

The DeKalb County Commission met in regular session on Tuesday May 10, 2022 at 10:00 a.m. in the DeKalb County Activities Building (Courthouse Annex). Those present were President Ricky Harcrow, Terry Harris, Chris Kuykendall, and Lester Black. Absent was Shane Wootten.

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

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It was moved by Mr. Kuykendall, seconded by Mr. Black 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. Broyles stated that all district crews are working on roads that are on the resurfacing/paving list; patching potholes; and have completed most of the shoulder clipping. Mr. Watts, (paving contractor) has done some work in three of the districts. He has had difficulty getting some of the materials needed from the quarry, but hopefully will be able to continue with these projects soon. Work on CR 835 is going well and hopefully completion of this project is in the near future. Once his crews complete their part work, contractors will have to do the paving and install guardrails. Three crews are mowing and the contractor has started with herbicide treatment.

Personnel—Mr. Broyles requested permission to hire Rodney Burt to fill a vacant position in District 3.

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

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### **Engineer**

Award CR-127 Resurfacing Bid (Rebuild)—On behalf of Mr. Luther who is attending the Engineer's Conference, Mr. Sharp presented Bid Tabulations for Project No. RA-DCP-25-24-2022 for resurfacing and traffic striping of CR 127 from SR 176 to the Cherokee Co. line. He stated that one bid was received from Wiregrass Construction Co. for \$140,959.00 and he asked the Commission to accept his recommendation to award the bid to Wiregrass for this Rebuild Project.

Mr. Kuykendall made a motion to approve, seconded by Mr. Harris. All members voting affirmatively, motion carried to award this project to Wiregrass Construction.

Speed Limit Resolutions—On behalf of Mr. Luther, Mr. Sharp requested the Commission adopt two resolutions setting a maximum speed limit on CR-681 between CR-108 and 1023 at 35 mph, and a maximum speed limit on CR-371 between CR-134 and the Jackson County line at 25 mph.

Mr. Black made a motion. Seconded by Mr. Harris. All members voting affirmatively, motion carried to adopt the following Speed limit Resolutions:

State of Alabama  
DeKalb County

RESOLUTION NO. 22-0510-01

**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 681 between County Road 108 and County Road 1023 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 681 between County Road 108 and County Road 1023 is set at 35 miles per hour at all times and no person shall operate a motor vehicle in excess of 35 miles per hour on said County Road 681;

**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 10<sup>th</sup> day of May, 2022

  
Ricky Harcrow, President

*Absent*  
Shane Wooten  
District 1 Commissioner

  
Terry Harris  
District 2 Commissioner

  
Chris Kuykendall  
District 3 Commissioner

  
Lester Black  
District 4 Commissioner

ATTEST:

  
Matt Sharp  
County Administrator

State of Alabama  
DeKalb County

RESOLUTION NO. 22-0510-02

**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 371 between County Road 134 and the Jackson County Line 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 371 between County Road 134 and the Jackson County Line 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 371;

**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 10<sup>th</sup> day of May, 2022

  
Ricky Harcrow, President

Absent

Shane Wootten  
District 1 Commissioner

  
Terry Harris  
District 2 Commissioner

  
Chris Kuykendall  
District 3 Commissioner

  
Lester Black  
District 4 Commissioner

ATTEST:

  
Matt Sharp  
County Administrator

Damage Claim—Mr. Sharp, at the request of Mr. Luther, presented a damage claim from Eric Lemons claiming damage to the bumper of his vehicle while crossing the bridge on CR-24 and requested permission to forward the claim to CRS for final disposition.

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

### **Sheriff's Office**

Personnel—Chief Smith requested the Commission's approval for the following Dispatch personnel items:

Transfer Isaiah Ford from FT to PT  
Hire Cameron Mattox to fill the FT position vacated by Isaiah Ford  
Hire Ali Cowart PT  
Hire Lacy McCater PT

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

SRO Training—Chief Smith requested permission to send six (6) officer's for annual training in June. He stated that the school board will be paying for three of the officer's to attend and made a request for the Commission to pay for three.

Mr. Kuykendall made a motion to approve. Mr. Harris seconded the motion to approve the training and provide funds for three officers to attend. All members voting affirmatively, motion carried.

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### **Inmate Telephone Contract**

Chief Smith requested permission to renew the annual inmate telephone contract with NCIC, stating we have been with them for a few years, have no complaints with their service and the cost has changed very little. Mr. Sharp also noted that it he has received no complaints from inmates or citizens and it has brought in revenues for the Special Jail Fund.

Mr. Harris made a motion to approve. Seconded by Mr. Black, all members voting affirmatively, motion carried to approve renewing the contract with NCIC.

