

The DeKalb County Commission met in regular session on Tuesday July 25, 2017 at 10:00 a.m. in the DeKalb County Activities Building (Courthouse Annex). Those present were President Ricky Harcrow, Shane Wootten, Scot Westbrook, Chris Kuykendall, and Dewitt Jackson.

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The meeting was called to order by President Harcrow and Mr. Westbrook delivered the invocation and Mr. Kuykendall lead the Pledge.

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It was moved by Mr. Wootten, seconded by Mr. Jackson all members voting affirmatively, motion carrying to dispense with the reading of the minutes and to accept them as presented in written format.

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### **Road Department**

Road Maintenance Update-- Mr. Luther gave a road maintenance update on behalf of Mr. Broyles stating that chert was not being hauled at this time because of most crews working at Buck's Pocket.

Equipment Purchase-- Mr. Sharp stated that it was time for our annual truck purchase for the year and requested permission on behalf of Mr. Broyles to proceed with purchasing Kenworth Dump trucks.

Mr. Wootten made a motion to grant permission to purchase the trucks, with a second from Mr. Westbrook, all members voting affirmatively, motion carried.

Damage Claim-- Mr. Sharp stated that the County Commission had received a damage claim from Danielle Bickerstaff claiming windshield damage from a rock that fell from a County dump truck while traveling on Highway 11. Mr. Sharp recommended this be sent to Meadowbrook ASI for final disposition.

Mr. Wootten made a motion to send the claim to the insurance company, with a second from Mr. Westbrook, all members voting affirmatively, motion carried.

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### **Engineering**

Petition to Vacate CR 862--Mr. Luther presented a Petition to Vacate from a landowner on CR 862, and opened the floor discussion. Mr. Luther asked the Commission to grant permission to proceed with the process for vacation.

Mr. Kuykendall made a motion to proceed with the process of vacating CR 862, with a second from Mr. Jackson, all members voting affirmatively, motion carried.

Petition to Vacate-Portion of CR 9--Mr. Luther presented a Petition to Vacate a portion of CR 9 and opened the floor for discussion. Mr. Luther asked the Commission to grant permission to proceed with the process of vacation of a portion of CR 9.

Mr. Westbrook made a motion to proceed with the process of vacating a portion of CR 9, with a second from Mr. Kuykendall, all members voting affirmatively, motion carried.

Asphalt Distributor Bid Award-- Mr. Luther stated that he had received one bid for the purchase of an Asphalt Distributor from Robert Ingram in the amount of \$51,095.00 with the equipment to be delivered in 10 days.

Mr. Jackson made a motion to accept the bid, with a second from Mr. Westbrook, all members voting affirmatively, motion carried.

Buck Pocket Project--Mr. Luther, on behalf of Mr. Broyles, request the Commission grant permission for Lambert Construction to do the finishing on the concrete at the Bucks Pocket Project. Mr. Luther stated that Lambert Construction agreed to finish the concrete for \$8,500.00 which is fully reimbursable from the state.

Mr. Westbrook made a motion to allow Lambert Construction to finish the concrete on the Bucks Pocket Project, with a second from Mr. Wootten, all members voting affirmatively, motion carried.

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### Revenue Commission

Personnel--Mr. Wilks notified the Commission that Barbara Sanders would be retiring at the end of September and requested the Commission allow him to post this position now.

Mr. Wootten made a motion to allow Mr. Wilks to post this position, with a second from Mr. Westbrook, all members voting affirmatively, motion carried.

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### Fyffe Election District

Resolution-- Mr. Sharp stated that at the previous meeting we had set today as the date for a hearing to pass the Resolution to adjust the Commission District in the City of Fyffe. This resolution would incorporate all of the City Limits of Fyffe into District 4. President Harcrow recognized Mayor Cagle from the town of Fyffe who thanked the Commission for their expedient consideration on this matter.

Mr. Jackson made a motion to pass the following resolution to alter the Commission District lines to reflect the intention of the County Commission in 2003, with a second from Mr. Westbrook, all members voting affirmatively, motion carried:

**Resolution No. 17-0725-01  
Amendment to Resolution No. 03-1209-01  
Town of Fyffe - Annexation  
County Commission District 2 and 4**

WHEREAS, Code Section 11-3-1.1, State of Alabama, 1975, authorizes County Commissions in Alabama to alter District Boundaries; and,

WHEREAS, the DeKalb County Commission (County) adopted new Districts on December 9, 2003 following a hearing on November 10 and 25, 2003; and,

WHEREAS, an error in the map has been found between District 2 and District 4 along the southwestern boundary of the Town of Fyffe; and,

WHEREAS, it was the intent of the County Commission to make the border between District 2 and District 4 the southwestern boundary of the Town of Fyffe with all of the municipal limits of the Town of Fyffe being in District 4; as noted in this excerpt from Resolution No. 03-1209-01 below:

- a. *District 2 shall begin at the intersection of the Jackson County line and CR 56; then SE along CR 56 **to the Fyffe town limits; then SE along the Fyffe town limits to CR 50**; then south along CR 50 to CR 52; then east along CR 52 to CR 223; then SW along CR 223 to CR 30; then SW along CR 30 to CR 221; then SW along CR 221 to CR 345; then SW along CR 345 to the Etowah County line; then west along Etowah County line to Marshall County line; then north along Marshall County line to Jackson County line; then NE along Jackson County line to beginning.*
- b. *District 4 shall begin at the intersection of the Jackson County line and CR 56; then SE along CR 56 **to the Fyffe town limits; then SE along the Fyffe town limits to CR 50**; then south along CR 50 to CR 52; then east along CR 52 to intersection of CR 458 and CR 223; then NE along CR 458 to CR 835; then SE along CR 835 to the Fort Payne city limits; then north along Fort Payne city limits to CR 606; then NW along CR 606 to CR 608; then NE along CR 608 to State Hwy 117; then north along Hwy 117 to State Hwy 40; then west along Hwy 40 to the Henagar city limits; then south, west, and north along Henagar city limits to the Jackson County line; then SW along the Jackson County line to beginning.*

