

**MINUTES OF THE REGULAR MEETING
OF THE ETOWAH COUNTY COMMISSION
ETOWAH COUNTY, ALABAMA
JUNE 7, 2022**

Commissioner Johnny Grant called the meeting to order on the 7th Day of June, 2022 at 9:02 am with Commissioner Ramsey asking the Prayer and leading the Pledge to the Flag.

CALL OF ROLL TO ESTABLISH A QUORUM: The following 5 out of 6 Commission members were at the meeting and accordingly a quorum was present:

District 1 – Joey Statum
District 2 - Johnny Grant
District 3 – Jamie Grant

District 4 – Tim Ramsey
District 6 – Craig Inzer

Absent: Jeffery Washington – District 5

PUBLIC COMMENTS FROM CITIZENS: There was a large group signed in to speak about the issues with an RV Park trying to open on Tillison Bend Road. Those signed in include: Ann Bryant, Byron Fobbes, D. Roberts, Dewey Jacobs, Allen Frazier, S. Thompson, Angela Gray, C. E. Jones, Bill Chapman, G. Joiner, J. Frazier, Carol Gray, Rachel Chapman, Lewis Couch, Bailey Gregory, Terri Robertson, Patrick Brown, and a couple of other names. Also, Doris Payne and Harvey Martin were signed in to speak.

Ms. Bryant said on Tillison Road the speed is not being observed and she doesn't want any more of her property going to the road. Also, if they widen the road, they will have to move the water lines and cut down some trees.

Byron F. lives on Riverview Drive and said he was one of 6 or 7 residents that would be financially affected by the RV Park. He said his kids grew up there & could ride bikes, etc. Now even if small RV's come up the road, they have to stop to let the cars go by; also, buses take up the entire curve when they turn at the crossroads. They are just a small community and all watch after each other. This will also affect the Whorton Bend Community if they make an exception for this road and RV Park with boat launch today.

Charles Jones spoke about the dangers of the traffic speeding on the road because when they are trying to pull out from their driveways, before they can look both ways and pull into the road, cars are right up on him. People are also running stop signs and not obeying traffic rules. He would like to know how it can be stopped and how they can stop the campground.

Danny Roberts asked the Commission to please abide by the Access Management Policy and thanked them for letting him speak.

Mr. Jacobs said he measured the road and it was barely wide enough for 2 SUV's to pass each other and both stay in the road. He said they already have a boat ramp and adding the RV Park will cause them to have traffic 24/7. 'Two campers cannot pass each other without going into people's yards.'

J. Frazier lives on the corner and they have a camper which is over 50 feet long, and he feels there will be safety concerns with people unfamiliar with the roads and not taking care. His camper needs 18' 5" & the road is only 15' 5" from the center line. Also, people in the neighborhood push strollers with kids in them on the sides of the road and someone not going the speed limit or not paying attention would be dangerous.

Doris Payne said she still hasn't received a call from anyone with answers about her grandson. His birthday was Sunday and she needs answers about why he is dead. She is speaking for the family and they would like to be able to grieve his death. She said every life matters and they keep telling her they will get back in touch but they don't call her back. She talked to the District Attorney and left messages but he won't call her back and no one will put anything in writing because it is still under investigation.

Commissioner Jamie Grant said if it's still under investigation, they don't have an answer yet (and Cherokee County is in charge of the investigation). She said she even called the State Attorney's Office. Commissioner Johnny Grant told her it was out of the hands of the Commission and they don't have anything to do with the investigation. 'There is nothing anyone can do or say until the investigation is complete.'

Ms. Thompson, a resident of this area since she was born, had photos of the Road and said there was a 17" drop on the side (on Riverview Drive). She said the neighborhood is what they want in a neighborhood - to be able to raise their families in this community just like it is now. They are concerned about the road, security, predators, visitors, noise, garbage increase, and decrease in property values. 'There has been a Road Access Policy since 2010 and why are we even here today!' She provided examples of her concerns with several pictures.

