

The DeKalb County Commission met in regular session (with minimal attendance due to COVID-19 Social Distancing Restrictions) on Tuesday, July 14, 2020 at 10:00 a.m. in the DeKalb County Activities Building (Courthouse Annex). Those present were President Ricky Harcrow, Scot Westbrook and Lester Black. Due to social distancing, Mr. Wootten and Mr. Kuykendall were absent from this meeting.

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The meeting was called to order by President Harcrow with Mr. Westbrook leading the Pledge, and President Harcrow delivering the Invocation.

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It was moved by Mr. Westbrook, seconded by Mr. Black and with 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**

Update—Mr. Luther, on behalf of Road Superintendent Tom Broyles, gave a brief update stating that of the eleven roads with major damage due to the Easter flood, seven have been repaired and are open, one has been temporarily repaired and will have additional work done in the coming weeks. The three roads not complete are CR 44, CR 33, & CR 41). Pipe has been installed on CR 44, but due to the paving machine breaking down, paving will be completed as soon as the paver can be repaired. Crews are working on CR 33 near Hammonds Cross Roads. CR 41 east of Mentone has not been started. Mr. Luther stated that although official documentation has not been received, it has been reported that the county will be receiving Federal assistance for Easter Flood Road repairs.

Mr. Luther gave an update on the County's Transportation Plan under the Rebuild Alabama Program, stating that only two roads in District One remain to be paved. He also stated that plans under the Rebuild Alabama Program are underway for the 2020-21FY and will be ready to adopt before the end of August.

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### **Engineering**

#### Liquid Calcium Chloride Annual Bid Extension

Mr. Luther requested the Commission's approval to extend the County's existing bid for Liquid Calcium Chloride to Southeastern Road Treatment for the next year beginning August 1, 2020 through July 31, 2021 (Bid filed in Engineer's Office).

Mr. Black made a motion to grant the request, Mr. Westbrook seconded the motion to extend the County's contract (annual bid) to Southeastern Road Treatment. All members voting affirmatively, motion carried.

#### CR 1004 Speed Limit Resolution

Mr. Luther made the recommendation and presented a resolution setting a maximum speed limit on CR 1004 between CR 462 and CR 52 at 25mph. Mr. Luther requested the Commission's approval for Mr. Harcrow to sign a Resolution posting the 25mph speed limit.

Mr. Westbrook made a motion to adopt the following resolution posting the speed limit at 25mph for this section of CR 462. Mr. Black seconded the motion. All members voting affirmatively, motion carried to adopt the following Resolution:

RESOLUTION NO. 20-0714-01

**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 1004 between County Road 462 and County Road 52 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 1004 between County Road 462 and County Road 52 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 County Road 1004;

**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 14<sup>th</sup> day of July, 2020

  
Ricky Harcrow, President

Absent due to limited meeting - COVID-19

Shane Wootten  
District 1 Commissioner

  
Scot Westbrook  
District 2 Commissioner

Absent due to limited meeting - COVID-19

Chris Kuykendall  
District 3 Commissioner

  
Lester Black  
District 4 Commissioner

ATTEST:

  
Matt Sharp  
County Administrator

CR781 Speed Limit Resolution

Mr. Luther made the recommendation to set a maximum speed limit on CR 781 between Hwy 75 and CR 776 at 25mph. Mr. Luther requested the Commission's approval for Mr. Harcrow to sign a Resolution posting the 25mph speed limit.

Mr. Westbrook made a motion, Mr. Black seconded the motion to adopt the following Resolution posting a maximum speed of 25mph on CR 781. All members voting affirmatively, motion carried to Ab adopt the following Resolution:

RESOLUTION NO. 20-0714-02

**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 781 between State Road 75 and County Road 776 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 781 between State Road 75 and County Road 776 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 County Road 781;

**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 14<sup>th</sup> day of July, 2020

  
Ricky Harcrow, President

Absent due to limited meeting - COVID-19

Shane Wootten  
District 1 Commissioner

  
Scot Westbrook  
District 2 Commissioner

Absent due to limited meeting - COVID-19

Chris Kuykendall  
District 3 Commissioner

  
Lester Black  
District 4 Commissioner

ATTEST:

  
Matt Sharp  
County Administrator

CR776 Speed Limit Resolution

Mr. Luther made the recommendation to set a maximum speed limit on CR 776 between CR 141 and Hwy 75 at 40 mph. Mr. Luther requested the Commission's approval for Mr. Harcrow to sign a Resolution posting the 25mph speed limit.

