

The DeKalb County Commission met in regular session on Tuesday June 11, 2024 at 10:00 a.m. in the DeKalb County Activities Building (Courthouse Annex). Those present were Shane Wootten, President ProTem, Terry Harris, Ron Saferite, and Lester Black. Absent was President Harcrow (attending Quarterly RSA Meeting)

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The meeting was called to order by President ProTem Wootten with Mr. Wootten delivering the Invocation, and Mr. Saferite leading the Pledge.

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It was moved by Mr. Saferite 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. Young stated that crews are working on a pipe replacement job on CR 102 as well as working in partnership with the City of Fort Payne on a \$350,000 grant project on CR 89.

Personnel—Mr. Young requested permission transfer Lucas Crow from District 2 to the Unit Crew and to hire Terry Brown to replace Mr. Crow's position in D2.

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

Resignation--Mr. Young requested permission to accept the resignation of Tom Broyles who was hired under a six (6) month contract beginning on May 1, 2024 to assist with operations of the road department. His new date will terminate on June 30, 2024.

Mr. Saferite made a motion to accept Mr. Broyles resignation effective June 30, 2024. Mr. Harris seconded the motion. All members voting affirmatively, motion carried.

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### **Engineer**

CR 533 Speed Limit Resolution—Mr. Luther addressed the Commission with a request to adopt a Resolution setting a 20-mph speed limit on CR 533 from CR 43 to its dead end.

Mr. Black made a motion to accept the recommendation. Mr. Saferite seconded the motion. All members voting affirmatively, motion carried to adopt the following resolution:

RESOLUTION NO. 24-0611-06

**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 533 from County Road 43 to its Dead End is greater than is reasonable and safe under the conditions found to exist on said road;

**NOW THEREFORE IT IS RESOLVED**, that the proper maximum speed for County Road 533 from County Road 43 to its Dead End is set at 20 miles per hour at all times and no person shall operate a motor vehicle in excess of 20 miles per hour on said County Road 533;


**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 11<sup>th</sup> day of June, 2024

  
Shane Woolfen  
District 1 Commissioner

  
Ricky Harcrow, President

  
Terry Harris  
District 2 Commissioner

  
Ron Saferite  
District 3 Commissioner

  
Lester Black  
District 4 Commissioner

ATTEST:

  
Matt Sharp  
County Administrator

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**Sheriff's Office Personnel**—On behalf of Sheriff Welden, Chief CO Ranger Wright requested authorization for the following personnel recommendations:

Hire Josh Wells as PT Deputy  
Transfer Carl White from Courthouse Security to FT Deputy replacing Brooke Wootten  
Transfer Josh Wigley from SRO to Courthouse Security replacing Carl White.

Mr. Harris made the motion to honor the personnel request. Mr. Black seconded the motion. All members voting affirmatively, motion carried.

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**Jail**

**Personnel**—Chief Wright addressed the Commission making the following recommendations for Jail Personnel:

Accept the resignation of Sgt. Ethan Pike  
Promote Christy Glass to Sgt. (replaces Mr. Pike's Sgt. position)  
Hire Jacob Ball to replace Ethan Pike  
Hire Catalina Agustin to fill position vacated by Nathan Palmer.

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

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**Revenue Enforcement**

2024 Arrow Disposal / Town of Powell Exemption List—Mr. Sharp at the request of Revenue Enforcement Officer Roger Byrd requested the Commission accept the 2024 Arrow Disposal & Town of Powell Garbage Exemption List (on file in the Revenue Enforcement Office).

Mr. Harris made a motion to approve the Exemption List, seconded by Mr. Saferite. All members voting affirmatively, motion carried.

Travel/Training—Mr. Sharp requested the Commission’s approval for Officer Byrd to attend the Annual ALEA training in August.

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

**Revenue Commission**—County Administrator Matt Sharp on behalf of RC Tyler Wilks requested the Commission accept the resignations of Gloria Aguilar and Bekka Atkins and to post the vacated positions.

