

The DeKalb County Commission met in regular session on Tuesday October 11, 2022 at 10:00 a.m. in the DeKalb County Activities Building (Courthouse Annex). Those present were Ricky Harcrow, Shane Wootten, Terry Harris, and Lester Black. Absent was Chris Kuykendall.

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The meeting was called to order by President Harcrow with Bro. Orien Ledford delivering the invocation and Mr. Black leading the Pledge.

It was moved by Mr. Wootten seconded by Mr. Harris 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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Before moving on to the regular agenda, President Harcrow welcomed and recognized Mr. & Mrs. Orien Ledford who are celebrating their 69<sup>th</sup> wedding anniversary and presented them with a resolution and a plaque. The County Commission wishes them their sincere congratulations on this great milestone.

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**DeKalb County Homemakers Week**—President Harcrow addressed the Commission presenting and reading a proclamation signed by the President and Commission members declaring the second week in October 2022 as DeKalb County Homemakers and Community Leaders Week. Mr. Harcrow thanked and recognized members for all that they do.

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**Toys for Tots**—Mr. Black introduced Ms. Larue Hardinger and Mr. Tom Bazemore of the Marine Toys for Tots Foundation. After a brief overview of the Toys for Tots Foundation, Ms. Hardinger recognized and thanked the Commission for their support. Mr. Bazemore presented a plaque to President Harcrow and Commission members.

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#### **Road Department**

Update—Mr. Broyles gave a brief update stating that paving contractor, Charles Watts is continuing to work on the county's paving list and hopes to get an update from him this week. The herbicide contractor is working to complete the second round of herbicide treatment. Mr. Broyles added that crews have been working on the reclaim list in District 1, but a significant (33%) price increase on materials may delay work on the remainder of roads left to do.

Personnel—Mr. Broyles requested permission to re-hire William King to fill the open position in D1. He stated that Mr. King had resigned in August, but would like to return.

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

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#### **Engineer**

Motor Grader Transmission Rebuild—Mr. Luther stated that proposals were sent out for a motor grader transmission rebuild. One bid was received for \$34,864.94 from Thompson Tractor. Mr. Luther made the recommendation to award the transmission rebuild to Thompson Tractor.

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

CR-386 Bridge Concrete Deck—Mr. Luther stated that proposals were sent out for a Bridge Concrete Deck for the recently constructed bridge on CR 386. He said that one bid was received for the project for \$45,900. He stated that he felt this amount was too high and made the recommendation to reject this proposal. He requested permission to send out new proposals and asked for authorization to accept a proposal from a new vendor if an acceptable proposal is received. He explained that this would expedite the project's completion.

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

Amend FY2023 Rebuild AL County Transportation Plan—Mr. Luther addressed the Commission stating there are a few minor amendments which consist of changing and removing a few projects. He asked the Commission to accept the amended plan.

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

In D1, CR 231, CR 805, CR 720/721, CR 803, CR 782 and CR 801 were removed from the Transportation Plan (will not be funded with Rebuild Funds). CR 126 (Ridgeview Drive) was added at a cost of \$331,393 (with \$300,000 being used toward Rebuild Funds).

D2 Roads were added as follows:

CR 538 (from CR 43 to CR 43) - \$103,877.00 – 3.55 miles  
CR 568 (from CR 111 to CR 58) - \$77,102.00 – 2.98 miles  
CR 384 (from Hwy 68 to CR 21) - \$56,399.00 – 2.18 miles  
CR 42 (from CR 46 to CR 843) - \$62,622.00 – 2.42 miles  
Grand total \$300,000 for D2.

In D3, \$7,413.00 was added to CR 280 (making the total \$117,237 and the grand total \$300,000 for D3).

In D4, \$10,000 was added to CR 494 (making it \$109,412) and \$859 was added to CR 61 / Farmer Road (making it \$65,539) and the grand total being \$300,000 for D4

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### **Sheriff's Office Personnel**

Resignations--Sheriff Welden asked the Commission to accept the resignation of FT Dispatcher Bri Monroe and FT Deputy Tyler Pruett.

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

New Hires—Sheriff Welden asked the Commission's approval to hire Katie Monroe as a PT dispatcher and hire Luke Yarbough as a FT Deputy to replace Tyler Pruett.

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

Transfer— Sydney McKay from PT Dispatch to FT Dispatch to replace Bri Monroe.

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

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### **Jail Personnel**

Resignations—Sheriff Welden on behalf of Chief CO Cagle requested the Commission accept the resignation of Officer Candace Bearden and Officer Nathan Palmer.

New Hire—Sheriff Welden requested approval to hire Parker Perea to fill one of the above vacated Corrections officer positions.

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

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Maintenance—RC Building Roof Quote—Mr. Shelton addressed the Commission requesting approval to accept a quote of \$49,394.96 which includes a 15 year warranty from K & S Roofing to do a roof replacement on the Revenue Commission/Investigations building.

