

**MINUTES OF THE REGULAR MEETING
OF THE ETOWAH COUNTY COMMISSION
ETOWAH COUNTY, ALABAMA
June 2nd, 2020**

Public Hearing

The Etowah County Commission, acting by and through its duly authorized representatives, held a public hearing at 10:00 a.m. on Tuesday, June 2, 2020, in the County Commission Chamber at 800 Forrest Avenue, Gadsden, Alabama, for the purpose of receiving comments from interested persons regarding the proposed approval by the Etowah County Commission of the issuance by The Central Etowah County Solid Waste Disposal Authority of one or more series of its revenue bonds (the “Bonds”) in a principal amount not to exceed \$14,500,000 in order to finance a portion of the costs of the acquisition, improvement, construction, and installation of certain landfill facilities (the “Project”) to serve municipal, residential, commercial, and industrial users in and around Etowah County, AL. All possible safeguards were in place in view of current concerns with COVID-19 pandemic and several people attended the hearing.

Evergreen Environmental Partners, LLC, an Alabama limited liability company (“Evergreen Environmental”) will ground lease the approximately 208-acre site of the Project located adjacent to Sand Valley Road in the unincorporated area of Etowah County to The Central Etowah County Solid Waste Disposal Authority, which, in turn, will assign said ground lease to The Coosa Regional Solid Waste Disposal Authority, which, in turn, will lease the Project to Evergreen Environmental for rentals sufficient to provide for the payment, when due, of the principal of and the interest and premium (if any) on the Bonds.

The Bonds will be payable solely from lease payments made by said Evergreen Environmental and certain trust funds established under the proceedings pursuant to which the Bonds will be issued. The Bonds will not constitute debt of the State of Alabama, Etowah County, or any municipality, county, or political subdivision of the State of Alabama.

Alston Ray and Garrett Gamble were at the meeting to answer any questions from the public. Mr. Ray discussed that the hearing is required under Federal Tax Law because a portion of the Bond being issued is tax exempt. It is being issued by the Central Etowah Solid Waste Disposal Authority and is the same as the bonds that are issued by the Industrial Development Boards. This project has been in the works since January of 2019 and requires a public hearing and approval by the Commission. The reason the bond has to go through more than one authority is because of the Solid Waste Disposal Statute, which permits private industry (municipalities) to enter into a contract exempt from competitive bid requirements. Mr. Ray discussed a challenge on another court case in Walker County (with BFI) where there were issues because it was through the County. In this transaction, the closest municipality is Attalla and they have the Coosa Regional Solid Waste Disposal Authority already in place. Since they are owned by the municipality of Attalla, they are exempt from bid. A TEFRA Hearing is still required, which allows the citizens that live in the area of the landfill an opportunity to express their concerns. There will be no liability for the Etowah County Commission, the Central Etowah Solid Waste Disposal Authority, or any of their members.

April Burlison (a citizen at the meeting) asked a question about who would be taking responsibility for the run-off and drainage. Mr. Garrett answered her question by discussing the requirements of all landfills and the fact that rules and guidelines are in place to prevent any issues. He said the property will be compliant before they leave it.

The Etowah County Commission met in a regular meeting on the 19th Day of May, 2020. Commissioner Tim Ramsey called the meeting to order at 10:05 am and led in the Prayer and the Pledge to the Flag.

PUBLIC COMMENTS FROM CITIZENS: None.

PUBLIC COMMENTS FROM ELECTED OFFICIALS AND OTHERS: None.

CALL OF ROLL TO ESTABLISH A QUORUM: The roll was called to establish a quorum. The following out of 6 Commission members responded to their names and accordingly a quorum was present (with Commissioner Payne attending the meeting by Phone):

District 1 – Joey Statum	District 4 – Tim Ramsey
District 2 – Johnny Grant	District 5 – Jeffery Washington
District 3 – Larry V. Payne	District 6 – Craig Inzer

ANNOUNCEMENTS: None.

AWARDS, PRESENTATIONS, PROCLAMATIONS: None.