Mr. Saferite made a motion to accept the resignations and post the positions. Mr. Harris seconded the motion. All members voting affirmatively, motion carried

**Tax Year 2023 Insolvents, Errors and Taxes in Litigation**—Mr. Sharp at the request of Mr. Wilks presented the Insolvents, Errors and Taxes in Litigation report for the tax year of 2023 and requested the Commission’s authorization for President Harcrow to sign the necessary documents.

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

DFC 22 (Rev. 03-22)

**INSOLVENTS, ERRORS, LITIGATIONS AND UNSOLD TAX LIENS FOR 20 23 AND  
UNCOLLECTED INSOLVENTS AND TAXES IN LITIGATION FOR PREVIOUS YEAR(S)**

**THE STATE OF ALABAMA**

DeKalb County

BE IT REMEMBERED, That at the meeting of the Board of County Commissioners of said County, held on this eleventh day of June, 20 24,  
Tyler Wilks, Tax Collector of said County, made his report of "Insolvents", "Errors in Assessment", "Taxes in Litigation", and "Unsold Tax Liens" on taxes for the current year 20 23, as required by Code of Ala. 1975, Section 40-5-23. And after a careful and rigid examination of said reports by said Board, it was considered and adjudged that said collector be allowed credit on his final settlement with the Comptroller for the following amounts:

Insolvents: State Taxes -- General	\$	520.00
-- Soldier	\$	208.00
-- School	\$	624.00
Errors in Assessments: State Taxes -- General	\$	(27,727.60)
-- Soldier	\$	(11,091.04)
-- School	\$	(36,561.06)
Taxes in Litigation: State Taxes -- General	\$	0.00
-- Soldier	\$	0.00
-- School	\$	0.00
Unsold Tax Liens: State Taxes -- General	\$	682.10
-- Soldier	\$	272.84
-- School	\$	818.52

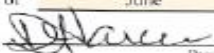
And said Collector has also made his report for final allowance of the uncollected balances of Insolvent Taxes for the previous year 20 22, as required by Code of Ala. 1975, Section 40-5-29; and the Board thereupon made the following allowances to said Collector of such Insolvent Taxes as he may have been unable to collect, as follows:

State Taxes -- General	\$	325.30
-- Soldier	\$	130.12
-- School	\$	390.36

And said Collector is also allowed credit for the following taxes in litigation for the previous year(s) which he has been unable to collect as follows:

	General	Soldier	School
2022	\$ 0.00	\$ 0.00	\$ 0.00
2021	\$ 0.00	\$ 0.00	\$ 0.00
2020	\$ 228.10	\$ 91.24	\$ 273.72
2019	\$ 0.00	\$ 0.00	\$ 0.00

Given under my hand this 11th day of June, 20 24

  
Presiding Officer

See Code of Ala. 1975, Sections 40-5-23 and 40-5-24 as to taxes of current year and Sections 40-5-26 and 40-5-29 as to insolvent taxes and taxes in litigation of previous year(s).

**911 Consulting Company Contract—Cartersville Radio Tower**—EMA Director Michael Posey presented and requested the Commission’s approval for DeKalb County to enter into Contract with Mr. Lee Moore, Principal of 911 Consult, Inc., for consulting services as needed to assist with DeKalb County EMA on the construction of the new Cartersville Radio Tower and equipment shelter.

Mr. Black made a motion to approve the request. Mr. Harris seconded the motion. All members voting affirmatively, motion carried to enter into a contract with 911 Consult, Inc.

**County Emergency Operations Center Resolution**

Mr. Posey requested the Commission adopt a resolution renaming the DeKalb County Emergency Operations Center the James Anthony Clifton Emergency Operations Coordination Center.

Mr. Saferite made a motion to approve the request. Mr. Black seconded the motion. All members voting affirmatively, motion carried unanimously to adopt the following resolution:

<p><b>COMMISSION MEMBERS</b></p> <p>SHANE WOOTTEN DISTRICT I</p> <p>TERRY HARRIS DISTRICT II</p>	<p><b>THE DeKALB COUNTY COMMISSION</b></p> <p><b>RICKY HARCROW, PRESIDENT</b></p> <p>MATT G. SHARP, ADMINISTRATOR SUITE 200 111 GRAND AVE. S.W. FORT PAYNE, AL 35967 256-845-8500 PHONE 256-845-8502 FAX</p>	<p><b>COMMISSION MEMBERS</b></p> <p>RON SAFERITE DISTRICT III</p> <p>LESTER BLACK DISTRICT IV</p>
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**RESOLUTION No. 24-0611-07**