Mr. Westbrook made a motion to adopt the resolution with Mr. Black seconding the motion. All members voting affirmatively, motion carried to adopt the following Resolution:

RESOLUTION NO. 20-0714-03

**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 776 between County Road 141 and State Road 75 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 776 between County Road 141 and State Road 75 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 County Road 776;

**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 14<sup>th</sup> day of July, 2020

  
Ricky Harcrow, President

Absent due to limited meeting - COVID-19

Shane Wooten  
District 1 Commissioner

  
Scott Westbrook  
District 2 Commissioner

Absent due to limited meeting - COVID-19

Chris Kuykendall  
District 3 Commissioner

  
Lester Black  
District 4 Commissioner

ATTEST:

  
Matt Sharp  
County Administrator

CR 667 Speed Limit Resolution

Mr. Luther made the recommendation to set a maximum speed limit on CR 667 between CR 134 and Hwy 117 at 25 mph. Mr. Luther requested the Commission's approval for Mr. Harcrow to sign the Resolution posting the 25mph speed limit.

Mr. Westbrook made a motion to adopt the Resolution. Mr. Black seconded the motion. All members voting affirmatively, motion carried to adopt the following Resolution:

RESOLUTION NO. 20-0714-04

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 667 between County Road 134 and State Road 117 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 667 between County Road 134 and State Road 117 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 667;

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 14<sup>th</sup> day of July, 2020

  
Ricky Harcrow, President

Absent due to limited meeting - COVID-19

Shane Wootten  
District 1 Commissioner

  
Scot Westbrook  
District 2 Commissioner

Absent due to limited meeting - COVID-19

Chris Kuykendall  
District 3 Commissioner

  
Lester Black  
District 4 Commissioner

ATTEST:

  
Matt Sharp  
County Administrator

### Damage Claims

Mr. Luther presented three damage claims (Judy McElhaney—damage to front right tire due to low shoulder on CR 89; Tim Poe—busted tire due to pot hole on CR 788; and Andrea Wright—busted windshield due to brush cutter on CR 51. Mr. Luther requested permission to forward the claims to CRS.

Mr. Black made a motion. Seconded by Mr. Westbrook granting the request. All members voting affirmatively, motion carried to forward the claims to County Risks Services for final disposition.

### Sheriff's Office

Training—Chief Deputy Brad Gregg requested approval for deputies Josh Hairston, Weston Fortner and David Davis to attend specialized training classes in death investigations in Andalusia, AL, August 18-19.

Mr. Westbrook made a motion to honor the request. Mr. Black Seconded the motion. All members voting affirmatively, motion carried.

### Personnel

Chief Gregg requested the Commission accept the retirement request of Deputy Lt. Alfred Rigstad effective July 1<sup>st</sup>. Mr. Harcrow stated that Mr. Rigstad has been with the county for a long time and thanked him for his service. He asked for a Motion.

Mr. Black made a motion. Seconded by Mr. Westbrook to accept the retirement of Lt. Alfred Rigstad. All members voting affirmatively, motion carried.

In other personnel matters, Chief Gregg requested the following:

- Transfer Carl White from Transport Deputy to Patrol Deputy to replace Lt. Rigstad
- Hire Alfred Rigstad as a PT deputy (as needed – no additional PT hours)
- Hire Tim Devlin as Transport Deputy retroactive to June 29<sup>th</sup> to replace Carl White
- Hire John Moses as PT Courthouse Security Officer (as needed – replaces Van Douglas)

Mr. Westbrook made a motion to accept the requested Personnel changes. Mr. Black seconded the motion. All members voting affirmatively, motion carried.

### Cops Grant

Chief Gregg discussed the opportunity to hire additional deputies through the “Cops Grant” stating the grant would allow the Sheriff’s Office to hire four deputy positions with \$488,750.00 in federal funds over a three-year award period under the 2020 COPS hiring Program, with a local match of \$162,916.00 over the three-year period. He stated that only eleven agencies in the state were offered the grant and commended Andrea Woodall for her efforts in applying for the grant. He asked the Commission’s approval to accept the Grant. President Harcrow and Commissioner Westbrook commended both the Sheriff’s Office and Ms. Woodall for persevering in their efforts to achieve this grant.

Mr. Westbrook made a motion. Mr. Black seconded the motion. All members voting affirmatively, motion carried to except the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS) Grant. Mr. Sharp noted that SSUT funds would be used to pay the match and would be utilized moving forward to fund the four new positions after the grant period was over.

## **Election**

### Precinct Scanners

Judge Osborn addressed the Commission concerning upgrading from M100 to DS200 voting tabulators, stating the 100’s have served us well since 2006, but are becoming outdated. A grant was made available through Secretary of State (SOS) John Merrill for funding through the year 2023.

