

The DeKalb County Commission met in regular session on Tuesday December 14, 2021 at 10:00 a.m. in the DeKalb County Activities Building (Courthouse Annex). Those present were President Harcrow, Terry Harris, Chris Kuykendall and Lester Black. Shane Wootten was absent (due to medical problems).

The meeting was called to order by President Harcrow with Mr. Harcrow delivering the invocation and Mr. Kuykendall leading the Pledge.

Road Department

Update—Mr. Broyles stated that crews are continuing with patching potholes county wide and doing partial reclamation work on various roads in District 1. Work also continues on CR835. Mr. Broyles said that better weather the last few weeks has allowed them to make good progress and that a portion of the road has been dug out and they have begun backfilling.

Mr. Broyles also informed the Commission that the three (3) Peterbilt Cab & Chassis with added dump bodies sold for \$245,000; \$240,000; and \$237,500. Total costs for these trucks were \$163,982 each.

Engineer

Amend County Transportation Plan—Mr. Luther addressed the commission stating that work from the previous “2021” plan had to be stopped due to inclement weather, leaving six roads (projects) that did not get completed. This left \$8,859.52 from District 1 in carry over funds which will go to additional work in District 1. Mr. Luther stated that he had changed the rebuild amount to the full estimated amount and added another project (CR 323) that was on the 2021 Plan which added an additional \$2,706.32 in rebuild funds to complete the project. He asked the Commission to accept the amended plan.

Mr. Black made a motion. Seconded by Mr. Kuykendall. All members voting affirmatively, motion carried to accept the Amended County Transportation Plan as summarized below:

District 1

Road:	Miles	Rebuild Funds	RRR Funds	Total
CR 159 (Hwy 117 - CR 141)	5.68	106,636.00		106,636.00
CR 715 (CR 126 - CR 138)	3.15	70,224.00		70,224.00
CR 106 (CR 165 - Hwy 117)	5.50	116,160.00		116,160.00
CR 323 (Hwy 117 - Dead End)	0.70	2,706.32	8,093.68	10,800.00

District 2

CR 296 (CR 57 - CR 62)	3.12	65,896.00		65,896.00
CR 135 (CR 20 - CR 52)	2.00	42,240.00		42,240.00
CR 471 (CR 179 - Hwy 69)	1.75	36,960.00		36,960.00
CR 203 (CR 26 - Etowah)	1.53	32,320.00		32,320.00
CR 837 (CR 4 - CR 15)	0.88	18,588.00		18,588.00
CR 15 (CR 4 - CR 26)	1.60	31,924.00		31,924.00
CR 302 (CR 843 - CR 57)	1.66	33,114.00		33,114.00
CR 443 (CR 843 - CR 52)	2.08	25,824.50	18,115.50	43,940.00

District 3

CR 22 (DeKalb Ave – LO Mtn)	1.10	18,035.50	31,332.50	49,368.00
CR 255 (CR 78 to near CR 270)	1.50	72,310.00		72,310.00
CR 264 (CR 255 - CR 465)	0.76	26,448.00		26,448.00
CR 265 (CR 255 - Dead End)	0.61	15,113.00		15,113.00
CR 465 (CR 264 - CR 255)	1.00	29,920.00		29,920.00
CR 127 (Hwy 176 to Cherokee)	1.00	125,040.00		125,040.00

District 4

CR 38 (CR 48 - Jackson Co)	1.87	35,107.00		35,107.00
CR 48 (CR 47 - Jackson Co)	1.89	39,917.00		39,917.00
CR 76 (CR 41 - Hwy 75)	1.20	28,160.00		28,160.00
CR 122 (Hwy 75 - CR 85)	4.20	78,848.00		78,848.00
CR 214 (CR 27 - CR 685)	1.30	21,355.00		21,355.00
CR 407 (CR 27 - Jackson)	1.67	39,190.00		39,190.00
CR 485 (CR 27 - CR 121)	2.40	44,289.50	12,030.50	56,320.00

Total CRAF \$1,156,326.82; Total RRR \$69,572.18 = Total Plan \$1,225,898.00

Road Vacation Public Hearing—Mr. Luther stated that in a previous meeting it was approved to begin the vacation process for an abandoned portion of road at Hammonds Crossroads between Hwy 75 and CR 843. He then opened the floor for a public hearing. There were no objections from the audience. Mr. Luther asked the Commission to adopt a resolution to accept the vacation.