CONSENT AGENDA: Upon motion of Commissioner Joey Statum, seconded by Commissioner Tim 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 Meeting dated May 19th, 2020, of the Etowah County Commission be, and the same are hereby approved as written.
- B. The Proposed Agenda for June 2nd, 2020.
- C. Reported Financial Transactions. A copy of the Visa Card Purchases for April 27 – May 5, 2020 has been filed in Attachment Book 11, Page 028.
- D. To place the name of William Jameson Jenkins, in the Sheriff's Office job slot of Sheriff Deputy Trainee effective June 22nd, 2020. This is a replacement to be paid from the Sheriff's Office, General Fund, at an hourly rate of \$13.25.
- E. To place the name of Coley McGowen, in the Sheriff's Office job slot of Sheriff Deputy (Certified) effective June 8th, 2020. This is a replacement to be paid from the Sheriff's Office, General Fund, at an hourly rate of \$13.92.

PASSED AND ADOPTED THIS 2nd DAY OF JUNE, 2020.

OLD BUSINESS: None.

NEW BUSINESS:

Upon motion of Commissioner Joey 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 an Executive Session to discuss business and commerce after a roll call vote with the majority approving the session. The meeting is authorized by the County Attorney, Jim Turnbach and will include Mr. Ray, Mr. Gamble, Mr. Ted Johnson, Kevin Dollar (CFO), all Commissioners, and Shane Ellison (CAO). District 1 – yes; District 2 – yes; District 3 – yes; District 4 – yes; District 5 – yes; and District 6 – yes. The meeting was approved and the Commission dismissed at 10:25 am.

PASSED AND ADOPTED THIS 2nd DAY OF JUNE, 2020.

Upon motion of Commissioner Tim Ramsey, seconded by Commissioner Joey 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 11:00 am.

PASSED AND ADOPTED THIS 2nd DAY OF JUNE, 2020.

Upon motion of Commissioner Craig Inzer, seconded by Commissioner Joey 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 authorize the Agreement to approve the issuance of Bonds by the Central Etowah Solid Waste Disposal Authority with the understanding that no liability is imposed upon Etowah County or Central Etowah Solid Waste Disposal Authority and to authorize the Commission President to execute the document. A complete copy of the agreement has been filed in Attachment Book 11, Page 029.

PASSED AND ADOPTED THIS 2nd DAY OF JUNE, 2020.

Upon motion of Commissioner Craig Inzer, 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 approve the "Agreement Between the Etowah County Commission and the Water Works and Sewer Board of the City of Gadsden" regarding an evaluation of Water and Wastewater Service by CDG Engineers and Associates at Little Canoe Creek Megasite and to authorize the Chief Administrative Officer to execute the Agreement. A copy of the Agreement has been filed in Attachment Book 11, Page 030.

PASSED AND ADOPTED THIS 2nd DAY OF JUNE, 2020.

REPORTS FROM THE STAFF:

Chief Administrative Officer: Shane let the Commissioners know that the County would be eligible for reimbursements from the CARES Act Funding on items related to COVID-19 and there were other grant opportunities they were looking into.

Also, the HVAC bid for the Detention Center will be coming soon and a special called meeting may be needed to award that bid.

County Engineer: No Report.

County Attorney: No Report.

Other: No Report.

SCHEDULED PUBLIC HEARINGS: None

DISCUSSION BY COMMISSIONERS:

Commissioner Tim Ramsey thanked everyone for coming to the meeting. He also talked about the agreement with the Water Board concerning the Megasite and also the landfill. He said the landfill had been needed for a long time.

Commissioner Inzer talked about the upcoming bid for the HVAC system at the Detention Center and said it was good when local people can be used. Whorton Engineering will take care of the bid. He also discussed the Water study being a big deal for the Megasite. He encouraged everyone to support small businesses, saying they were affected in a lot of areas and that it was time to work together and support each other. He asked everyone to pray for law enforcement and thanked all the other Commissioners.

Commissioner Payne did not have anything to add other than asking everyone to continue to pray for everything happening today.

Commissioner Johnny Grant also asked everyone to pray.
Commissioner Joey Statum did not have anything to add today.

Commissioner Washington thanked everyone for coming and asked everyone to keep the Commission in their prayers. He said it was a time for unity and moving forward.

ADJOURN: The Chair then entertained a motion to adjourn the meeting. Upon motion of Commissioner Joey Statum, seconded by Commissioner Craig Inzer, with all other members voting "yes", the motion was passed. The meeting was adjourned at 11:10 am.

Joey Statum, Commissioner, District 1

Tim Ramsey, Commissioner, District 4

Johnny Grant, Commissioner, District 2

Jeffery Washington, President, Commissioner, District 5

Larry V. Payne, Commissioner, District 3

Craig Inzer, Jr., Commissioner, District 6