Judge Osborn requested the Commission’s approval to enter into a Contract with Elections Systems & Software (ES&S) to lease DS200 Precinct Scanners for the 2020 General Election forward. Mr. Sharp noted that there would be an approximate \$20,000/year maintenance and a \$5,100/election lease costs that would be paid by SOS through 2023, but would be the County’s responsibility after that. He noted that SSUT Funds would be utilized to fund this increase in election costs (Note: The State currently does not reimburse Counties for election machine usage).

Mr. Westbrook made a motion to enter into a lease agreement with ES & S and funded by Help America Vote Act (HAVA) approved by the Secretary of State. Mr. Black Seconded the motion. All members voting affirmatively, motion carried.

### Poll Pads

Judge Osborn notified the Commission of additional funding through the Secretary of State to aid in the purchase of **KNOWINK** Poll Pads that can be programed to allow voters to scan their driver’s license, sign the pad and scan ballots expediting the voting process. Judge Osborn requested the Commission’s approval for the purchase.

Mr. Black made a motion. Mr. Westbrook seconded the motion. All members voting affirmatively for the purchase of “**KNOWINK**” Poll Pads.

## **Revenue Commission**

### Insolvents, Errors and Taxes in Litigation

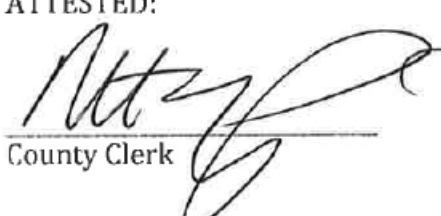

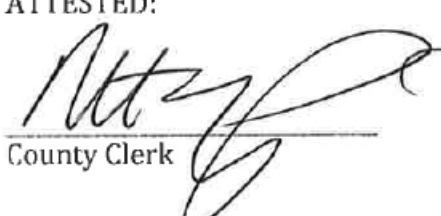

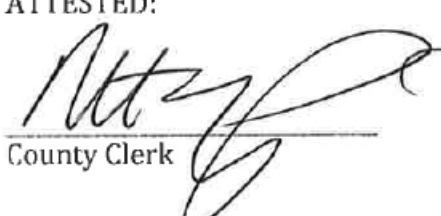

Mr. Sharp on behalf of Revenue Commissioner Tyler Wilks presented for approval and signature the Insolvents, Errors and Taxes in Litigation for tax year 2019.

Mr. Westbrook made a motion to approve the Resolution and authorize President Harcrow to sign. Mr. Black seconded the motion. All members voting affirmatively to approve the request.

#### Mapping Agreement

Mr. Sharp presented a Mapping Agreement on behalf of Rev. Commissioner Tyler Wilks giving ALDOT authorization to utilize the County's Mapping Service. The agreement is for \$12,500 with ALDOT providing \$10,000 to the Reappraisal Program.

Mr. Black made a motion. Seconded by Mr. Westbrook and all members voting affirmatively to enter into the following Digital Information Cooperative Agreement (Mapping) between DeKalb County and ALDOT and adopt the following resolution:

<p>RESOLUTION NUMBER <u>20-0714-05</u></p> <p>BE IT RESOLVED, by the County Commission of DeKalb County, Alabama that the County enter into an agreement with the State of Alabama; acting by and through the Alabama Department of Transportation for:</p> <p>A Digital Information Cooperative Agreement regarding the acquisition and establishment of the 2020 computerized mapping project, which agreement is before this Commission, and that the agreement be executed in the name of the County, by the Chairman of the Commission for and on its behalf and that it be attested by the County Clerk and the seal of the County affixed thereto.</p> <p>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 of record by the County Clerk.</p> <p>Passed, adopted, and approved this <u>14<sup>th</sup></u> day of <u>July</u>, 2020.</p> <p>ATTESTED:</p> <table><tr><td> _____ County Clerk</td><td> _____ Chairman, County Commission</td></tr></table>	 _____ County Clerk	 _____ Chairman, County Commission
 _____ County Clerk	 _____ Chairman, County Commission	

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#### **Animal Adoption**

Veterinary Conference—Mr. Sharp requested on behalf of DCAAC Director Leslie Ledbetter authorization to attend the annual Veterinarian's Certification class and conference.

Mr. Westbrook made a motion granting the request. Seconded by Mr. Black. All members voting affirmatively, motion carried.