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

RESOLUTION NO. 21-1214-04
VACATION OF PORTION OF DEKALB COUNTY
ABANDONED ROAD BETWEEN HWY 75 AND CR 843

WHEREAS, Code Section 23-4-2, State of Alabama, 1975, authorized the governing bodies of the counties of Alabama to, upon petition and by resolution, vacate a street, or a portion thereof; and

WHEREAS, the DeKalb County Commission set down for public hearing on December 14, 2021, and caused notice of such hearing to be published in *The Mountain Valley News* for four consecutive weeks, beginning November 18, 2021 and running through December 9, 2021; and

WHEREAS, the DeKalb County Commission has received no written objection and heard no verbal objection at the hearing hereon to the vacation of an abandoned county road between Alabama State Highway 75 and DeKalb County Road 843; and

WHEREAS, Commissioner Harris of District 2, made a motion before this Commission to approve the vacation of this road;

THEREFORE, BE IT RESOLVED, by the DeKalb County Commission that the abandoned portion of a county road between Alabama State Highway 75 and DeKalb County Road 843, more particularly described below, be, and hereby is, vacated;

All that portion of the long abandoned original roadbed and its partial realignment lying in the southern quadrant of the intersection of State Road 75 and County Road 843, said intersection being locally known as Hammonds Crossroads. Said property lying in the NW ¼ of Section 25, Township 7 South, Range 6 East, located in the Town of Lakeview.

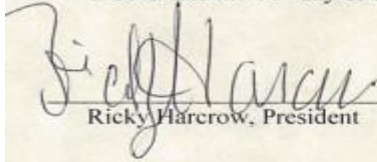
BE IT FURTHER RESOLVED, by the DeKalb County Commission that there are no lots or parcels of land which will be cut off from access by the vacation sought; and


IT IS FURTHER RESOLVED, by the DeKalb County Commission that it is in the interest of the public that the above-described portion of the public street be vacated; and


IT IS FURTHER RESOLVED, by the DeKalb County Commission that this resolution shall be filed in the Probate Court of DeKalb County as provided by statute and that notice of this action shall be published once in a newspaper in DeKalb County no later than fourteen (14) days after the date of its adoption.

DONE this the 14th day of December 2021.

ATTEST:

