

The DeKalb County Commission met in regular session on Tuesday January 22, 2019 at 10:00 a.m. in the DeKalb County Activities Building (Courthouse Annex). Those present were President Harcrow, Shane Wootten, Scot Westbrook, Chris Kuykendall, and Lester Black.

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

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

Council on Aging

Ms. McCamy made the following announcements:

A Caregiver Support Group begins Feb. 7 at 10 am. It will be held the first Thursday of every month at the Council on Aging Center. Each meeting will have a speaker for about 10 – 15 minutes, then the meeting will be open discussion between Caregivers. Staff will keep attendees up-to-date on services that might benefit them.

Senior Prom: The Council on Aging is partnering with Fort Payne Parks and Recreation to present this year's *Senior Prom* at the Wills Valley Recreation Center on Tuesday, March 26, 2019 from 5pm – 8pm. This event is for DeKalb County residents ages 55 and older. Music will be provided by the band Still Kickin. At the *Senior Prom*, participants can dance the night away, or just eat, fellowship and listen to the amazing music.

Recognition of Judge Randall Cole:

President Harcrow read the following resolution celebrating the career of retiring Circuit Court Judge Randall Cole. Judge Cole spoke and thanked the Commission and the Commission staff for their good working relationship over the years.

DeKalb County Commission

RESOLUTION No. 19-0122-01

WHEREAS, the DeKalb County Commission is the elected representation of the citizens of DeKalb County

IT IS HEREBY ACKNOWLEDGED that Judge Randall L. Cole is retiring as the Presiding Circuit Judge of the 9th Judicial Circuit on January 13, 2019 after over 44 years on the bench; and

IT IS RECOGNIZED that Judge Cole was duly elected as the newly created Place 2 Circuit Judge of the 9th Judicial Circuit on November 8, 1974 and was sworn into office on November 15, 1974; and

WHEREAS, Judge Cole was re-elected as Circuit Judge of the 9th Judicial Circuit in 1976, 1982, 1988, 1994, 2000, 2006 and 2012 (having ran unopposed in 1976, 1988, 1994, 2000, 2006 and 2012)

IT IS DULY NOTED THAT Judge Cole is currently the longest serving Circuit Judge in the State of Alabama and is the longest serving Circuit Judge in DeKalb County history; and

IT IS FURTHER ACKNOWLED that Judge Cole has lived his personal and professional life as a distinguished example of true character and grace

IT IS HEREBY RESOLVED by the governing body of DeKalb County to recognize and honor the prominent career of

Judge Randall L. Cole

PASSED AND ADOPTED this the 22nd day of January 2019.

Recognition of American Legion Post 89

Mr. Harcrow also recognized the local American Legion Post 89 for all of the good work they do. A resolution was presented honoring the chaplains who gave up their life jackets and their lives on board the SS Dorchester which sank on February 3, 1943. They included Methodist minister Rev. George L. Fox; Rabbi Alexander D. Good; Roman Catholic Priest, Father John P. Washington; and Reformed Church in America minister, Rev. Clark V. Poling. The SS Dorchester was sailing from NY to Greenland, and was sunk by German Submarine U-223 off Newfoundland in the North Atlantic.

Road Department

Personnel-- Mr. Broyles requested the Commission hire Ben Di Midio to fill the vacant temporary position in District 1 that was reposted at the previous meeting.

Mr. Wootten made a motion to approve the personnel request, with a second from Mr. Westbrook, all members voting affirmatively, motion carried to hire Ben Di Midio (G5/1) in the Road Department.

Engineering

ALDOT Resolution--Mr. Luther presented an agreement for a bridge replacement on US Highway 11.

Mr. Wootten made a motion to adopt the following resolution, with a second from Mr. Westbrook, all members voting affirmatively, motion carried:

RESOLUTION

WHEREAS, the DeKalb County Commission, Alabama (hereinafter at times referred to as County) is desirous of having certain improvements made on SR-7 (US-11) within the N / A Limits of N / A, in accordance with plans prepared by the Alabama Department of Transportation and designated as Project Number BR-0007 (529), Replace Bridge on SR-7 (US-11) Over Dry Creek [Grade, Drain, Base, Pave, Bridge Removal and Bridge]

WHEREAS, The Alabama Department of Transportation is now or may later be desirous of receiving Federal Aid for improvement of said highway; and

WHEREAS, The Federal Highway Administration, an agency of the United States of America, will not participate in any funding for the construction of said project until and unless the County will agree to certain requirements of the Federal Highway Administration. The County for the purpose of complying with requirements of the Federal Highway Administration in regard to its funding of improvements of the type and kind in this agreement provided for, does hereby pass and adopt the following resolution:

BE IT RESOLVED by the DeKalb County Commission that the plans of said project including alignment, profile, grades, typical sections and paving layouts as submitted to this County and which are now on file in the office of the County Clerk are hereby approved and that the location of said project as staked out by the Alabama Department of Transportation and as shown by said plans referred to are hereby approved and the Alabama Department of Transportation, in cooperation with the Federal

Highway Administration, is hereby authorized to proceed with the grading, draining, paving, and otherwise improving and construction of said project in accordance with said plans.