Ms. Gray said the kids ride bikes on the roads plus they all ride their golf carts. They will not feel safe letting the kids do the things they have been able to do. They drove their RV on the road, as a test, to see how it would fit and were unable to stay within the lines. The road measures 104 inches from the side to the yellow line and their RV measures 102" but from mirror to mirror measures 122". Also, the RV Park will just cause more pollution issues in the river. She asked if a person had to have any kind of permit before they started a project like this. She emphasized there were too many kids and golf carts in the area for all that traffic.

Harvey Martin said he was with the Attalla Coalition and as a citizen, he feels for them. He said he was here for Ms. Payne today and about her grandson who died a year ago in the jail. She wants answers and he is going to get her a lawyer so she can get those answers. Harvey said he was going to find out what was going on and come back and report it to the Commission. Ms. Payne said her grandson wasn't in jail for drugs.

Georgia Joiner asked the Commission to please consider the laws that are already on the books (regarding the RV Park).

Ms. Gray said she lived in Tillison Bend for over 50 years and they ride bikes in that area and so did their kids. They are asking the Commission to keep that area safe.

Bailey Gregory said she has been researching RV accident fatalities and it's always the other party that dies in these wrecks. They have 90 degree turns that are already dangerous and too narrow and it's not safe for the RV's to travel those roads. If it's one of her kids on that road and gets hurt, someone will pay a pound of flesh!

Rachel Chapman lives next to her parents and her daughter is trying to learn to drive and nervous with all the RV's and she has had to stop driving because there are so many on the road.

Commissioner Jamie Grant asked if the RV's on the road belonged to the residents that live in the area (and boats) because the RV Park is not open yet. He said 'so there's already RV & Boat traffic on the road'?

The next speaker said when he pulls his camper, he stops before he gets to the causeway if he's going to meet a car but other people may not do that and if the road is not widened, it may cause a wreck.

Mike said he was here to hold the Commission accountable and said there has to be an 'in' and 'out' road and the roads need to be widened.

Commissioner Statum said that Robert Nail recommended the campers have to take a right when they leave the park. He also said the bridge (causeway) is owned by the city. He said the person / company is supposed to get the park approved ahead of time (before he does anything) including approval for any needed access roads. The Commission cannot control who buys the property or the business they choose. Commissioner Statum asked if the people that lived on the road wanted the road to be wider and there was a mixed response to the question.

One of the speakers said his concern was when the causeway floods, the campers will have to go the other way around to get out and that will cause an issue because of the size of the campers, etc. He said if they can't stop the RV Park from coming, at least widen the roads to make it safer for the ones that live there to drive on them.

They don't want taxes used to pay for the road improvements; they want the money to come from Mr. Fortenberry but they are concerned because mail boxes and water lines will also have to be moved and they want to know who will pay for that. Also, they are concerned about what will happen when the causeway floods and they campers/boats have to come around the other road to get out.

Commissioner Johnny Grant said we can discuss this until dark but everyone has made some good points and the Commissioners will make the best decision they can make. "The final decision will not please everyone but they will do their best." President Grant allowed everyone to express their concerns during the first hour of the Commission Meeting.

AWARDS, PRESENTATIONS, PROCLAMATIONS, OR ANNOUNCEMENTS: None.

Upon motion of Commissioner Ramsey, seconded by Commissioner Inzer, 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 10:05 am.

PASSED AND ADOPTED THIS 7th DAY OF JUNE, 2022.

Upon motion of Commissioner Inzer, 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 call the Etowah County Commission Meeting back to order at 10:30 am.

PASSED AND ADOPTED THIS 7th DAY OF JUNE, 2022.

OLD BUSINESS: None.

