The Marshall County Commission met in a regular session on Wednesday, September 9, 2026, at 10:00 a.m., in the Marshall County Commission Chambers. Alabama 4-H Ambassador Lydia Adams led the invocation, and Commissioner Lee Sims led the Pledge of Allegiance.

PRESENT:
John Young, Chairman
Ashleigh Bubbett, County Administrator
Charles Whisenant, District 1 Commissioner
James R. Watson, District 2 Commissioner
Lee Sims, District 3 Commissioner
Joey Baker, District 4 Commissioner
Mike Knop, County Engineer
Kristal Jones, Administrative Assistant
Tanya Giroir, Commission Clerk
Clint Maze, County Attorney

CONSENT AGENDA
A motion was made by Commissioner Sims, duly seconded by Commissioner Baker, to approve the consent agenda as presented by Chairman Young. The consent agenda includes the minutes from the regularly scheduled meeting on August 26, 2026, and the claims docket for the period from August 25, 2026, to September 7, 2026, totaling $4,890,53.74

ANNOUNCEMENTS:

MCPALS - DUMPSTERS AND WHITE GOODS PICKUP FOR DISTRICT 2, SEPTEMBER 21, 2026

SECOND BUDGET HEARING FOR THE FY2027 BUDGET TO BE HELD ON WEDNESDAY, SEPTEMBER 16, 2026, AT 9:00 AM

APPROVE TO APPOINT KIMBERLEY CROLEY TO THE MARSHALL COUNTY DEPARTMENT OF HUMAN RESOURCES BOARD
A motion was made by Commissioner Sims, duly seconded by Commissioner Baker, and all members voted affirmatively to approve Kimberley Croley to the Marshall County Department of Human Resources Board

ANNOUNCE EXTENDING THE APPLICATION PERIOD FOR THE BOARD APPOINTMENT FOR THE MARSHALL COUNTY DEPARTMENT OF HUMAN RESOURCES. DONALD WATSON'S TERM EXPIRES SEPTEMBER 30

PROBATE OFFICE – APPROVE VECTOR SECURITY MONITORING AGREEMENT FOR $192.30/MONTH FOR 36 MONTHS
A motion was made by Commissioner Baker, duly seconded by Commissioner Whisenant, and all members voted affirmatively to approve the Vector Security Monitoring Agreement for $192.30/month for 36 months.

DISTRICT ATTORNEY – APPROVE TO PROVIDE $400,000 IN DIRECT SUPPORT TO THE MARSHALL COUNTY DISTRICT ATTORNEY'S OFFICE TO GO TOWARDS RENOVATIONS OF NEW OFFICES TO BE PAID BY THE GENERAL FUND, FUND BALANCE.
A motion was made by Commissioner Sims, duly seconded by Commissioner Baker, to approve providing $400,000 in Direct Support to the Marshall County District Attorney's Office for renovations of new offices, to be paid from the General Fund.
A roll call was performed with District 1 Commissioner Whisenant voting Yes, District 2 Commissioner Watson voting No, District 3 Commissioner Sims voting Yes, and District 4 Commissioner Baker voting Yes. The motion passed with a 3-1 vote.

ENGINEERING – APPROVE TO AWARD ANNUAL PUBLIC WORKS BIDS AND COMPETITIVE BIDS FOR FY 2027 AS RECOMMENDED BY THE COUNTY ENGINEER

A motion was made by Commissioner Sims, duly seconded by Commissioner Baker, and all members voted affirmatively to approve awarding the Annual Public Works Bids and Competitive Bids for FY 2027 as recommended by the County Engineer.