**RENAMING DEKALB COUNTY EMERGENCY OPERATIONS CENTER  
TO THE  
JAMES ANTHONY CLIFTON  
EMERGENCY OPERATIONS COORDINATION CENTER**

**Whereas, James Anthony Clifton demonstrated** unparalleled dedication and commitment to supporting the communities and the citizens of DeKalb County through his unwavering leadership, mentorship, and guidance; and

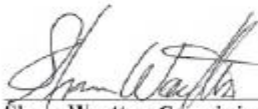




**Whereas, James Anthony Clifton provided** invaluable leadership to the DeKalb County Emergency Management Agency, embodying the highest standards of professionalism and service to ensure the safety and wellbeing of all residents; and

**Whereas, the contributions of James Anthony Clifton have had a lasting and positive** impact on the DeKalb County Commission, the management and staff of the DeKalb County Emergency Management Agency, and countless others throughout the nation which has fostered a culture of preparedness, resilience, and collaboration in times of crisis.

**Now, therefore, be it resolved, the DeKalb County Commission does hereby** commemorate and celebrates the honor and integrity of James Anthony Clifton by renaming the DeKalb County Emergency Operations Center to the “James Anthony Clifton Emergency Operations Coordination Center” in recognition of his exceptional service, leadership, and dedication to DeKalb County;

**This done by unanimous consent and without objection by the DeKalb County Commission and ordered signed by the President and Commissioners.**

Adopted this 11<sup>th</sup> day of June, 2024

 Shane Wootten, Commissioner District I	 Ricky Harcrow, President	 Terry Harris, Commissioner, District II
 Ron Saferite, Commissioner, District III		 Lester Black, Commissioner, District IV



**Resolutions**—County Administrator Matt Sharp addressed the Commission presenting five ARPA Project Resolutions. The Resolutions are as follows:

<b>COMMISSION MEMBERS</b> SHANE WOOTTEN DISTRICT I  TERRY HARRIS DISTRICT II	<b>THE DeKALB COUNTY COMMISSION</b> <b>RICKY HARCROW, PRESIDENT</b>  MATT G. SHARP, ADMINISTRATOR SUITE 200 111 GRAND AVE. S.W. FORT PAYNE, AL 38967 256-845-8500 PHONE 256-845-8502 FAX	<b>COMMISSION MEMBERS</b> RON SAFERITE DISTRICT III  LESTER BLACK DISTRICT IV
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**RESOLUTION No. 24-0611-01  
TO AUTHORIZE THE ALLOCATION OF AMERICAN RESCUE PLAN ACT FUNDS  
FOR ELIGIBLE WATER INFRASTRUCTURE PROJECT  
CROSSVILLE WATER – REPLACEMENT OF 6" CAST IRON WATER LINE UNDER  
AL HWY 68 FROM JUSTICE STREET TO HALL STREET AND CONNECTION OF  
EXISTING LINES AT MILL CREEK ROAD & GEORGE STREET  
AMENDS RESOLUTION No 22-0809-03**

**WHEREAS**, DeKalb County, Alabama (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 ARPA infrastructure projects"); 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 municipalities, water and sewer authorities, and other public third-party providers ("third-party providers") in order to make these necessary investments; and

**WHEREAS**, the County has identified, with assistance from an independent consultant, an eligible ARPA infrastructure project to serve the County's citizens; and

**WHEREAS**, the County desires to enter into an agreement with the Crossville Waterworks Board (CWB), a public utility, to carry out the ARPA infrastructure project for a public purpose;

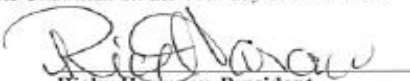
**WHEREAS**, the County has determined that the project is a necessary, eligible, and reasonable use of these funds; and



**WHEREAS**, the County will conduct a satisfactory risk assessment of the CWB and develop a monitoring plan for the ARPA infrastructure project.