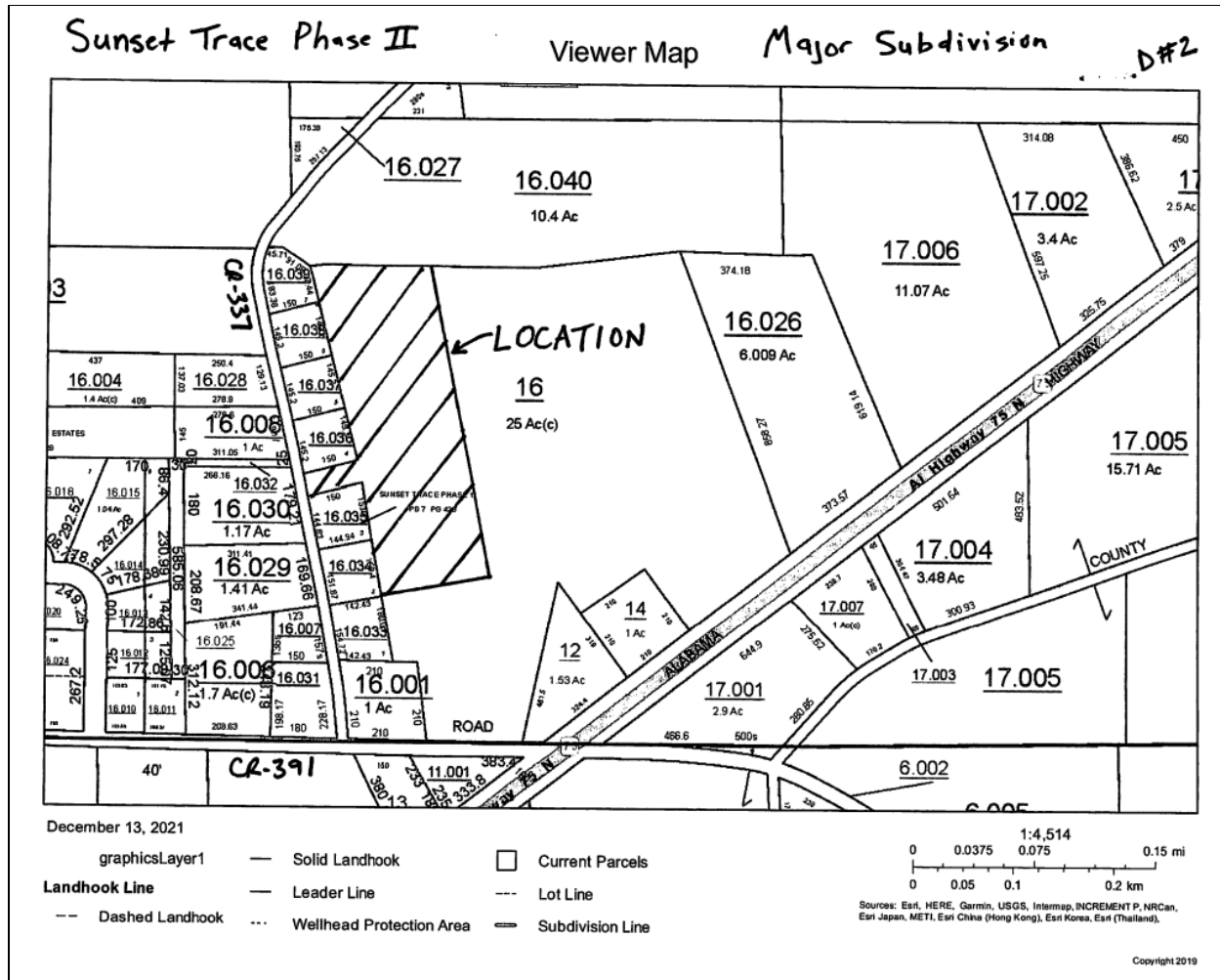

Ricky Harcrow, President


Matt G. Sharp, Administrator



Preliminary Subdivision Plat-Sunset Trace Phase II—Mr. Luther stated that he had received a preliminary Subdivision Plat from Mr. Bruce Massey (Geraldine) for a small road expansion to access the development of Sunset Trace Sub-division. He requested the Commission to accept the preliminary plat and authorization to issue a permit to Mr. Massey to continue the development.

Mr. Harris made a motion to approve. Seconded by Mr. Kuykendall. All members voting affirmatively, motion carried as follows:



Sheriff’s Office

Jail Personnel—Chief Smith requested approval to hire Anne Reese as FT Corrections Officer to replace Timothy Wilson and to hire Cynthia Minton as FT Jail Nurse to replace Joanna Hart.

Mr. Black made a motion to approve. Seconded by Mr. Harris. All members voting affirmatively, motion carried.

Freezer Bid—Chief Smith made the recommendation to award the Freezer Bid to Metro Services stating that there were proposals for this public works project that were received. All were similar in price with Metro Services having the quickest delivery time. Total costs, including reefer trailer is about \$45,500.

Mr. Kuykendall made a motion to honor the request. Mr. Black seconded the motion. All members voting affirmatively, motion carried to award the Freezer Bid to Metro Services.

EMA—Mr. Clifton requested permission for him and Mr. Posey to attend the FEMA Region 4, IAEM Conference in Charleston on March 27-30.

Mr. Kuykendall made a motion to approve. Mr. Black seconded the motion. All members voting affirmatively, motion carried.

Dogtown-Voting Location—Mr. Sharp addressed the Commission requesting the Commission adopt a resolution to move the Dogtown Voting Location (Precinct 3, Box 2) from the Ruhama Masonic Lodge (at their request, due to inadequate insurance) to Ruhama Junior High School Gymnasium until a permanent site has been determined.

