND OTHERS: Probate Judge Scott Hassell said all of the calendars were showing today as an election day but it was not one for Alabama.

AWARDS, PRESENTATIONS, PROCLAMATIONS, OR ANNOUNCEMENTS:

Advanced Disposal will have open top containers at four locations between 7:00 am and 12:00 pm for residential cleanup of household trash on **Saturday, November 6th, 2021**. They do not accept tires, batteries, appliances or hazardous waste.

Locations of containers:

Leeth Gap and Sardis Road – across from old County Shop
Intersection of Hwy 278 & Hwy 132
Whorton Bend Volunteer Fire Department
Gaston High School at Hwy 411 North

Upon motion of Commissioner Statum, seconded by Commissioner Ramsey, with all other members voting "yes", the following resolution was adopted:

BE IT RESOLVED BY THE ETOWAH COUNTY COMMISSION: That the following item was approved:

To recess in order to have a Work Session at 9:20 am.

PASSED AND ADOPTED THIS 2nd DAY OF NOVEMBER, 2021.

Upon motion of Commissioner Ramsey, seconded by Commissioner Johnny Grant, with all other members voting "yes", the following resolution was adopted:

BE IT RESOLVED BY THE ETOWAH COUNTY COMMISSION: That the following item was approved:

To call the Etowah County Commission Meeting back to order after the recess at 9:35 am.

PASSED AND ADOPTED THIS 2nd DAY OF NOVEMBER, 2021

OLD BUSINESS: None.

Consent Agenda:

Upon motion of Commissioner Statum seconded by Commissioner Ramsey, with all other members present voting "yes", the following resolution was passed and adopted:

BE IT RESOLVED BY THE ETOWAH COUNTY COMMISSION: That the following items on the Consent Agenda were approved as presented:

CONSENT AGENDA: All items designated as "Consent" are considered to be routine and non-controversial and will be approved by one motion. No separate discussion of these items will be permitted unless a Commissioner so requests. If so, such item(s) will revert to New Business.

- A. That the Minutes of the Regular Meetings dated October 19, 2021, of the Etowah County Commission be, and the same are hereby approved as written.
- B. The Proposed Agenda for November 2, 2021.
- C. Reported Financial Transactions. A copy of the Purchasing Charges for October, 2021, has been filed in Attachment Book 12, Page 30.
- D. To place the name of Faith Lumpkin in the Sheriff's Office job slot of Detention Deputy, effective November 1, 2021. This is a replacement to be paid from the ICE Fund, at an hourly rate of \$14.98.
- E. To place the name of Tiana Pinkard in the Sheriff's Office job slot of Detention Deputy, effective November 1, 2021. This is a replacement to be paid from the ICE Fund, at an hourly rate of \$14.98.
- F. To place the name of Kristopher McCormick in the Sheriff's Office job slot of Detention Deputy, effective November 1, 2021. This is a replacement to be paid from the ICE Fund, at an hourly rate of \$14.98.
- G. To place the name of Chad Knight in the Sheriff's Office job slot of Detention Sergeant, effective October 22, 2021. This is a replacement to be paid from the ICE Fund, at an hourly rate of \$15.74.
- H. To place the name of Tiffany Dailey in the Sheriff's Office job slot of Detention Sergeant, effective October 22, 2021. This is a replacement to be paid from the ICE Fund, at an hourly rate of \$16.54.
- I. To place the name of Barry Smith in the Sheriff's Office job slot of Detention Lieutenant, effective October 22, 2021. This is a replacement to be paid from the Jail Fund, at an hourly rate of \$20.15.
- J. To place the name of Christopher Timmons in the Sheriff's Office job slot of Detention Lieutenant, effective October 22, 2021. This is a replacement to be paid from the ICE Fund, at an hourly rate of \$19.18.
- K. To place the name of Matthew Helms in the Sheriff's Office job slot of Detention Deputy, effective October 25, 2021. This is a replacement to be paid from the ICE Fund, at an hourly rate of \$14.98.
- L. To approve the request of Robert Nail, County Engineer, to hire Nicholas Beavers as an Equipment Operator, effective November 2, 2021. This is a replacement to be paid from the Gas Tax Fund, at an hourly rate of \$13.24.
- M. To approve the request of Marion Dodd, Maintenance Director, to hire Chris Davis as a Maintenance Tech, effective November 8, 2021. This is a replacement to be paid from the Maintenance Fund, at an hourly rate of \$14.25.
- N. To approve the request of Melissa Lett, Purchasing Accountant, to award Bid No FY 2020-2021-23 Aggregate to Madison Materials and Wiregrass Construction Company, the lowest, complete bidders.
- O. To approve the Chem-Aqua Water Treatment Program Agreement for the Etowah County Judicial Building and to authorize the CAO to execute the document.

PASSED AND ADOPTED THIS 2nd DAY OF NOVEMBER, 2021.

NEW BUSINESS:

Upon motion of Commissioner Statum, seconded by Commissioner Johnny Grant, with all other members voting "yes", the following resolution was adopted:

BE IT RESOLVED BY THE ETOWAH COUNTY COMMISSION: That the following item was approved:

To authorize Shane Ellison, CAO, to execute a buy-back offer of up to 40 hours of a combination of sick, vacation, paid-time-off (PTO), and /or comp time to eligible county employees to be executed in November, 2021.

PASSED AND ADOPTED THIS 2nd DAY OF NOVEMBER, 2021.