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

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**COA**—Ms. McCamy gave an update on the SHIP Program and Open Enrollment. She then requested approval for all 2023 travel and training as well as permission to transport clients across county lines to special events.

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

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**Child Advocacy Center Resolution**—Commission President Harcrow addressed the Commission requesting authorization to adopt a resolution for transfer of ARPA funds for public purpose to the DeKalb County Children’s Advocacy Center.

Mr. Wootten made a motion to approve. Seconded by Mr. Harris. All members voting affirmatively, motion carried to adopt the following Resolution:

**RESOLUTION No. 22-1011-03  
TRANSFER OF AMERICAN RESCUE PLAN ACT FUNDS  
TO CARRY OUT A PUBLIC PURPOSE PROJECT**

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

**WHEREAS**, the County has received a Coronavirus State and Local Fiscal Recovery Fund (“SLFRF”) award under the American Rescue Plan Act (“ARPA funds”) from the U.S. Department of the Treasury (“Treasury”), which, in accordance with the Final Rule issued by Treasury on January 6, 2022, \$10,000,000 have been duly designated as revenue replacement funds (“revenue replacement funds”); and

**WHEREAS**, these ARPA revenue replacement funds may be used for the purpose of providing government services; and

**WHEREAS**, pursuant to 603(c)(3) of the ARPA, PL 117-2, March 11, 2021, 135 Stat 4, the County may transfer ARPA funds to eligible entities to carry out government services; and

**WHEREAS**, the County may provide financial assistance to the DeKalb County Child Advocacy Center (“CAC”) where this assistance will serve a public purpose that is an eligible use of ARPA funds; and

**WHEREAS**, Section 88 of the Constitution of Alabama of 1901, and Code of Alabama (1975) §22-21-291 authorizes the County to make adequate provisions for the poor, including covering the costs of mental health services for indigent residents in the County; and

**WHEREAS**, the County recognizes that the CAC plays a substantial and important role in providing, among other services, mental health and behavioral health services to children in the County that have been abused or have witnessed traumatic events; and

**WHEREAS**, the CAC is located adjacent to, and provides services in schools located within, a Qualified Census Tract, designated by the U.S. Housing and Development Authority; and

**WHEREAS**, the County recognizes that using ARPA funds to provide funding for two therapists would provide a direct benefit to a significant portion of the citizens of the County by facilitating the delivery of these services; and

**WHEREAS**, the County may donate public money or other things of value to CAC because these services rendered benefit the general public, are not engaged in private enterprise, and therefore have a lawful public purpose, *Slawson v. Alabama Forestry Comm’n*, 631 So.2d 953 (Ala. 1994); and

**WHEREAS**, the DeKalb County Commission has determined that making an allocation to CAC to support this public purpose is a necessary, reasonable, and proportionate expenditure of ARPA funds.

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

- 1) The County shall use ARPA funds designated as revenue replacement funds to cover up to \$50,000 of the cost to provide for salaries, benefits, and other resources to partially fund two therapist positions to be hired by the CAC.
- 2) The County hereby resolves to enter into a funding agreement with CAC attached to this Resolution as Addendum 1.
- 3) The ARPA Program Manager is hereby authorized to expend ARPA funds revenue replacement funds for costs of the program in accordance with the terms of this Resolution and the funding agreement, the terms of which are incorporated by reference herein.
- 4) Expenditure of these funds, as authorized by this Resolution, shall be contingent on the continued appropriation and availability of ARPA funds for this purpose and in no event shall be used for any costs associated with the project that are not obligated on or before December 31, 2024, and expended on or before December 31, 2026.

**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 the 11th day of October, 2022.

  
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Ricky Harcrow, President  
DeKalb County Commission

ATTESTED BY:

  
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Matt G. Sharp, County Administrator

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**Board Reappointment**—President Harcrow made the recommendation to reappoint Mr. John Dersham to the Mountain Lakes Tourism Board.

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

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**Board Reappointment**—President Harcrow presented a request to reappoint James G. May to the Northeast Alabama Water, Sewer and Fire Protection District Board

Mr. Wootten made a motion to grant the request. Mr. Black seconded the motion. All members voting affirmatively, motion carried.

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**Recognition**—President Harcrow addressed the audience recognizing District III Commissioner Chris Kuykendall, thanking him for 13 years of service and support to the Commission and the citizens of DeKalb County. He stated that he has been a valuable asset to the Commission. Each Commissioner, as well as Mr. Sharp expressed their gratitude for Commissioner Kuykendall's service, support and friendship.

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President Harcrow notified the audience that the next regular meeting will be on Wednesday, November 16, 2022 (Orientation Meeting for next term of Office for Commissioners) 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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Shane Wootten, Commissioner District 1

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Terry Harris, Commissioner District II

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ABSENT

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Chris Kuykendall, Commissioner District III

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Lester Black, Commissioner District IV