

The DeKalb County Commission met in regular session on Tuesday February 12, 2019 at 10:00 a.m. in the DeKalb County Activities Building (Courthouse Annex). Those present were President Pro Tem Chris Kuykendall, Shane Wootten, Scot Westbrook, and Lester Black. President Harcrow was absent.

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

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It was moved by Mr. Westbrook seconded by Mr. Wootten 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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### **Leadership DeKalb Recognition**

President Pro Tem Kuykendall welcomed Leadership DeKalb to the Commission Meeting and thanked them for attending. President Pro Tem Kuykendall pointed out that this is a great organization which allows young leaders to learn how state and local government works, among other things. Brandy Lyles, spokesperson for Leadership DeKalb, stated that the group would be attending State Government Day in Montgomery next month and thanked the Commission for allowing them to attend the meeting.

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### **Council on Aging**

Ms. McCamy made the following announcements:

**Senior Prom:** The Council on Aging is partnering with Fort Payne Parks & 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.

### **Heart Health Awareness Month**

February is Heart Health Month and each senior center is working to educate the communities to raise awareness for Women's Heart Health.

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### **Road Department**

Maintenance Update--Mr. Broyles stated that the rainy weather had been causing issues for hauling chert throughout the county; however, they have been patching roads. Mr. Broyles told the Commission he hoped to get back hauling chert as soon as the rainy weather breaks and it dries up enough to haul again.

Damage Claim--Mr. Sharp presented a damage claim from Ralph Jelks stating his window was broken by and nail that was thrown from a side cutter. Mr. Sharp request the Commission forward this claim on to the County's insurance carrier for final disposition.

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

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### **Engineering**

ALDOT Funding Agreement (CR165 & CR631)--Mr. Luther presented a required funding agreement for work to be done on CR 165 and CR 631.

Mr. Wootten made a motion to approve the agreement and the following resolutions, with a second from Mr. Westbrook, all members voting affirmatively, motion carried:

RESOLUTION NUMBER 19-0212-01

BE IT RESOLVED, by the Dekalb County Commission as follows:

That the County enter into an agreement with the State of Alabama, acting by and through the Alabama Department of Transportation relating to a project for:

**Resurfacing and striping on CR-165 from CR-617 to CR-106; Length – 3.740 miles; Project# STPNU-2515(251), DCP 25-165-15; CPMS Ref# 100068437;**

Which agreement is before this Commission, and that the agreement be executed in the name of the County, by the Chairman for and on its behalf and that it be attested by the County Clerk and the official seal of the County be affixed thereto.

BE IT FURTHER RESOLVED, that upon the completion of the execution of the agreement by all parties, that a copy of such agreement be kept on file by the County.

I, the undersigned qualified and acting Clerk of Dekalb County, Alabama, do hereby certify that the above and foregoing is a true copy of a resolution lawfully passed and adopted by the County named therein, at a regular meeting of such Commission held on the 12th day of February, 20 19, and that such resolution is on file in the County Clerk's Office.

ATTESTED:

  
County Clerk

  
Chairman

RESOLUTION NUMBER 19-0212-02

BE IT RESOLVED, by the Dekalb County Commission as follows:

That the County enter into an agreement with the State of Alabama, acting by and through the Alabama Department of Transportation relating to a project for:

**Resurfacing and traffic stripe on CR-631 from SR-117 to the Georgia line; Length – 3.856 miles; Project# STPNU-2515(252); DCP 25-631-15; CPMS Ref# 100068432;**

Which agreement is before this Commission, and that the agreement be executed in the name of the County, by the Chairman for and on its behalf and that it be attested by the County Clerk and the official seal of the County be affixed thereto.

BE IT FURTHER RESOLVED, that upon the completion of the execution of the agreement by all parties, that a copy of such agreement be kept on file by the County.

I, the undersigned qualified and acting Clerk of Dekalb County, Alabama, do hereby certify that the above and foregoing is a true copy of a resolution lawfully passed and adopted by the County named therein, at a regular meeting of such Commission held on the 12th day of February, 20 19, and that such resolution is on file in the County Clerk's Office.

ATTESTED:

  
County Clerk

  
Chairman

**Revenue Commission**

Personnel--Mr. Wilks requested the Commission transfer Angie Pask to Deputy Revenue Commissioner (G9/1) to replace Rachel Davis who retired; and transfer Meagan Hall to MV Specialist (G6A/3) to fill Angie's position.

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

**Sheriff's Office**

Personnel--Sheriff Welden requested the Commission accept the resignation of Stanley Vinson from Courthouse Security and accept the resignation of PT Road Crew Guard, Verlon White

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

Sheriff Weldon requested the Commission hire Gary Bowen (Collinsville retiree) as PT courthouse security officer to replace Van Douglas who retired; hire Ray Morales as FT patrol deputy to replace Kevin Woodall (who is transferring to FT Transport); and, hire Regina Wilson as a full-time dispatcher to replace 2 part-time slots.

Mr. Westbrook made a motion to approve the new hires in the Sheriff's Office, with a second from Mr. Black, all members voting affirmatively, motion carried.

Sheriff Welden also requested the Commission transfer Kevin Woodall from FT patrol deputy to FT transport deputy (in the Jail); transfer Seth Butler from FT transport officer to FT corrections officer; transfer Leah Hitchcock from FT Corrections Sergeant to FT corrections officer (from G6A/2 to G5/6); and to promote Charles Young from FT corrections officer to FT Corrections Sergeant (G6A/3) to replace Ms. Hitchcock.

Mr. Wootten made a motion to approve the transfers in the Sheriff's Office, with a second from Mr. Westbrook, all members voting affirmatively, motion carried.

