

**MINUTES FROM A REGULAR MEETING OF THE  
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD  
October 15, 2018**

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The City Council of Muscle Shoals, Alabama met at the Muscle Shoals City Hall auditorium in said City at 6:25 p.m. on the 15<sup>th</sup> day of October, 2018 being the scheduled time and place for said meeting. The meeting was called to order by Allen Noles, President of the Council. The invocation was given by Ricky Williams. On roll call the following members were found to be present or absent, as indicated:

PRESENT: CHRIS HALL, NEAL WILLIS, MIKE LOCKHART,  
KEN SOCKWELL, ALLEN NOLES  
ABSENT: NONE

Allen Noles, President of the Council, presided at the meeting and declared that a quorum was present and that the meeting was convened and opened for the purposes of transaction of business. Mayor David Bradford was also present. Richard Williams, City Clerk, was present and kept the minutes of the meeting.

Upon motion duly made by Council Member Willis and seconded by Council Member Hall and unanimously adopted, the Council waived the reading of the minutes of the previously held regular meeting and work session of October 1, 2018 and approved the minutes as written.

President Noles announced that the next item of business was the appointment of the municipal judge to a two year term commencing November 1, 2018.

Council Member Hall moved that Bill Marthalar be appointed to municipal judge for a two year term commencing November 1, 2018. Council Member Sockwell seconded the motion and upon said motion being put to a vote, a roll call vote was had by the City Council as follows:

Council Member Hall: Bill Marthalar  
Council Member Willis: Bill Marthalar  
Council Member Lockhart: Bill Marthalar  
Council Member Sockwell: Bill Marthalar  
Council Member Noles: Bill Marthalar

Council President Noles announced that Bill Marthalar had received a majority of the votes cast and was appointed municipal judge.

President Noles announced that the next item of business was consideration of a resolution to amend the abatement agreement for Great Southern Wood Preserving Inc. approved by the City Council at its regular meeting on September 4, 2018.

Council Member Sockwell introduced the following resolution and moved for its adoption:

STATE OF ALABAMA  
COLBERT COUNTY

**RESOLUTION NUMBER 2979 - 18**  
**Amended Resolution of**  
**The City Council of Muscle Shoals**

This Resolution is made this 4<sup>th</sup> day of September 2018 (the Effective Date) by the City Council of Muscle Shoals, Alabama, (the Granting Authority) to grant a tax abatement for ~~Great Southern Wood Preserving, Inc.~~ Great Southern Wood-Tuscumbia. (the Company).

**WHEREAS**, the Company has announced plans for an expansion project; that being, the construction of a new warehouse building and purchase of equipment to begin operations as a CCA plant (the Project), located at 1703 Denton Road, Tuscumbia, Colbert County, Alabama, within the police jurisdiction of the Granting Authority; and

**WHEREAS**, pursuant to the Tax Incentive Reform Act of 1992 (Section 40-9B-1 et seq., **Code of Alabama 1975**, as amended) (the Act), the Company has requested from the Granting Authority an abatement of all state and local noneducational construction-related transaction taxes, except those construction-related transaction taxes levied for educational purposes or for capital improvements for education, except those construction-related transaction taxes locally designated for educational purposes or for capital improvements for education, and except the 0.5% general sales and use taxes levied by Colbert County, which pursuant to Alabama Act No. 2007-351 cannot be abated; and

**WHEREAS**, the Granting Authority has considered the request of the Company and the completed Application to Local Granting Authority for Abatement of Taxes from Great Southern Wood Preserving, Inc., copy attached as Attachment One, pages 1, and 2, filed with the Granting Authority by the Company in connection with its request; and

**WHEREAS**, the Granting Authority has found the information contained in the Company's application to be sufficient to permit the Granting Authority to make a reasonable cost/benefit analysis of the proposed project, copy attached as Attachment Two, pages 1 and 2, and to determine the economic benefits to the community; and

**WHEREAS**, the Project will involve an investment of approximately \$6,300,000, which consists of the purchase and installation of a CCA plant, \$4,000,000 of which \$925,000 is budgeted for construction material; and the construction of a distribution warehouse, \$2,300,000 of which \$1,150,000 is budgeted for construction material; and

**WHEREAS**, the Company is duly qualified to do business in the State of Alabama and has power to enter into and to perform and observe the agreements and covenants on their part contained in the Tax Abatement Agreement; and

**WHEREAS**, the Granting Authority represents and warrants to the Company that it has power under that constitution and laws of the State of Alabama, including particularly the provisions of the Act, to carry out provisions of the Tax Abatement Agreement;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of Muscle Shoals, Alabama, the Granting Authority, as follows:

Section 1. Approval is hereby given to the application of the Company and abatement is hereby granted of all state and local noneducational construction-related transaction taxes, except those construction-related transaction taxes levied for educational purposes or for capital improvements for education, except those construction-related transaction taxes locally designated for educational purposes or for capital improvements for education, as the same may apply to the fullest extent permitted by the Tax Incentive Reform Act of 1992 (Section 40-9B-1 et seq., **Code of Alabama 1975**, as amended), and except the 0.5% general sales and use taxes levied by Colbert County, which pursuant to Alabama Act No. 2007-351 cannot be abated.

Section 2. The Granting Authority hereby does not assess a fee associated with the granting of these abatements.

Section 3. The governing body of the Granting Authority is authorized to enter into a Tax Abatement Agreement with the Company to provide for the abatement granted in Section 1.

Section 4. A certified copy of this Resolution, with the application and Tax Abatement Agreement, shall be forwarded to the Company to deliver to the appropriate local taxing authorities and to the Alabama Department of Revenue in accordance with the Act.

Section 5. The governing body of the Granting Authority is authorized to take any and all actions necessary or desirable to accomplish the purpose of the foregoing of this Resolution.

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Council Member Lockhart seconded the motion and upon said motion being put to a vote all voted "AYE" and "NAYS" were none.

President Noles announced that the resolution had been approved.

There being no further business to come before the meeting, upon the motion duly made and seconded the meeting was adjourned.

CITY OF MUSCLE SHOALS, ALABAMA  
a Municipal Corporation

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COUNCIL MEMBER - PLACE ONE

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COUNCIL MEMBER - PLACE TWO

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COUNCIL MEMBER - PLACE THREE

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COUNCIL MEMBER - PLACE FOUR

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COUNCIL MEMBER - PLACE FIVE

ATTEST:

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CITY CLERK