CONSENT AGENDA:

Upon motion of Commissioner Inzer 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 Meeting dated May 17, 2022 and of the Special Called Meeting dated May 31, 2022 of the Etowah County Commission will be on the agenda for June 21, 2022 to be approved.
- B. The Proposed Agenda for June 7, 2022
- C. Reported Financial Transactions. A copy of the Cash Disbursements, Online Transfers, and Credit Card Purchases for May, 2022 has been filed in Attachment Book 12, Page 92.
- D. To place the name of Tiara Grady in the Sheriff’s Office job slot of Detention Deputy, effective May 23, 2022. This is a replacement to be paid from the Jail Fund, at an hourly rate of \$14.98.
- E. To approve the request of Robert Nail, County Engineer, to hire Larry Banks as an Equipment Operator, effective June 7, 2022. This is a replacement to be paid from the Gas Tax Fund at an hourly rate of \$13.24.
- F. To approve the request of Robert Nail, County Engineer, to hire James Smith as an Equipment Operator, effective June 7, 2022. This is a replacement to be paid from the Gas Tax Fund at an hourly rate of \$13.24.
- G. To approve the request of Marion Dodd, Maintenance Director, to promote Zachary Robertson to a Maintenance Technician, effective June 13, 2022. This is a replacement to be paid from the General Fund, Maintenance, at an hourly rate of \$18.25.
- H. To approve the request of Melissa Lett, Purchasing Accountant, to award Bid No FY 2021-2022-16 Hygiene Products – Jail to Bob Barker, the lowest, responsible bidder.
- I. To approve the request of Robert Nail, County Engineer, to declare the following as surplus:

IR Compressor Asset # 09637

PASSED AND ADOPTED THIS 7th DAY OF JUNE, 2022.

NEW BUSINESS:

Upon motion of Commissioner Johnny Grant, 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 have the Final Reading for ABC License Application Type 050 – Retail Beer (Off Premises Only) and Type 070 – Retail Table Wine (Off Premises Only) for applicant **AYA LLC (Nour Anmad Mahmoud Saeed)** under the trade name, **FOOD MART 34, located at 10291 Centre Road, Gadsden, AL 35903**. This property is located in the County.

PASSED AND ADOPTED THIS 7th DAY OF JUNE, 2022.

Upon motion of Commissioner Ramsey, seconded by Commissioner Jamie 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 “Insolvents, Errors, and Taxes in Litigation for 2021 and Uncollected Insolvents and Taxes in Litigation for Previous Years’ and to approve the ‘Annual Report of Tax Collector’; and also to authorize the Commission President to execute the document. A copy has been filed in Attachment Book 12, Page 93.

PASSED AND ADOPTED THIS 7th DAY OF JUNE, 2022.

Upon motion of Commissioner Inzer, 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 MOA between the State of Alabama and the Etowah County Commission concerning the Federal Aid Exchange Funds in the amount of \$400,000 to the County in accordance with the provisions of Act 2019-2 (Rebuild Alabama Act) and to authorize the Commission President to execute all documents. A copy has been filed in Attachment Book 12, Page 94.

PASSED AND ADOPTED THIS 7th DAY OF JUNE, 2022.

Upon motion of Commissioner Craig Inzer, seconded by Commissioner Jamie 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 adopt the Resolution to provide funds necessary to the Employees’ Retirement System to cover the cost of the one-time lump sum payment for those eligible retirees and beneficiaries of deceased retirees of the Etowah County Commission as provided for by Section 2, Act 229 of the Regular Session of the 2022 Legislature. This will be paid in October of 2022. A copy has been filed in Attachment Book 12, Page 95.

PASSED AND ADOPTED THIS 7th DAY OF JUNE, 2022.

Upon motion of Commissioner Inzer, 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 a commercial lease agreement with LaSalle Corrections for the 3rd floor of the Courthouse and to authorize the Commission President to execute the agreement. A copy has been filed in Attachment Book 12, Page 96.

PASSED AND ADOPTED THIS 7th DAY OF JUNE, 2022.