The County by and through its County Commission hereby grants to the Alabama Department of Transportation the full use of and access to the dedicated widths of any existing streets for the construction of said project and hereby agrees to permit and allow the Alabama Department of Transportation to close and barricade the said project and intersecting streets for as long as necessary while the said project is being graded, drained, paved, and otherwise improved, and hereby agrees that the use of any street or highway for parking within an interchange area will not at any time be permitted.

The County hereby further agrees to adopt or pass such legally effective ordinances and/or laws as will permanently barricade and/or relocate certain intersecting streets as required by the State and to permanently deny or limit access at certain locations as required by the State along said improvements, all of which are more specifically stated as follows:

See Plans: BR-0007(529) [Sheets 4 – 17]

Detour of SR-7(US-11) via CR-140 [Sheet 32 (Exhibit – A)]

Please refer to: Project Notes [Sheet 2-I] – TCP Notes [Sheet 2J]

Please refer to: Traffic Control Plans [Sheets 30 – 34]

BE IT FURTHER RESOLVED by the County Commission, that for and in consideration of the Alabama Department of Transportation in cooperation with the Federal Highway Administration, constructing said highway and routing traffic along the same through the County over said project, such County hereby agrees with the Alabama

Department of Transportation and for the benefit of the Federal Highway Administration, that on the above mentioned project the County will not in the future permit encroachments upon the right of way; nor will it pass any ordinances or laws fixing a speed limit contrary to those limits provided for in Title 32, Chapter 5, Code of Alabama 1975, as amended, and other laws of Alabama; nor will it permit other than parallel parking in areas where parking is permitted; nor will it allow the placing of any informational, regulatory, or warning signs, signals, median crossover, curb and pavement or other markings, and traffic signals without written approval of the Alabama Department of Transportation and the Federal Highway Administration, of the location, form and character of such installations. The traffic control devices and signs installed during construction, and those installed after completion of this project shall be in accordance with the latest edition of the national Manual on Uniform Traffic Control Devices and accepted standards adopted by the Alabama Department of Transportation of the State of Alabama and by the Federal Highway Administration. The County further agrees that subsequent traffic control devices deemed necessary by it in keeping with applicable statutes, rules and regulations to promote the safe and efficient utilization of the highway under the authority of Title 32, Chapter 5, Code of Alabama 1975, and all other applicable laws of Alabama, shall be subject to and must have the approval of the Alabama Department of Transportation of the State of Alabama and of the Federal Highway Administration, prior to installation and the County further agrees that it will enforce traffic and control the same under the provisions of Title 32, Chapter 5, Code of Alabama 1975, and other applicable laws of Alabama.

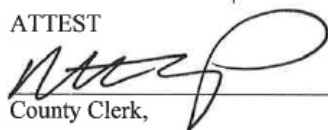
BE IT FURTHER RESOLVED by this County Commission :


1. That the County agrees to perform all maintenance on crossroads, service or frontage roads, and service drives. (See Exhibit A).
2. That the County agrees to perform all maintenance on relocated roads that are not designated Federal or State highways that are in the jurisdiction of the County . (See Exhibit A).
3. That the County agrees to perform all maintenance on any existing road which has been replaced by a new road; or, if the existing road is not used, the County has the option of vacating same. (See Exhibit A).
4. That the County agrees to perform all maintenance on interchanges along the roadways and along the ramps to the end of the bridge or frontage roads. (See Exhibit A).
5. That the County agrees to perform all maintenance on grade separations along the roadway to the end of the bridge. (See Exhibit A).

It is understood and agreed that no changes in this Resolution or Agreement shall in the future be made without having obtained the prior approval of the Federal Highway Administration.

THIS RESOLUTION PASSED, ADOPTED, AND APPROVED this the 22nd
day of January, 2019.

ATTEST


County Clerk,


Chairman,

CR 394 & 144 Speed Limit Resolution--Mr. Luther present resolutions to set the speed limit on CR 394 and 144 at 25MPH.

Mr. Westbrook made a motion to approve the resolutions as follows, with a second from Mr. Kuykendall, all members voting affirmatively, motion carried:

State of Alabama
DeKalb County

RESOLUTION NO. 19-0122-04

WHEREAS, the DeKalb County Commission on the basis of an engineering and traffic investigation determines that the maximum speed permitted under Article 8, Title 32, Chapter 5A, Code of Alabama, 1975 for County Road 394 between County Road 356 and County Road 144 is greater than is reasonable and safe under the conditions found to exist on said paved road;

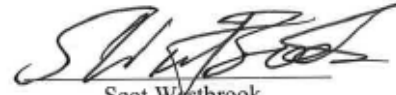
NOW THEREFORE IT IS RESOLVED, that the proper maximum speed for County Road 394 between County Road 356 and County Road 144 is set at 25 miles per hour at all times and no person shall operate a motor vehicle in excess of 25 miles per hour on said portion of County Road 394;

IT IS FURTHER RESOLVED, that any violations of this Resolution shall be unlawful and punishable pursuant to Title 32, Chapter 5A, Code of Alabama, 1975.