BID SUMMARY

FISCAL YEAR 27

BID NO.	ITEM	VENDOR
13-26	Traffic Striping (2026 Specs)	J.C. Cheeks Contractors, Inc. - Lacey Springs, AL
14-26	Coarse Aggregate (FOB Plant)	C.A. Langford Company - Guntersville, AL
		Grayson Carter & Son, Inc. - Athens, AL
		Vulcan Materials Company - Guntersville, AL
		Rogers Group Inc. - Huntsville, AL
		Lambert Contracting LLC - Hollywood, AL
	Awarded to all Vendors Based on Hauling Distance and Availability	
15-26	Rip-Rap (FOB Plant)	C.A. Langford Company - Guntersville, AL
		Grayson Carter & Son, Inc. - Athens, AL
		Vulcan Materials Company - Guntersville, AL
		Rogers Group Inc. - Huntsville, AL
		Lambert Contracting LLC - Hollywood, AL
	Awarded to all Vendors Based on Hauling Distance and Availability	
16-26	Guardrail & End Anchors	Alabama Guardrail Inc. - Cleveland, AL
27-26	Gasoline & Diesel Fuel	Duth Oil Company - Huntsville, AL (Bid extended)
18-26	Jail Inmate Supplies	Bob Barker Company, Inc. - Farqua Varnia, NC
		Charm-Tex - Brooklyn, NY
	Awarded to all Vendors Based on Hauling Distance and Availability	
19-26	New OEM Tires	Wilks Tire & Battery - Albertville, AL
20-26	Hot Bituminous Pavement (Complete In-Place) Countywide	Grayson Carter & Son, Inc. - Athens, AL
21-26	Hot Bituminous Pavement (FOB Plant)	C.A. Langford Company - Guntersville, AL
		Grayson Carter & Son, Inc. - Athens, AL
		Vulcan Materials Asphalt and Construction - Guntersville,AL
		Rogers Group Inc. - Huntsville, AL
		APAC Alabama/Midsouth Paving Inc. - Birmingham, AL
	Awarded to all Vendors Based on Hauling Distance and Availability	
22-26	Cold Mix - Delivered	Advanced Asphalt Products - Jasper, AL (Extended)
23-26	Polyethylene Pipe - HDPE & Polypropylene Pipe - HP	Core & Main LP - Madison, AL
		ADCO Pipe & Supply - Florence, AL
	Awards to the Two Lowest Bidders based upon Price Per Square Foot	
24-26	Corrugated Galvanized Metal Culvert Pipe	Fallin Farms DBA Harvey Culvert - Cleveland, AL
47-24	RFP for Courthouse Grill	Christi Harrison - Char Burger - Guntersville, AL (Extended 2 years)
25-26	Mail and Print Services for Probate	Diversified Companies LLC, DBA Divcodata - Chattanooga, TN (Extended)
26-26	Mail and Print Services for Revenue	Diversified Companies LLC, DBA Divcodata - Chattanooga, TN (Extended)

APPROVE CONTRACTUAL AGREEMENT BETWEEN THE MARSHALL COUNTY COMMISSION AND THE ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (ADEM) FOR UNAUTHORIZED DUMP RIGHT OF WAY (UDROW) FOR FY2027; OCT 1, 2026 – SEPTEMBER 30, 2029

A motion was made by Commissioner Sims, duly seconded by Commissioner Baker, and all members voted affirmatively to approve the Contractual Agreement between the Marshall County Commission and the Alabama Department of Environmental Management (ADEM) for Unauthorized Dump Right-of-Way (UDROW) for FY2027; Oct 1, 2026 – September 20, 2029

APPROVE TO EXECUTE AMENDMENT TO THE AMERICAN RECOVERY PLAN ACT (ARPA) DRINKING WATER/WASTEWATER PROJECT AGREEMENT BETWEEN THE MARSHALL COUNTY COMMISSION AND THE ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

A motion was made by Commissioner Baker, duly seconded by Commissioner Sims, and all members voted affirmatively to approve executing the Amendment to the American Recovery Plan Act (ARPA) Drinking Water/Wastewater Project Agreement between the Marshall County Commission and the Alabama Department of Environmental Management.