Upon motion of Commissioner Ramsey, seconded by Commissioner Inzer, 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 Kevin Dollar, Deputy Administrator/CFO to make the following Budget Amendment – Jail Riot:

Increase:

Maintenance Department -

Expenditures:

Contract Services (001.51995-185)	\$20,343
Miscellaneous Supplies (001.51995-219)	\$21,286
Repairs & Maintenance – Bldgs, Land & Improvements	\$81,702

Increase:

Revenue

Insurance Claims (001.40000.47905-000)	\$123,331
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PASSED AND ADOPTED THIS 7th DAY OF JUNE, 2022.

Upon motion of Commissioner Statum, seconded by Commissioner Ramsey, a roll call vote was requested on the following agenda item:

BE IT RESOLVED BY THE ETOWAH COUNTY COMMISSION: That the following item was Not Approved:

The request of Shane Ellison, CAO, to hire Jerry Smith as a temporary employee, effective June 3, 2022, to assist the Board of Registrars. This is a temporary position to be paid from the Board of Registrars Fund at an hourly rate of \$11.42.

Vote - Joey Statum – yes; Johnny Grant – yes; Jamie Grant – no; Tim Ramsey – no; Craig Inzer – no.

The Commissioners had a lot of questions about this request.

THE VOTE DID NOT PASS.

Upon motion of Commissioner Inzer, 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 authorize the filing of the application from Rural Transportation for the public transportation grant program and to authorize the Commission President to execute the document. A copy has been filed in Attachment Book 12, Page 97.

PASSED AND ADOPTED THIS 7th DAY OF JUNE, 2022.

Upon motion of Commissioner Ramsey, seconded by Commissioner Inzer, 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 potential pending litigation, after a roll call vote with the majority approving the session. County Attorney Jim Turnbach certified that the reason for the Executive Session was approved under the Open Meetings Guidelines. Those attending the meeting include the Commissioners (Joey Statum, Jamie Grant, Johnny Grant, Tim Ramsey, and Craig Inzer), Kevin Dollar, Robert Nail, Shane Ellison, and Jim Turnbach. District 1 – yes; District 2 – yes; District 3 – yes; District 4 – yes; and District 6 – yes. The Commission went into the Executive Session at 10:50 am.

PASSED AND ADOPTED THIS 7th DAY OF JUNE, 2022.

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 reconvene from Executive Session at 11:55 am.

PASSED AND ADOPTED THIS 7th DAY OF JUNE, 2022.

REPORTS FROM THE STAFF:

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

DISCUSSION BY COMMISSIONERS:

Commissioner Statum wished Katie Bohannon well on her next endeavor. She will be leaving the Gadsden Messenger.

Commissioner Jamie Grant thanked everyone for coming and said he feels like the county is going in the right direction.

Commissioner Ramsey thanked everyone for coming forward and speaking about their concerns. He said he appreciated them being here. He also thanked Mike and Eric Wright and said he was looking forward to the upcoming programs.

Commissioner Inzer thanked Katie and wished her good luck with her new job. He also thanked Mayor Hare for the Fire Department Budget and thanked the citizens for coming. He said he felt strongly about the Board of Registrars and what was going on there and said they had a month to fix it before hand and it didn't happen. (One issue after another in that office and they needed to clean up the mess).

Mayor Chris Hare was at the meeting and said he was glad everyone was moving in the same direction and was looking forward to what the future holds.

ADJOURN: The Chair then entertained a motion to adjourn the meeting. Upon motion of Commissioner Ramsey, seconded by Commissioner Jamie Grant, with all other members voting "yes", the motion was passed. The meeting was adjourned at 11:59 am.

Joey Statum, Commissioner, District 1

Tim Ramsey, Commissioner, District 4

Johnny Grant, President, Commissioner, District 2

ABSENT

Jeffery Washington, Commissioner, District 5

Jamie W. Grant, Commissioner, District 3

Craig Inzer, Jr., Commissioner, District 6