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**Board Appointment-Aroney Volunteer Fire Dept**—President Harcrow addressed the Commission and presented recommendations made by the Aroney Volunteer Fire Dept. Board and requested the Commission’s approval to accept the resignation of Ed Cash and the appointment of Kyle Croft to serve the remainder of Mr. Cash’s term.

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

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**Election—Macedonia Church (Precinct 2-7)**—Judge Osborn requested the Commission’s approval to move this voting location at Geraldine from the lunchroom to the church which is on the same property due to the church having a Graduation function on the day of the election.

Mr. Harris made a motion. Seconded by Mr. Kuykendall, all members voting affirmatively to move the Macedonia 2 polling location from the lunchroom to the church for the May 24, 2022 primary election.

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### **RPT-Personnel**

Ms. McCamy requested the Commission’s approval to hire a part-time employee (Grant funded) as a Transit Assistant (Note: additional funding has been provided by the ALDOT RPT Grant).

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

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**DeKalb County Communications Committee**—Mr. Clifton addressed the Commission concerning the County’s Communication and Data System project stating that the Committee had recently elected Matt Martin as the Communications Committee Chairman and he asked Mr. Martin to give an update on the project.

Mr. Martin stated that the Committee consisted of representatives from various agencies within the county and presented two items for consideration. The first item is that the Committee be formally recognized and adopted as an official body to continue research for grant funding and make recommendations for the purposes of doing business pertaining to approved projects and in accordance with the National Communications Plan and that the Committee be the official carrier for the project.

Mr. Kuykendall made a motion to approve the request. Seconded by Mr. Black. All members voting affirmatively, motion carried (Committee members are as follows:

Sheriff’s Office	Matt Martin
EMA	Anthony Clifton & Michael Posey
DAS	Mike Leath & Cheryl Turner
Fire	Nathan Nail & David Bowen

Law Enforcement	Dale Manning
911	Scot Westbrook & Sabrina Harris
Utilities	Johnny Jordan
Mayor's Association	Johnny Traffansteadt
City of FP	David Davis

The second item is that the project be taken to open bid in accordance with the guidance and procurement policies. Mr. Harcrow stated that this is not a bid opening, but a bid process for bids to go out for the project. Mr. Sharp stated that the bid information has been sent to the Commission Association for review and that there would be three separate bid categories, Infrastructure, CAD (computer-based software) and Radios.

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

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**Dawson Property**—Mr. Sharp addressed the Commission concerning the purchase of property located at 4916 CR 843 in Dawson that has been under consideration and stated the property will be utilized by the District-2 road crew. Mr. Harris noted the property included a shop building and other structures that would be utilized by the District 2 Crew. He requested authorization for himself and Mr. Harcrow to proceed with the purchase of the property.

Mr. Harris made a motion to approve. Mr. Kuykendall seconded the motion. All members voting affirmatively, motion carried to proceed with the purchase.

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**IAC Joint Bid Resolution**—Mr. Sharp requested the Commission adopt the following Joint Bid Resolution, which would allow the county to purchase certain items off the joint bid process for counties participating in the ARPA program.

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

### **RESOLUTION No. 22-0510-03**

#### **AGREEMENT TO PARTICIPATE IN THE JOINT BIDDING PROGRAM FOR COUNTIES PARTICIPATING IN INVESTING IN ALABAMA COUNTIES, A PROGRAM OF THE ASSOCIATION OF COUNTY COMMISSIONS OF ALABAMA**

**WHEREAS**, Section 40-16-50(b), Code of Alabama 1975, authorizes two or more counties in the state to enter into agreements for the joint bidding and purchase of items required to be bid under Alabama's competitive bid law (§§ 41-16-50 *et seq.*, Code of Alabama 1975); and

**WHEREAS**, the Association of County Commissions of Alabama (the "Association") has agreed to administer a joint bidding program pursuant to § 40-16-50(b) for counties participating in the Association's Investing in Alabama Counties ("IAC") program for the joint bidding of certain equipment, materials, and supplies required to be competitively bid under Alabama's competitive bid law (the "IAC joint bidding program" or "program"); and

**WHEREAS**, pursuant to § 41-16-50, each county participating in the IAC program that desires to participate in the IAC joint bidding program is required to adopt a similar resolution, signifying its desire to participate and its agreement to the terms and conditions of participation; and

**WHEREAS**, the DeKalb County Commission (the "Commission") desires to join and participate in the IAC joint bidding program and understands and agrees to the procedures as set out below:

1) That the Association, a non-profit organization devoted to providing support and services to its membership of the counties in Alabama, shall provide administrative services to the program, and in this regard, shall:

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1) That the Association, a non-profit organization devoted to providing support and services to its membership of the counties in Alabama, shall provide administrative services to the program, and in this regard, shall:

- oversee the development of written specifications for each item to be bid,
- provide notice by mail or as otherwise authorized by Alabama's competitive bid law to respective bidders for each item to be jointly bid as required by law,
- open bids pursuant to bid specifications at its office at 2 North Jackson Street in Montgomery, Alabama, and
- provide other services as necessary excluding the awarding of the contracts.