ADOPTED this the 22nd day of January, 2019


Shane Wootten
District 1 Commissioner


Ricky Harcrow, President


Scot Westbrook
District 2 Commissioner


Chris Kirkendall
District 3 Commissioner


Lester Black
District 4 Commissioner

ATTEST:


Matt Sharp
County Administrator

State of Alabama
DeKalb County


RESOLUTION NO. 19-0122-05


WHEREAS, the DeKalb County Commission on the basis of an engineering and traffic investigation determines that the maximum speed permitted under Article 8, Title 32, Chapter 5A, Code of Alabama, 1975 for County Road 144 between County Road 394 and County Road 356 is greater than is reasonable and safe under the conditions found to exist on said paved road;

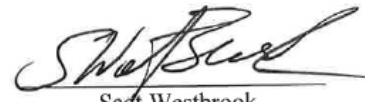
NOW THEREFORE IT IS RESOLVED, that the proper maximum speed for County Road 144 between County Road 394 and County Road 356 is set at 25 miles per hour at all times and no person shall operate a motor vehicle in excess of 25 miles per hour on said portion of County Road 144;

IT IS FURTHER RESOLVED, that any violations of this Resolution shall be unlawful and punishable pursuant to Title 32, Chapter 5A, Code of Alabama, 1975.

ADOPTED this the 22nd day of January, 2019


Shane Wootten
District 1 Commissioner


Ricky Harcrow, President


Scot Westbrook
District 2 Commissioner


Chris Kuykendall
District 3 Commissioner


Lester Black
District 4 Commissioner

ATTEST:

CR 112 Speed Limit Resolution--Mr. Luther asked the Commission to adopt a resolution to set the speed limit on CR 112 at 40 MPH.

Mr. Black made a motion to approve the resolution, with a second from Mr. Kuykendall all members voting affirmatively, motion carried.

State of Alabama
DeKalb County


RESOLUTION NO. 19-0122-06


WHEREAS, the DeKalb County Commission on the basis of an engineering and traffic investigation determines that the maximum speed permitted under Article 8, Title 32, Chapter 5A, Code of Alabama, 1975 for County Road 112 between County Road 119 and the Sylvania Town limits is greater than is reasonable and safe under the conditions found to exist on said paved road;

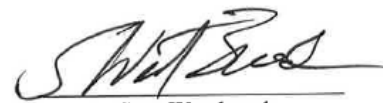
NOW THEREFORE IT IS RESOLVED, that the proper maximum speed for County Road 112 between County Road 119 and the Sylvania Town limits is set at 40 miles per hour at all times and no person shall operate a motor vehicle in excess of 40 miles per hour on said portion of County Road 112;

IT IS FURTHER RESOLVED, that any violations of this Resolution shall be unlawful and punishable pursuant to Title 32, Chapter 5A, Code of Alabama, 1975.

ADOPTED this the 22nd day of January, 2019


Shane Wootten
District 1 Commissioner


Ricky Harcrow, President


Scot Westbrook
District 2 Commissioner


Chris Kuykendall
District 3 Commissioner


Lester Black
District 4 Commissioner

ATTEST:

CR 283 Road Vacation--Mr. Luther requested the Commission proceed with the vacation of CR 283.

Mr. Kuykendall made a motion to proceed with the vacation of CR 283, with a second from Mr. Westbrook, all members voting affirmatively, motion carried.

Revenue Commission

Personnel--Mr. Wilks requested the Commission hire Christa Trammel (G4/1) to fill a vacation position posted at the previous meeting.

Mr. Kuykendall made a motion to approve the request, with a second from Mr. Westbrook, all members voting affirmatively, motion carried.

Sheriff's Office

Personnel--Sheriff Welden requested the Commission hire the following:

- RN Travis Chapman – Medical, Full Time (G9/8).
- BSN Misty Williams – Medical, Part Time (G9/8)
- Corrections Office Sebastian Gamez – Jail, Full Time (G5/3)

Mr. Westbrook made a motion to approve the personnel changes, with a second from Mr. Black, all members voting affirmatively, motion carried.

Sheriff Welden requested the Commission accept the resignation of Richard Anderson as PT Correctional Officer.

Mr. Wootten made a motion to accept the resignation, with a second from Mr. Black, all members voting affirmatively, motion carried.

President Harcrow notified the audience that the next meeting would be February 12, 2019. He asked for a motion to adjourn.

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

Ricky Harcrow, President

Shane Wootten, Commissioner District I

Scot Westbrook, Commissioner District II

Chris Kuykendall, Commissioner District III

Lester Black, Commissioner District IV