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

- 1) The President of the DeKalb County Commission shall assign a Project Monitor to ensure compliance with federal guidance, the ARPA award, consistent with the County's implementation plan.
- 2) The County hereby conditionally allocates up to \$400,000 (increase of \$100,000) of its ARPA funds to cover part or all of the construction costs associated with an infrastructure project to replace the 6" cast iron line under Alabama Hwy 68 which was installed in 1946. The project will include 700lf of 8" PVC; 660lf of 6" PVC; and 180lf of 4" PVC. It will also include boring and casing 440lf of 12" and 10" steel casing.
- 3) This allocation is conditioned upon meeting federal requirements as set forth in paragraph 4 and further review of cost estimates of the project.
- 4) Following the successful completion of a risk assessment and development of a monitoring plan, the County is hereby directed to negotiate with the CWB to establish a subaward agreement consistent with this resolution and the terms and conditions of the County's ARPA Award.
- 5) ARPA funds will not be obligated or expended for an eligible water or sewer infrastructure project prior to the Commission's adoption of a resolution authorizing the terms and conditions of the subaward.

**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 11th day of June 2024

  
Ricky Harcrow, President  
DeKalb County Commission

  
ATTESTED BY:  
  
Matt G. Sharp County Administrator

**THE DeKALB COUNTY  
COMMISSION**

**COMMISSION MEMBERS**

**SHANE WOOTTEN  
DISTRICT I**

**TERRY HARRIS  
DISTRICT II**

**RICKY HARCROW, PRESIDENT**

**MATT G. SHARP, ADMINISTRATOR  
SUITE 200  
111 GRAND AVE. S.W.  
FORT PAYNE, AL 35967  
256-845-8500 PHONE  
256-845-8502 FAX**

**COMMISSION MEMBERS**

**RON SAFERITE  
DISTRICT III**

**LESTER BLACK  
DISTRICT IV**

**RESOLUTION No. 24-0611-02  
TO AUTHORIZE THE ALLOCATION OF AMERICAN RESCUE PLAN ACT FUNDS  
FOR ELIGIBLE WATER INFRASTRUCTURE PROJECT  
DeKALB-JACKSON WATER AUTHORITY – Tennessee River Contact Clarifier**

**WHEREAS**, DeKalb County, Alabama, (the "County") has received American Rescue Plan Act State and Local Fiscal Recovery Funds ("ARPA funds"); and

**WHEREAS**, the DeKalb County Commission (the "Commission") is charged with ensuring that these funds are expended in accordance with state and federal law; and

**WHEREAS**, in accordance with the provisions of the final rule published by the United States Department of Treasury dated January 6, 2022, the County has duly elected to designate a standard allowance of up to \$10,000,000 of its ARPA funds, not to exceed the County's total ARPA funds award, as revenue replacement ("ARPA revenue replacement funds"); and

**WHEREAS**, the County may use ARPA revenue replacement funds to facilitate the provision of government services and may use ARPA funds for necessary investments in water and sewer infrastructure; and

**WHEREAS**, the DeKalb-Jackson Water District (the "District") is duly formed in accordance with the provisions Chapter 89 of Subtitle 3 of Title 11 of the Code of Alabama 1975; and

**WHEREAS**, Section 11-89-13 authorizes the County to provide funds to the District for the purpose of providing aid to the District in the construction and operation of water systems; and


**WHEREAS**, the District has applied to the Commission to receive ARPA funds to assist with a project to improve the pretreatment process at the existing Water Treatment Plan located on the Tennessee River; and

**WHEREAS**, the Commission has determined that providing funding to the District for these improvements is a reasonable, necessary, and eligible expenditure of ARPA revenue replacement funds and that providing this funding will serve a public purpose by ensuring the consistent availability and efficient delivery of clean, safe water to County residents.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION AS FOLLOWS:**