2) That to participate in the program, the Commission shall forward to the Association the names and addresses of each person or company who has submitted a written request to be included in solicitations of bids for a particular item (its "vendor list"), and that following receipt of said vendor lists, the Association shall mail, or as otherwise authorized by Alabama's competitive bid law, appropriate bid specifications to each applicable person or company if that particular item is being bid, as provided in § 41-16-54.

3) That in compliance with § 41-16-54, the Commission shall not be eligible to purchase an item under a contract awarded through the program unless it has provided the Association with its vendor list for that item, if such a list is held by the County.

4) That the Association will provide the Commission notice of each solicitation for bid and in compliance with § 41-16-54, the Commission shall post said notice on a bulletin board in the County's purchasing office.

5) That in compliance with § 41-16-54, the Commission agrees that it shall not be eligible to purchase an item under a contract awarded through the program unless it has posted such notice.

6) That following the opening of bids, a pre-designated county commission will serve as awarding authority for the IAC joint bidding program and shall determine the lowest responsible bidder and award any contract bid through the program at a regular meeting of the designated county commission as announced at the opening of bids.

7) That the Association shall not serve as the awarding authority for any item bid through the program.

8) That participation in the program is strictly voluntary, and that, subject to the conditions set out in paragraphs 2, 3, 4, and 5, once a contract has been awarded for a particular item bid through the program, the Commission may purchase that item during the contract period under the terms of and at the price established under the contract, but shall not be required to purchase any particular item under the contract awarded through the program.

9) That if the Commission decides to purchase an item other than through the program, it must separately bid that item if such bidding is required by Alabama's competitive bid law.

10) That following the award of a contract under the program, purchases of items through the program by the Commission shall be made directly from the successful bidder by the County pursuant to its own purchasing policy, and that there shall be no joint purchasing agent representing the program or any counties participating in the program.

11) That the Commission shall remain a member of the program so long as it desires and agrees to participate in this joint bidding agreement under its terms and conditions, and that the Commission shall give at least thirty (30) days' notice in writing to the Association of its intent to terminate its participation in the program and the date on which its participation will terminate.

12) That following the termination of the Commission's participation in the program, the Commission shall be removed from the program and from any correspondence or advertisement regarding the program or any item to be bid under its terms and conditions.

13) That following its termination from the program, the Commission shall not be eligible to make purchases under the terms and at the cost of the contract award for a particular item, and will be required to bid each item on its own under the requirements of Alabama's competitive bid law.

14) That this resolution, once adopted by the Commission, shall serve as its agreement and contract with all other counties participating in the program for the joint bidding of certain items required to be bid under Alabama's competitive bid law.

15) That prior to soliciting any bids for items to be jointly bid under the program, the Association shall forward a list of all participating counties to the Office of Examiners of Public Accounts.

16) That for a county to purchase an item through the program, it must have joined the program by adopting this resolution prior to the solicitation of bids for that item, but that once the county has joined the program, it shall remain a member, and subject to the conditions set out in paragraphs 2, 3, 4, and 5 above, shall be eligible for the purchase of all items thereafter bid under the program until and unless it terminates its participation as set out in paragraphs 11, 12, and 13 above.

**BE IT RESOLVED BY THE COMMISSION** that it agrees to all terms and conditions of the IAC joint bidding program as set out above, and desires to participate in said program.

**BE IT FURTHER RESOLVED** that it is the intent of the Commission by adoption of this resolution to enter into a joint bidding agreement with all other counties participating in the IAC joint bidding program.

**BE IT FURTHER RESOLVED** that a copy of this resolution be immediately forwarded to the Association with a request that the DeKalb County Commission be included in the IAC joint bidding program for all items bid through the program until and unless notified of the County's desire to terminate its participation under the procedures set out in paragraphs 11, 12, and 13 above.

**IN WITNESS THEREOF**, the DeKalb County Commission has caused this Resolution to be executed in its name and on its behalf by its President on this the 10<sup>th</sup> day of May, 2022.

  
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President Ricky Harcrow  
DeKalb County Commission

ATTESTED BY:

  
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Matt G. Sharp, County Administrator

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Before adjourning the meeting, President Harcrow recognized and thanked Mr. Hollingshed of Republic Services for the free service provided by them for the April 2022 Annual County Clean-up. He stated that countywide, 80.15 tons of waste material was collected the drop off sites at no cost to the county.

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President Harcrow notified the audience that the next meeting will be on Tuesday June 14, 2022 and asked for a motion to adjourn.

Mr. Harris 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  
Shane Wooten, Commissioner District 1

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Terry Harris, Commissioner District II

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Chris Kuykendall, Commissioner District III

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Lester Black, Commissioner District IV