Upon motion of Commissioner Statum, seconded by Commissioner Ramsey, with all other members voting "yes", the following resolution was adopted:

BE IT RESOLVED BY THE ETOWAH COUNTY COMMISSION: That the following item was approved:

To approve the request of Melissa Lett, Purchasing Accountant, to award Bid No FY 2021-2022-01 Perforated Plates for Jail Windows to Southern Steel, the lowest, responsible bidder (due to the lead time being only 8 days and the importance of this was included in the bid request).

PASSED AND ADOPTED THIS 2nd DAY OF NOVEMBER, 2021.

Upon motion of Commissioner Ramsey, seconded by Commissioner Johnny Grant, with all other members voting "yes", the following resolution was adopted:

BE IT RESOLVED BY THE ETOWAH COUNTY COMMISSION: That the following item was approved:

To authorize two Executive Sessions with the first one to discuss Pending Litigation; and the second to discuss Business and Commerce, after a roll call vote with the majority approving the sessions. The County Attorney, Jim Turnbach, certified both Sessions as meeting the requirements and the meetings will include the Commissioners, Shane Ellison, Kevin Dollar, and Jim Turnbach for the first meeting and the second meeting will be all that are in the first meeting and also representatives from Goodwyn, Mills, and Cawood. District 1 –yes; District 2- yes; District 3 – yes; District 4 – yes; District 5 – yes; and District 6 – yes.

PASSED AND ADOPTED THIS 2nd DAY OF NOVEMBER, 2021.

Upon motion of Commissioner Ramsey, seconded by Commissioner Statum, with all other members voting "yes", the following resolution was adopted:

BE IT RESOLVED BY THE ETOWAH COUNTY COMMISSION: That the following item was approved:

To reconvene from Executive Session at 10:55 am.

PASSED AND ADOPTED THIS 2nd DAY OF NOVEMBER, 2021.

Upon motion of Commissioner Ramsey, seconded by Commissioner Johnny Grant, with all other members voting "yes", the following resolution was adopted:

BE IT RESOLVED BY THE ETOWAH COUNTY COMMISSION: That the following item was approved

To authorize the Chief Administrative Officer to execute a written agreement for potential grant funding after its receipt and review by the county attorney. A copy of this agreement is filed in Attachment Book 12, Page 31.

PASSED AND ADOPTED THIS 2nd DAY OF NOVEMBER, 2021.

Upon motion of Commissioner Inzer, seconded by Commissioner Statum, with all other members voting "yes", the following resolution was adopted:

BE IT RESOLVED BY THE ETOWAH COUNTY COMMISSION: That the following item was approved

To approve the new Etowah County Commission District Maps reflecting changes resulting from the 2020 Census. A copy of these maps is filed in Attachment Book 12 Page 32.

PASSED AND ADOPTED THIS 2nd DAY OF NOVEMBER, 2021.

Commission President Jamie Grant read the following statement in response to the repeated requests concerning the Sheriff's expense allowance:

The Alabama Legislature approved Act #2019-401, and the Act became Alabama Law on May 30, 2019. The Act allowed the Etowah County Commission to approve an additional expense allowance to be paid to the office of the Etowah County Sheriff. If the Commission chose to approve the expense allowance, the Act required that the Commission do two things -----determine the amount of the expense allowance and to pay the amount monthly.

Due to the extraordinary responsibilities of the Sheriff in the housing and administration of the ICE Program detainees, and in the administrative responsibilities associated with the housing of City of Gadsden prisoners, the Commission chose to approve the expense allowance and set the sum of \$30,000 to be paid for the ICE responsibilities, and the sum of \$15,000 to be paid for the City of Gadsden responsibilities, by unanimous approval of resolution 10 061 dated July 23, 2019.

The Etowah County Commission has followed the provisions and requirements of Act #2019-401 to the letter of the law. The Etowah County Commission has no legal reason to question the terms of legislative Act #2019-401. The Act allows fair compensation to be paid to the office of the Sheriff of Etowah County, regardless of who holds the office.

The Etowah County Commission will not agree to be injected into political campaigns concerning questions motivated by political considerations. Accordingly it will not seek an Attorney General opinion based on this issue.

REPORTS FROM THE STAFF:

Chief Administrative Officer: No Report.
County Engineer: No Report.
County Attorney: No Report.
Other: No Report.

DISCUSSION BY COMMISSIONERS:

Shane said he will not be here for the meeting next week so the Commission will not have a work session on November 9th.

Commissioner Inzer thanked Goodwyn Mills and Cawood representatives for coming and said they were working on some good things going forward and he was going to do all he could to move the county forward. He appreciates everyone working together.

Commissioner Washington discussed an issue he is having with someone opening his mail that comes to the Commission Office. Commissioner Ramsey will be out of state on the 16th so he will not be at the meeting.

Commissioner Statum said they were having a Christmas Special program in Southside on December 11th that would be open to the county on the old school grounds off Hwy 77. They will start advertising soon and it will be in the afternoon. He said he was excited about the new districting and that everyone had been good to work with. He said his area is growing and eventually he believes Southside will be its own District. It said the process this time had been very easy. Shane added that it helped to have the right consultant.

Commissioner Jamie Grant thanked everyone for coming to the meeting and reminded the Commissioners they had a closed meeting with the Auditors at 2:30 pm.

ADJOURN: The Chair then entertained a motion to adjourn the meeting. Upon motion of Commissioner Inzer, seconded by Commissioner Washington with all other members voting “yes”, the motion was passed. The meeting was adjourned at 11:07 am.

Joey Statum, Commissioner, District 1

Tim Ramsey, Commissioner, District 4

Johnny Grant, Commissioner, District 2

Jeffery Washington, Commissioner, District 5

Jamie W. Grant, President, Commissioner, District 3

Craig Inzer, Jr., Commissioner, District 6