- 1) The County hereby allocates up to \$200,000 of its ARPA revenue replacement funds to be used toward the cost of the water infrastructure project described herein (the "project").
- 2) Distribution of these funds is conditioned upon the execution of a funding agreement between the District and the County setting forth the terms and conditions of the distribution and expenditure of these funds.
- 3) The President of the Commission is hereby authorized to execute such an agreement with the District on behalf of the Commission in a form substantially consistent with Attachment A to this Resolution. Thereafter, funds allocated in this Resolution may be distributed to the District in accordance with the terms of this Resolution and the executed agreement.
- 4) ARPA revenue replacement funds provided to the District pursuant to this resolution shall not be expended for the following:
  - a) To make deposits into a pension fund;
  - b) To service debt or replenish rainy day funds;
  - c) To satisfy settlements and judgments; or
  - d) To fund programs, services, or capital expenditures that undermine efforts to stop the spread of COVID-19.
- 5) Distribution of the funds, as authorized by this Resolution, shall be contingent on the continued appropriation and availability of ARPA funds for the purposes described herein and in no event shall be used for any costs associated with the infrastructure projects described herein 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 June 2024.

  
\_\_\_\_\_  
Ricky Harcrow, President  
DeKalb County Commission

ATTESTED BY:

  
\_\_\_\_\_  
Matt G. Sharp,  
County Administrator

**THE DeKALB COUNTY  
COMMISSION**

**COMMISSION MEMBERS**

**SHANE WOOTTEN  
DISTRICT I**

**TERRY HARRIS  
DISTRICT II**

**RICKY HARCROW, PRESIDENT**

**MATT G. SHARP, ADMINISTRATOR  
SUITE 200  
111 GRAND AVE. S.W.  
FORT PAYNE, AL. 35967  
256-845-8500 PHONE  
256-845-8502 FAX**

**COMMISSION MEMBERS**

**RON SAFERITE  
DISTRICT III**

**LESTER BLACK  
DISTRICT IV**

**RESOLUTION No. 24-0611-03  
FOR THE EXPENDITURE OF AMERICAN RESCUE PLAN ACT REVENUE  
REPLACEMENT FUNDS FOR GOVERNMENT SERVICES  
CR 147/Dogwood Drive Project – District 1**

**WHEREAS**, DeKalb County, Alabama, (the "County") has received an award of Coronavirus State and Local Fiscal Recovery Funds under the American Rescue Plan Act from the U.S. Department of the Treasury ("Treasury"), \$10,000,000 of which have been duly designated as revenue replacement funds ("ARPA revenue replacement funds") in accordance with the final rule issued by Treasury on January 6, 2022 (the "final rule"); and

**WHEREAS**, the DeKalb County Commission (the "Commission") is charged with ensuring the expenditure of the County's ARPA revenue replacement funds in accordance with state and federal law; and

**WHEREAS**, ARPA revenue replacement funds may be used for the purpose of providing government services, including costs that the County typically bears to provide these services to its citizenry; and

**WHEREAS**, these costs include the cost of constructing and maintaining County roads and bridges ("public roadways"); and

**WHEREAS**, in accordance with the provisions of the final rule and related guidance issued by Treasury, the County may use ARPA revenue replacement funds for pay-go funded road construction and maintenance; and

**WHEREAS**, the Commission desires to conditionally allocate a portion of the County's ARPA revenue replacement funds for use to cover a portion of the reasonable and necessary cost of construction and maintenance of its public roadways to ensure that they are maintained in a safe and operable condition.

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

1. The Commission hereby conditionally allocates up to \$250,000 of the County's ARPA revenue replacement funds for resurfacing and associated road construction costs to resurface CR 147 and Dogwood Drive in or near the Town of Ider.

2. Expenditure of these funds shall be conditioned upon compliance with state laws and guidelines related to the procurement of goods and services, including compliance the Public Works Law, codified as Title 39 of the Code of Alabama 1975 and the Competitive Bid Law, codified as §§ 41-16-50, *et seq.*, Code of Alabama 1975, as applicable, and any applicable federal law governing the expenditure ARPA revenue replacement funds.