A motion was made by Mr. Kuykendall to grant the request. Seconded by Mr. Black. All members voting affirmatively, motion carried to adopt the following Resolution to relocate the Dogtown Voting Location:

**RESOLUTION NO. 21-1214-01
DOGTOWN - VOTING LOCATION
Precinct 3, Box 2**

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

WHEREAS, the Dogtown Voting Location has previously been located at the Ruhama Masonic Lodge at 3311 CR 81, Fort Payne, AL 35967; and

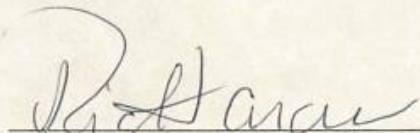
IT HAS BEEN REQUESTED by the members of the Ruhama Masonic Lodge #902 that due to inadequate insurance for the building, that it no longer be used as a voting location for the Dogtown Community; and

IT HAS BEEN CONFIRMED, that the DeKalb County Board of Education has given permission to use the gym of the Ruhama Junior High School located at 3371 CR 81, Fort Payne, AL 35967 (less than 300 feet from the Lodge) as a voting location for the Dogtown Community; and

WHEREAS, the DeKalb County Commission is authorized by Code Section 17-6-3 and 17-6-4 to select polling places for each precinct; and

IT IS RESOLVED that the DeKalb County Commission does hereby authorize the polling place for Precinct 3, Box 2 to be moved from the Ruhama Masonic Lodge to the Ruhama Junior High School Gymnasium for the 2022 Election cycle and beyond until another site has been determined.

DONE THIS 14th day of December 2021



Ricky Harcrow, President


ATTEST


Matt G. Sharp, Administrator

Mr. Sharp made the recommendation to the Commission to adopt a Resolution authorizing the allocation of American Rescue Plan Act (ARPA) funds for eligible water and sewer infrastructure projects.

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

**DeKalb County
Commission**

**RESOLUTION NO. 21-1214-02
TO AUTHORIZE THE ALLOCATION OF
AMERICAN RESCUE PLAN ACT (ARPA) FUNDS
FOR ELIGIBLE WATER AND SEWER INFRASTRUCTURE PROJECTS**

WHEREAS, the DeKalb County Commission (the "County") has received American Rescue Plan Act fiscal recovery funds ("ARPA funds") and is charged with ensuring that such funds are expended in accordance with state and federal law; and

WHEREAS, ARPA funds may be used for necessary investments in water and sewer infrastructure ("eligible water and sewer infrastructure projects"); and

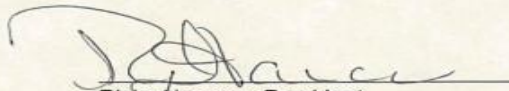
WHEREAS, the County has determined that investing ARPA funds in eligible water and sewer infrastructure is a necessary, eligible, and reasonable use of these funds; and

WHEREAS, the County has determined that to make these investments it is necessary to provide funding assistance to eligible water and sewer infrastructure projects undertaken by municipalities or other public entities that directly provide water and sewer services to households and businesses within the County's borders ("third-party providers").

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION as follows:


- 1) The County hereby allocates up to **\$5,000,000** of its ARPA funds to be awarded, as appropriate and authorized under state and federal law, to qualifying third-party providers to assist with the funding of eligible water and sewer infrastructure projects.
- 2) Third-party providers seeking funding assistance for eligible water and sewer infrastructure projects shall submit project proposals in the form attached as Exhibit A to this resolution on or before **April 1, 2022**.
- 3) Project proposals will be evaluated and any corresponding award of ARPA funds will be based on:
 - a. The eligibility of the project in accordance with the provisions of U.S. Department of Treasury's Coronavirus State and Local Fiscal Recovery Funds Interim Final Rule;
 - b. The applicant's experience in successful administration of federal or other grant funds;
 - c. The applicant's ability to adequately staff the project to provide oversight, financial controls, and subcontractor monitoring;
 - d. The applicant's eligibility to receive federal funds;
 - e. Other factors necessary to ensure that the applicant can administer any funds awarded in compliance with federal and state law and the terms and conditions of the County's federal award (attached as Exhibit B).
- 4) ARPA funds will be not obligated or expended for an eligible water or sewer infrastructure project prior to the Commission's adoption of a resolution authorizing the investment of funds in the project and the terms and conditions of the funding.
- 5) President Ricky Harcrow is hereby directed to provide notice of the provisions of this resolution to third-party providers.