APPROVE TO REQUEST AN ATTORNEY GENERAL OPINION REGARDING ALCOHOL LICENSE FEES

A motion was made by Commissioner Whisenant, duly seconded by Commissioner Baker, and all members voted affirmatively to approve requesting an Attorney General Opinion regarding Alcohol License Fees

STATE OF ALABAMA
MARSHALL COUNTY

RESOLUTION OF THE MARSHALL COUNTY COMMISSION
AUTHORIZATION TO REQUEST ATTORNEY GENERAL'S OPINION

WHEREAS, Alabama Constitution § 48-1.00 provides "[e]ffective on December 1, 2024, based on the favorable vote to ratify this section, Marshall County shall be a wet county as otherwise provided by the laws of this state in Title 28, Code of Alabama 1975, relating to alcoholic beverages" and that "[t]he Marshall County Commission, by resolution of the county commission, may regulate the sale of alcoholic beverages in the unincorporated area of the county and may require each individual or entity selling alcoholic beverages in the unincorporated area of the county to have a separate business license to sell alcoholic beverages"; and

WHEREAS, Alabama Constitution § 48-1.00 further provides, in subsection (c), "[i]n addition to the foregoing filing fee and license taxes or fees, any county or municipality in which the sale of alcoholic beverages is permitted shall be authorized to fix and levy privileges or license taxes on any of the foregoing licenses located or operated therein, conditioned on a permit or license being issued by the board"; and

WHEREAS, In collecting the filing fees and license taxes on behalf of Marshall County, the Alabama Alcoholic Beverage Control Board also collected license fees on behalf of Marshall County from licensees whose businesses are located within the corporate limits of Albertville, Arab, Boaz, and Guntersville, and distributed said license fees to Marshall County; and

WHEREAS based upon licenses issued to businesses operating in the unincorporated areas of Marshall County, the amount collected on behalf of Marshall County was expected to be $13,187.50. However, when license fees were also collected from licensees within the corporate limits of Albertville, Arab, Boaz, and Guntersville, the amount tendered to Marshall County, on August 6, 2026, was $54,225.

NOW THEREFORE be it resolved that Clint L. Maze, the Marshall County Attorney is hereby authorized to execute a request to the Attorney General of the State of Alabama for an opinion as to Whether Marshall County is entitled to receive license fees from alcohol licensee whose businesses are located within the Corporate Limits of Albertville, Arab, Boaz, and Guntersville, based on the fees fixed and levied pursuant to Alabama Constitution § 48-1.00.

Adopted this the 9th day of September 2026.

APPROVE TO FUND PAY PLAN AS RECOMMENDED BY THE PERSONNEL BOARD

A motion was made by Commissioner Baker, duly seconded by Commissioner Sims, and all members voted affirmatively to approve deferring the decision to fund the pay plan as recommended by the Personnel Board

APPROVE RESOLUTION ENCOURAGING FURTHER DISCUSSION ABOUT THE COUNTY COMMISSION'S ROLE IN ENHANCING STRATEGIC AND PRODUCTIVE GROWTH IN ALABAMA'S UNINCORPORATED AREAS

County Attorney Clint Maze read the resolution.

A motion was made by Commissioner Sims, duly seconded by Commissioner Baker, and all members voted affirmatively to approve the resolution encouraging further discussion about the County Commission's role in enhancing strategic and productive growth in Alabama's Unincorporated Areas.

ENCOURAGING FURTHER DISCUSSION ABOUT THE COUNTY COMMISSION'S ROLE IN ENHANCING STRATEGIC AND PRODUCTIVE GROWTH IN ALABAMA'S UNINCORPORATED AREAS

WHEREAS, the artificial intelligence technology boom has resulted in new data centers being constructed all over the United States; and

WHEREAS, some local governments in other parts of the country have imposed temporary moratoria on the construction of new data centers within their respective jurisdictions so that these local governments may solicit public input, assess the potential impact of these data centers on residents' quality of life, and modify their planning and zoning regulations as they deem appropriate; and

WHEREAS, a handful of municipalities in Alabama have imposed temporary moratoria on data center construction while they review their planning and zoning regulations; and

WHEREAS, many Alabamians have called upon their county commissions to impose similar temporary moratoria in unincorporated areas of our state, or to ban the construction of data centers altogether; and