WHEREAS, a portion of the Town of Fyffe was annexed into the city on May 8, 2000 by way of Ordinance 5-2000-8 which extended the boundaries of the Town of Fyffe as follows:

- a) *The E ½ of the NW ¼ of the NW ¼ and the W ½ of the NE ¼ of the NW ¼ of Section 15, Township 7 S, Range 7E, DeKalb County, Alabama.  
Less: that portion of said land lying on the northeasterly side of CR 44.*

- b) *The E ½ of the SW ¼ of the NW ¼ of Section 15, Township 7 S, Range 7E, DeKalb County, Alabama.*
- c) *The W ½ of the SE ¼ of the NW ¼ of Section 15, Township 7 S, Range 7 E, DeKalb County, Alabama.*  
*Less: that portion which lies on the southeasterly side of CR 72.*
- d) *The NW ¼ of the SW ¼ of Section 15, Township 7 S, Range 7 E, DeKalb County Alabama.*  
*Less: a small triangular portion lying on the SE side of CR 72.*  
*Less: a tract or parcel of land located in the NW ¼ of the SW ¼ of Section 15, Township 7 S, Range 7 E in DeKalb County, Alabama, being more particularly described as follows:*  
*Commencing at the SE corner of the NW 1/4 of the SW ¼ of Section 15, Township 7 S, Range 7E of the Huntsville Meridian, and run N along the E line of said forty 340.0 ft to the point of the beginning of the tract or parcel of land described herein; thence continue N 330.0 ft; thence run S 88° 03' W 668.7 ft; thence run S 330.0 ft; thence run N 88°03' D 668.0 ft to the point of beginning and containing 5.0 acres, more or less, in DeKalb County, Alabama.*  
*Less: Beginning at the SE corner of the NW ¼ of the SW ¼ of Section 15, Township 7 S, Range 7 E of the Huntsville Meridian and run N along the E line of the said forty 340 ft to the point of beginning; thence run S 88°03' W 253 ft to a ¼ inch pipe; thence run S 1°01' E 230 ft to the ¼ inch pipe to the N ROW line of CR 72; thence run northeasterly along said road ROW line to the point of beginning and containing 0.8 acre, more or less.*
- e) *All that part of the SW ¼ of the SW ¼ of Section 15, Township 7 S, Range 7 E, DeKalb County, Alabama, which lies on the NW side of CR 72 being the small triangular portion in the NW corner of said forty.*

NOW THEREFORE BE IT RESOLVED by the DeKalb County Commission, that the boundaries of District 2 and District 4 shall be aligned by the aforementioned description and having the current property owners Boyd Graben; Annette and Alvin Rooks; Tina and Michael Vaughn; Paula Hooks; Shannon Bailey; Steven and Jessica Lawrence; John Killian; and James and Joyce Spears; and

IT IS FURTHER RESOLVED by the DeKalb County Commission to formalize the aforementioned Resolution in the official minutes and include the attached map into the minutes and send a copy of said Resolution to the Town of Fyffe and to the DeKalb County Board of Registrars.

DONE THIS 25<sup>th</sup> day of July, 2017.

  
 Ricky Harcrow, President

SEAL

  
 Matt G. Sharp, County Administrator

### **Council on Aging**

Personnel--Mr. Sharp on behalf of Mr. Brewer requested to transfer Rita Rowell from part time with First Choice Personnel to part time on the County Commission payroll.

Mr. Jackson made a motion to approve the request to place Ms. Rowell on County payroll (G3/1), with a second from Mr. Westbrook, all members voting affirmatively, motion carried.

### **Bucks Pocket Dedication**

Mr. Westbrook stated that Leadership DeKalb would have a ribbon cutting ceremony on Saturday, July 29<sup>th</sup> at 10:00 a.m. at Point Rock for the Opening of the walking bridge they were a part of building and funding. Mr. Westbrook said that they are doing great things to improve Bucks Pocket State Park and asked everyone to come out and see all the hard work that was being done.

### **DeKalb County Economic Development**

Board Appointment--President Harcrow received a letter from the DeKalb Economic Development Board stating that Board Member, Bobby McCurdy had recently passed away and requested the Commission fill this vacated position with Chris Bryant. Also, James Coker's term will expire September 30, 2017 and he would like to be reappointed to this board.

Mr. Jackson made a motion to approve the appointment of Chris Bryant to fill out the remainder of Mr. McCurdy's term and to reappoint James Coker, with a second from Mr. Wootten all members voting affirmatively, motion carried.

President Harcrow notified the audience that the next meeting would be on Tuesday, August 8, 2017. He asked for a motion to adjourn.

Mr. Jackson made a Motion to adjourn. The President declared no objections and ordered the meeting adjourned.

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Ricky Harcrow, President

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Shane Wootten, Commissioner District I

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Scot Westbrook, Commissioner District II

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Chris Kuykendall, Commissioner District III

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Dewitt Jackson, Commissioner District IV