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#### **Retirement:**

##### RSA - Tier II Resolution

Mr. Sharp presented a Resolution to the Commission giving the County authorization to move Tier 2 employees (hired after Jan 1, 2013) from Tier 2 to Tier1 Retirement status (subject to RSA's approval of the County's plan). President Harcrow notified the audience that Commissioner Kuykendall and Commissioner Wootten have publicly stated their support of this move and will sign the Resolution. (both are absent from today's meeting due to Covid-19 restrictions)

A motion was made by Mr. Westbrook, seconded by Mr. Black. All members voting affirmatively, motion carried to adopt the following Retirement Resolution: (Note, as part of the resolution, the County submitted a plan that would increase the Tier 1 employee contribution rates by 2.5% in accordance with Act 2011-676 on January 1, 2038 or when when/if the County's employer rate increased above 20%).



RESOLUTION NO. 20-0714-06  
TO PROVIDE TIER I BENEFITS TO TIER II PLAN MEMBERS

**WHEREAS**, under the provisions of Act 2019-132, employers who participate in the Employees' Retirement System pursuant to Ala. Code § 36-27-6 may elect to provide Tier I retirement benefits to Tier II plan members, and

**WHEREAS**, the DeKalb County Commission participates in the Employees' Retirement System pursuant to Ala. Code § 36-27-6 and wishes to improve retirement benefits for its Tier II plan members;

**NOW, THEREFORE, BE IT RESOLVED**, that the DeKalb County Commission elects to provide Tier I retirement benefits to its Tier II plan members, subject to approval by the Employees' Retirement System Board of Control; that, if approved, such election shall be effective the following fiscal year and is irrevocable.

**BE IT FURTHER RESOLVED** that the DeKalb County Commission has reviewed the actuarial cost estimates provided by the Employees' Retirement System for such election and agrees to pay any resulting increases in the employer contribution rate.


**BE IT FURTHER RESOLVED** that beginning in the month that such election is effective, the DeKalb County Commission's Tier II plan members shall contribute 7.5% of their earnable compensation to the Employees' Retirement System and DeKalb County Commission's Tier II plan members who are firefighters or law enforcement officers, as defined by Ala. Code § 36-27-59(a), shall contribute 8.5% of their earnable compensation to the Employees' Retirement System, as required by Act 2019-132.

**BE IT FURTHER RESOLVED** that the DeKalb County Commission has not increased the member contribution rates for its Tier I members as provided by Act 2011-676 and, as required by Ala. Code § 36-27-6.5, the DeKalb County Commission has submitted to the Employees' Retirement System a plan to increase such rates.

DONE THIS 14<sup>th</sup> day of July 2020.

  
Ricky Harcrow, President



ATTESTED BY:  
  
Matt G. Sharp, County Administrator

### **Surplus Vehicles - Bid Award**

Mr. Sharp requested the Commission accept a sealed bid from J.M. Wood Auction Company for \$166,100.00 for the sale of five (5) 2019 Chevy Tahoe's.

Mr. Westbrook made a motion to accept the bid to sale the vehicles. Seconded by Mr. Black and all members voting affirmatively, motion carried.

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### **DHR Board Appointments**

President Harcrow notified the audience of two expiring DHR Board Appointments and asked the Commission to approve the reappointment of Ms. Cathy Clifton (May 2020) and Mr. Toby McCormick (Aug. 2020).

Mr. Westbrook made a motion to honor the request. Seconded by Mr. Black. All members voting affirmatively to re-appoint Mrs. Cathy Clifton and Mr. Toby McCormick to the DHR board.

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### **Legislative Committee Nominee**

President Harcrow notified the Commission that it was time to appointment a representative from the County to the ACCA Legislative Committee. President Harcrow stated that he has been serving in this capacity for many years and stated he is willing to continue if the Commission wishes him to do so.

Mr. Westbrook made a motion to reappointment President Harcrow as the ACCA Legislative representative for DeKalb County. Seconded by Mr. Black, all members voting affirmatively, motion carried.

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**Constantine Property**

Mr. Sharp notified the audience and Commission that the County is considering the purchase of the “Constantine Engineering Building” on airport road near the intersection of CR27 in Fort Payne, stating it is a good opportunity to move the Economic Development offices out of their current facility which was severely damaged in the April flood. Other considerations of occupancy are the Extension Office and Legislative Delegation. Mr. Sharp asked the Commission’s approval to move forward with the purchase process.

Mr. Black made a motion. Seconded by Mr. Westbrook. All members voting affirmatively authorizing Mr. Harcrow and Mr. Sharp to begin the purchase process.

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President Harcrow notified the audience that the next meeting will be July 28, 2020 and asked for a motion to adjourn.

Mr. Westbrook 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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ABSENT (DUE TO COVID 19)  
Shane Wootten, Commissioner District I

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Scot Westbrook, Commissioner District II

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ABSENT (DUE TO COVID 19)  
Chris Kuykendall, Commissioner District III

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Lester Black, Commissioner District IV