3. Notwithstanding any other provision of this Resolution to the contrary, ARPA revenue replacement funds allocated by this Resolution shall not be used for the following purposes:

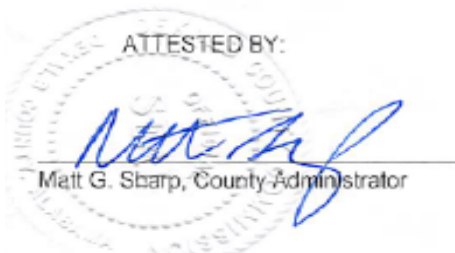
- a) To make deposits into a pension fund;
- b) To service debt or replenish rainy day funds;
- c) To satisfy settlements and judgments; or
- d) To fund programs, services, or capital expenditures that undermine efforts to stop the spread of COVID-19.

4. Expenditure of ARPA revenue replacement funds, as authorized by this Resolution, shall be contingent on the continued appropriation and availability of ARPA revenue replacement funds for this purpose and in no event shall be used for expenditures not obligated by December 31, 2024, and expended by 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 11<sup>th</sup> day of June 2024

  
\_\_\_\_\_  
The Honorable Ricky Harcrow  
President, DeKalb County Commission

ATTESTED BY:  
  
\_\_\_\_\_  
Matt G. Sharp, County Administrator





**THE DeKALB COUNTY  
COMMISSION**

**COMMISSION MEMBERS**

**SHANE WOOTTEN  
DISTRICT I**

**TERRY HARRIS  
DISTRICT II**

**RICKY HARCROW, PRESIDENT**

**MATT G. SHARP, ADMINISTRATOR  
SUITE 200  
111 GRAND AVE. S.W.  
FORT PAYNE, AL. 35967  
256-845-8500 PHONE  
256-845-8502 FAX**

**COMMISSION MEMBERS**

**RON SAFERITE  
DISTRICT III**

**LESTER BLACK  
DISTRICT IV**

**RESOLUTION No. 24-0611-04  
FOR THE EXPENDITURE OF AMERICAN RESCUE PLAN ACT REVENUE  
REPLACEMENT FUNDS FOR GOVERNMENT SERVICES  
TOWER (LITTLE) PROJECT**

**WHEREAS**, DeKalb County, Alabama, (the "County") has received an award of Coronavirus State and Local Fiscal Recovery Funds under the American Rescue Plan Act from the U.S. Department of the Treasury ("Treasury"), \$10,000,000 of which have been duly designated as revenue replacement funds ("ARPA revenue replacement funds") in accordance with the final rule issued by Treasury on January 6, 2022 (the "final rule"); and

**WHEREAS**, the DeKalb County Commission (the "Commission") is charged with ensuring the expenditure of the County's ARPA revenue replacement funds in accordance with state and federal law; and

**WHEREAS**, ARPA revenue replacement funds may be used for the purpose of providing government services, including costs that the County typically bears to provide these services to its citizenry; and

**WHEREAS**, these costs include the cost of constructing and maintaining an emergency radio response system for the County public safety departments as adopted by Resolution No. 22-0308-01; and

**WHEREAS**, the Commission has determined that the acquisition and/or installation of software and equipment for a P25 communication system would include a Tower; and

**WHEREAS**, the Commission has determined that using ARPA funds for this purpose is necessary, eligible and a reasonable use of these funds.

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

1. The Commission hereby conditionally allocates up to \$200,000 of the County's ARPA revenue replacement funds for the acquisition and or installation of a Tower on the Little Property.

2. Expenditure of these funds shall be conditioned upon compliance with state laws and guidelines related to the procurement of goods and services, including compliance the Public Works Law, codified as Title 39 of the Code of Alabama 1975 and the Competitive Bid Law, codified as §§ 41-16-50, *et seq.*, Code


of Alabama 1975, as applicable, and any applicable federal law governing the expenditure ARPA revenue replacement funds.

3. Notwithstanding any other provision of this Resolution to the contrary, ARPA revenue replacement funds allocated by this Resolution shall not be used for the following purposes:

- a) To make deposits into a pension fund;
- b) To service debt or replenish rainy day funds;
- c) To satisfy settlements and judgments; or
- d) To fund programs, services, or capital expenditures that undermine efforts to stop the spread of COVID-19.