WHEREAS, the recent controversy over the location of data centers comes on the heels of similar cries from citizens opposed to the location of facilities producing solar power in rural Alabama; and
WHEREAS, Alabama's county commissions are prohibited from exercising powers not delegated by the Alabama Legislature; and
WHEREAS, the vast majority of county commissions in Alabama have not been granted comprehensive planning and zoning authority and, therefore, cannot issue temporary moratoria on the construction of data centers or solar power facilities or otherwise regulate or restrict the utilization of land for such purposes; and
WHEREAS, the Association believes the granting of planning and zoning authority for one specific industry raises practical and legal concerns that require careful research and analysis before any such actions are taken.
NOW, THEREFORE, BE IT RESOLVED BY THE ASSOCIATION OF COUNTY COMMISSIONS OF ALABAMA that the Association opposes the granting of targeted, industry-specific planning and zoning authority to Alabama's county commissions and, in the alternative, encourages a more comprehensive approach to enhance the county commission's role in strategic and productive growth in Alabama's unincorporated areas.
IN WITNESS WHEREOF, the Association has caused this resolution to be executed in its name and on its behalf by its President and Executive Director and has caused its corporate seal to be impressed thereon, all on this 20th day of August 2026

APPROVE THE SALE, TRADE, OR SCRAP OF FIXED ASSETS
A motion was made by Commissioner Whisenant, duly seconded by Commissioner Sims, and all members voted affirmatively to approve the sale, trade, or scrap of fixed assets

FIXED ASSET/ SURPLUS/ SCRAP DECLARATIONS

9/9/2026

	FA#	DESCRIPTION	DEPARTMENT	REASON
SCRAP	8021	Desk	EMA	Item is obsolete, broken, or worn out
	8022	Desk	EMA	Item is obsolete, broken, or worn out
	11086	Defibrillator	EMA	Item is obsolete, broken, or worn out
	11085	Defibrillator	EMA	Item is obsolete, broken, or worn out
	8033	Desk with return	EMA	Item is obsolete, broken, or worn out
	8032	Desk with return	EMA	Item is obsolete, broken, or worn out

APPROVE TO ENTER INTO EXECUTIVE SESSION TO DISCUSS THE PURCHASE OF REAL PROPERTY AS PERMITTED UNDER ALA. CODE § 36-25 A-7
A motion was made by Commissioner Sims, duly seconded by Commissioner Baker, and all members voted affirmatively to approve entering into Executive Session to discuss the purchase of real property as permitted under ALA. CODE § 36-25 A-7

At 10:40 AM, Chairman John Young, County Administrator Ashleigh Bubbett, Commissioner Whisenant, Commissioner Watson, Commissioner Sims, Commissioner Baker, and County Attorney Clint Maze exited the Chambers.

At 11:10 AM, Chairman John Young, County Administrator Ashleigh Bubbett, Commissioner Whisenant, Commissioner Watson, Commissioner Sims, Commissioner Baker, and County Attorney Clint Maze reentered the Chambers.

A motion was made by Commissioner Whisenant, duly seconded by Commissioner Sims, and all members voted affirmatively to exit Executive Session.

A motion was made by Commissioner Watson, duly seconded by Commissioner Baker, and all members voted affirmatively to amend the agenda to approve the purchase agreement between RSVP and Marshall County, Alabama.

APPROVE THE PURCHASE OF THE RSVP BUILDING FOR $3.8 MILLION, TO BE PAID FROM THE GENERAL FUND, FUND BALANCE.

A motion was made by Commissioner Watson, duly seconded by Commissioner Baker, and all members voted affirmatively to approve the purchase of the RSVP Building for $3.8 million, to be paid from the General Fund, fund balance.

With no further business, Commissioner Whisenant made a motion, duly seconded by Commissioner Sims, and all members voted affirmatively to adjourn.

MEETING ADJOURNED

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John Young, Chairman

_____
Charles Whisenant, District 1 Commissioner

_____
James R. Watson, District 2 Commissioner

_____
Lee Sims, District 3 Commissioner

_____
Joey Baker, District 4 Commissioner