IN WITNESS WHEREOF, the DeKalb County Commission has caused this Resolution to be executed in its name and on its behalf by its Chairman on the 14th day of December 2021.


Ricky Harcrow, President
DeKalb County Commission

ATTESTED BY:

SEAL


Matt G. Sharp, Administrator

Severe Weather Preparedness Tax Holiday Resolution—President Harcrow notified the audience that the Severe Weather Tax Holiday is Feb. 25-27 and solicited a motion to submit the proper documentation to participate in the upcoming Severe Weather Tax Holiday.

Mr. Harris made a motion to approve and to adopt a resolution for the Tax-Free Holiday on Feb. 25-27, 2022. Mr. Black seconded the motion. All members voting affirmatively, motion carried to adopt the following Resolution:

**RESOLUTION NO. 21-1214-03
RESOLUTION PROVIDING FOR DeKALB COUNTY'S
PARTICIPATION IN THE "SALES TAX HOLIDAY"
AS AUTHORIZED BY ACT NO. 2012-256**

WHEREAS, during its 2012 Regular Session, the Alabama Legislature enacted Act No. 2012-256, effective April 26, 2012, which provides an exemption of the state sales and use tax for certain non-commercial purchases related to severe weather preparedness supplies during the first full weekend in July of 2012 and the last full weekend in February of each successive year; and

WHEREAS, Act No. 2012-256 authorizes the County Commission to provide for an exemption of county sales and use taxes for purchases of items covered by the Act during the same time period in which the state sales and use tax exemption is in place, provided a resolution to that effect is adopted at least thirty (30) days prior to the last full weekend in February; and

WHEREAS, the DeKalb County Commission has affirmatively voted to grant the exemption of county sales and use taxes on purchases covered by Act No. 2012-256 during the last full weekend of February 2022, beginning at 12:01 a.m. on February 25 and ending at twelve midnight on Sunday, February 27, 2022, the last full weekend of February in 2022; and

WHEREAS, Code of Alabama 1975, § 11-51-210(c) requires that the County Commission notify the Alabama Department of Revenue of any new local tax or amendment to an existing local tax levy at least thirty (30) days prior to the effective date of the change; and


WHEREAS, the exemption of certain county sales and use taxes for the last full weekend of February 2022 herein adopted by the County Commission is an amendment to the county's sales and use tax levy warranting notice to the Alabama Department of Revenue as provided in Code of Alabama 1975, § 11-51-210(c);

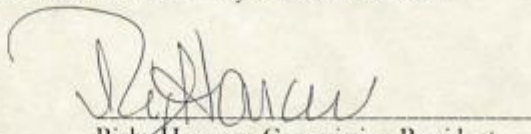
WHEREFORE BE IT RESOLVED BY THE DeKALB COUNTY COMMISSION that it does hereby provide for an exemption of the county sales and use tax on purchases of items covered by Act No. 2012-256 beginning at 12:01 a.m. on February 25 and ending at twelve midnight on Sunday, February 27, 2022.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of the December 14, 2021, meeting of the DeKalb County Commission, and be immediately forwarded to the Alabama Department of Revenue in compliance with Code of Alabama 1975, § 11-51-210(c).

IN WITNESS WHEREOF, the DeKalb County Commission has caused this Resolution to be executed in its name and on its behalf by its President on this the 14th day of December 2021.

ATTEST


Matt G. Sharp, County Administrator


Ricky Harcrow, Commission President

President Harcrow notified the audience that the next meeting will be on Tuesday January 11, 2022 and ask for a motion to adjourn.

Mr. Harris made a motion to adjourn. The president declared no objections and ordered the meeting adjourned.

Ricky Harcrow, President

ABSENT
Shane Wootten, Commissioner District 1

Terry Harris, Commissioner District II

Chris Kuykendall, Commissioner District III

Lester Black, Commissioner District IV