4. Expenditure of ARPA revenue replacement funds, as authorized by this Resolution, shall be contingent on the continued appropriation and availability of ARPA revenue replacement funds for this purpose and in no event shall be used for expenditures not obligated by December 31, 2024, and expended by 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 11<sup>th</sup> day of June 2024

  
\_\_\_\_\_  
The Honorable Ricky Harcrow  
President, DeKalb County Commission

ATTESTED BY:  
  
\_\_\_\_\_  
Matt G. Sharp, County Administrator



**THE DeKALB COUNTY  
COMMISSION  
RICKY HARCROW, PRESIDENT**

**COMMISSION MEMBERS**

**SHANE WOOTTEN  
DISTRICT I**

**TERRY HARRIS  
DISTRICT II**

**MATT G. SHARP, ADMINISTRATOR  
SUITE 200  
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256-845-8500 PHONE  
256-845-8502 FAX**

**COMMISSION MEMBERS**

**RON SAFERITE  
DISTRICT III**

**LESTER BLACK  
DISTRICT IV**

**RESOLUTION No. 24-0611-05  
FOR THE EXPENDITURE OF AMERICAN RESCUE PLAN ACT REVENUE  
REPLACEMENT FUNDS FOR GOVERNMENT SERVICES  
PIPELINER PROJECT – DISTRICT 1 & 2**

**WHEREAS**, DeKalb County, Alabama, (the "County") has received an award of Coronavirus State and Local Fiscal Recovery Funds under the American Rescue Plan Act from the U.S. Department of the Treasury ("Treasury"), \$10,000,000 of which have been duly designated as revenue replacement funds ("ARPA revenue replacement funds") in accordance with the final rule issued by Treasury on January 6, 2022 (the "final rule"); and

**WHEREAS**, the DeKalb County Commission (the "Commission") is charged with ensuring the expenditure of the County's ARPA revenue replacement funds in accordance with state and federal law; and

**WHEREAS**, ARPA revenue replacement funds may be used for the purpose of providing government services, including costs that the County typically bears to provide these services to its citizenry; and

**WHEREAS**, these costs include the cost of constructing and maintaining County roads and bridges ("public roadways"); and

**WHEREAS**, in accordance with the provisions of the final rule and related guidance issued by Treasury, the County may use ARPA revenue replacement funds for pay-go funded road construction and maintenance; and

**WHEREAS**, the Commission desires to conditionally allocate a portion of the County's ARPA revenue replacement funds for use to cover a portion of the reasonable and necessary cost of construction and maintenance of its public roadways to ensure that they are maintained in a safe and operable condition.

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

1. The Commission hereby conditionally allocates up to \$200,000 of the County's ARPA revenue replacement funds as match for pipeliner projects.
2. Expenditure of these funds shall be conditioned upon compliance with state laws and guidelines related to the procurement of goods and services, including compliance the Public Works Law, codified as Title 39 of the Code of Alabama 1975 and the Competitive Bid Law, codified as §§ 41-16-50, *et seq.*, Code of Alabama 1975, as applicable, and any applicable federal law governing the expenditure ARPA revenue replacement funds.
3. Notwithstanding any other provision of this Resolution to the contrary, ARPA revenue replacement funds allocated by this Resolution shall not be used for the following purposes:
  - a) To make deposits into a pension fund;
  - b) To service debt or replenish rainy day funds;
  - c) To satisfy settlements and judgments; or
  - d) To fund programs, services, or capital expenditures that undermine efforts to stop the spread of COVID-19.
4. Expenditure of ARPA revenue replacement funds, as authorized by this Resolution, shall be contingent on the continued appropriation and availability of ARPA revenue replacement funds for this purpose and in no event shall be used for expenditures not obligated by December 31, 2024, and expended by 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 11<sup>th</sup> day of June 2024

  
\_\_\_\_\_  
The Honorable Ricky Harcrow  
President, DeKalb County Commission

ATTESTED BY:  
  
\_\_\_\_\_  
Matt G. Sharp, County Administrator

Mr. Wootten notified the audience that the next meeting will be on July 9, 2024 and asked for a motion to adjourn.

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

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ABSENT

Ricky Harcrow, President

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Shane Wootten, President ProTem

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Terry Harris, Commissioner District II

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Ron Saferite, Commissioner District III

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Lester Black, Commissioner District IV