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#### **BancorpSouth Resolution**

*Sheriff's Office Vehicles*--Mr. Sharp requested the Commission adopt a resolution to allow BancorpSouth to fund the purchase of ten vehicles for the Sheriff's Office. Mr. Sharp stated that the purchase of these vehicles is part of a new program to cycle the vehicles out before the value of patrol vehicles is diminished to scrap value.

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

**RESOLUTION NO. 19-0212-01**

***Resolution Authorizing and Approving Execution of a Contract  
With BancorpSouth Equipment Finance, a Division of BancorpSouth Bank***

WHEREAS, the County Commissioners (the "Governing Body") of DeKalb County, Alabama (the "Buyer"), acting for and on behalf of the Buyer hereby finds, determines and adjudicates as follows:

1. The Buyer desires to enter into a Contract with the Exhibits attached thereto in substantially the same form as attached hereto as Exhibit "a" (the "Contract") with BancorpSouth Equipment Finance, a division of BancorpSouth Bank (the "Seller") for the purpose of presently purchasing the equipment as described therein for the total cost specified therein (collectively the "Equipment").
2. It is in the best interest of the residents served by Buyer that the Buyer acquire the Equipment pursuant to and in accordance with the terms of the Contract; and
3. It is necessary for the Buyer to approve and authorized the contract.
4. The Buyer desires to designate the Contract as a qualified tax-exempt obligation of Buyer for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986 (the "Code").

NOW, THEREFORE, BE IT RESOLVED by this Governing Body for and on behalf of the Buyer as follows:

Section 1. The Contract and Exhibits attached thereto in substantially the same form as attached hereto as Exhibit "A" by and between the Seller and the Buyer is hereby approved and Matt Sharp, Administrator (the "Authorized Officer") is hereby authorized and directed to execute said Contract on behalf of the Buyer.

Section 2. The Delivery Order is being issued in calendar year 2019.

Section 3. Neither any portion of the gross proceeds of the Contract nor the Equipment identified to the Contract shall be used (directly or indirectly) in a trade or business carried on by any person other than a governmental unit, except for such use as a member of the general public.

Section 4. No portion of the rental payment identified in the Contract (a) is secured, directly or indirectly, by property used or to be used in a trade or business carried on by a person other than a governmental unit, except for such use as a member of the general public, or by payments in respect of such property; or (b) is to be derived from payments (whether or not to Buyer) in respect of property or borrowed money used or to be used for a trade or business carried on by any person other than a governmental unit.

Section 5. No portion of the gross proceeds of the Contract are used (directly or indirectly) to make or finance loans to persons other than governmental units.

Section 6. Buyer hereby designates the Contract as a qualified tax-exempt obligation for purposes of Section 265(b) of the Code.

Section 7. In calendar year 2019, Buyer has designated \$3,500,000 of tax-exempt obligations (including the Contract) as qualified tax-exempt obligations. Including the Contract herein so designated, Buyer will not designate more than \$10,000,000 of obligations issued during calendar year 2019 as qualified tax-exempt obligations.

Section 8. Buyer reasonably anticipates that the total amount of tax-exempt obligations (other than private activity bonds) to be issued by the Buyer during calendar year 2019 will not exceed \$10,000,000.

Section 9. For purposes of this resolution, the amount of tax-exempt obligations stated as either issued or designated as qualified tax-exempt obligations including tax-exempt obligations issued by all entities deriving their issuing authority from Buyer or by an entity subject to substantial control by Buyer as provided in Section 265(b)(3) of the code.

Section 10. The Authorized Officer is further authorized for and on behalf of the Governing Body and the Buyer to do all things necessary in furtherance of the obligations of the Buyer pursuant to the Contract, including execution and delivery of all other documents necessary or appropriate to carry out the transactions contemplated thereby in accordance with the terms and provisions thereof.

Following the reading of the foregoing resolution, Mr. Kuykendall moved that the foregoing resolution be adopted. Mr. Westbrook seconded the motion for its adoption. President Harcrow put the question to a roll call vote and the result was as follows:

<u>Commissioner Wootten</u>	Voted: <u>Yea</u>
<u>Commissioner Westbrook</u>	Voted: <u>Yea</u>
<u>Commissioner Kuykendall</u>	Voted: <u>Yea</u>
<u>Commissioner Black</u>	Voted: <u>Yea</u>

The motion having received the affirmative vote of all members present, the President declared the motion carried and the resolution adopted this the 12<sup>th</sup> day of February 2019.



Ricky Harcrow, President

ATTEST:



Matt G. Sharp, County Administrator

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### **Residential Garbage Service Contract**

Mr. Sharp stated that the current County Garbage Service Contract term ends on June 30, 2019 and might extend for another 3 years absent proper notification of termination. He asked the Commission to authorize terminating and rebidding the garbage service contract.

Mr. Wootten made a motion to approve the letter of termination of the contract, with a second from Mr. Westbrook, all members voting affirmatively, motion carried.

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### **Northeast Alabama Water Board**

Board Re-Appointment--Mr. Wooten made a motion to re-appoint William (Billy) Dalton to the Northeast Alabama Water Board, with a second from Mr. Black, all members voting affirmatively, motion carried.

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### **DeKalb County Hospital Board**

Board Appointment--Mr. Wootten made a motion to appoint Michael Posey to the DeKalb County Hospital Board to replace Kyle Pike, who resigned, with a second from Mr. Westbrook, all members voting affirmatively, motion carried. (Note: The term ends on December 31, 2019).

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President Pro Tem Kuykendall notified the audience that the next meeting would be February 26, 2019. He asked for a motion to adjourn.

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

Absent  
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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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Lester Black, Commissioner District IV