

The DeKalb County Commission met in regular session on Tuesday July 9, 2024 at 10:00 a.m. in the DeKalb County Activities Building (Courthouse Annex). Those present were President Harcrow, Shane Wootten, Terry Harris, Ron Saferite, and Lester Black.

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

It was moved by Mr. Wootten 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.

Road Department

Update—Mr. Young gave a brief update stating Paving Contractor, Charles Watts has completed several roads in all districts and will hopefully have all roads completed by the end of the month. The District 2 crew is working to replace steel and decking on a bridge on CR 432. Crews are also continuing routine road maintenance in all districts.

Personnel—Mr. Young requested permission to hire Derrick Kyle May to replace Heath Anderson (Yard Crew).

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

Engineer

Award CR 102 - CR147 – Town of Ider Resurfacing Bids—Mr. Luther addressed the Commission stating that bids were opened on June 20, 2024 for widening and resurfacing **CR 102** from CR47 to SR75 in Sylvania (Project# RA-DCP-D25-01-2024). Two bids were presented from Rogers Group for \$1,092,600.00 and Wiregrass Construction for \$1,187,719.87. Mr. Luther made the recommendation to award the bid to Rogers Group, Inc.

Mr. Luther also presented a bid proposal opened on July 8, 2024 for Resurfacing on **CR147** from CR141 to CR 732 and also **Dogwood Drive** in the Town of Ider. (Project # ST-025-888-023). He made the recommendation to award the project to Rogers Group who had the lowest bid of \$523,700. (One other bid was received from Wiregrass Construction for \$617,809.90). The Town of Ider will be assisting with funds for this project.

Mr. Wootten made a motion to accept County Engineer Ben Luther's recommendation of both projects. Mr. Black seconded the motion. All members voting affirmatively, motion carried (including the adoption of a required resolution to utilize unused D4 ARPA water project funding for the CR 102 Project):

**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
256-845-8900 PHONE
256-845-8902 FAX

COMMISSION MEMBERS

BON SAFERITE
DISTRICT III

LESTER BLACK
DISTRICT IV

**RESOLUTION No. 24-0709-02
FOR THE EXPENDITURE OF AMERICAN RESCUE PLAN ACT REVENUE
REPLACEMENT FUNDS FOR GOVERNMENT SERVICES
CR 102 Project – District 4**

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 \$362,770 of the County's ARPA revenue replacement funds for resurfacing and associated road construction costs to resurface CR 102 from CR 47 to Hwy 75 near Sylvania in District 4.
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 5th day of July 2024


The Honorable Ricky Harcrow
President, DeKalb County Commission

ATTESTED BY:


Matt G. Sharp, County Administrator

Liquid Calcium Chloride Annual Bid Award—Mr. Luther presented bid tabs opened on June 27, 2024 for the County’s Liquid Calcium Chloride Annual Bid and made the recommendation to award the bid to SE Road Treatment. No other bids were received. (Engineer maintains record of these bid files).

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

Sign Truck Bid Award—Mr. Luther presented bid tabs opened July 8th for one (1) 2024 Chevy Silverado 2500HD 4WD Double Cab 162” Work Truck with 8’ Royal 98XP Service Body w/Ladder Rack (or equivalent) Sign Truck for the Road Department. He made the recommendation to award the bid for the Sign Truck to Donohoo Chevrolet who presented the only bid at a cost of \$62,264.50.

Traffic Striping Bid Award—Mr. Luther presented a proposal from J.C. Cheek Contractors for Solid Yellow Class 1 Type A Traffic Stripe (double-line striping) at various locations for a total of 44.6 miles at a cost of \$28,990 (\$650/mile).

Mr. Harris made a motion to accept the recommendations for awarding the new Sign Truck to Donohoo Chevrolet and the Traffic Stripe to J.C. Cheek Contractors. Mr. Wootten seconded the motion. All members voting affirmatively, motion carried.

Road Vacation—CR 484—Mr. Luther presented a request to adopt a Resolution to vacate the dead-end portion of CR 484 as petitioned by Mr. Wayne Hill, the sole owner of surrounding property. The floor was opened for public comments. There were none.

Mr. Saferite made a motion to honor the request. Mr. Black seconded the motion. All members voting affirmatively, motion carried to pass the following Resolution:

RESOLUTION NO. 24-0709-01
VACATION OF DEAD-END PORTION OF
COUNTY ROAD NO. 484

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 July 9, 2024, and caused notice of such hearing to be published in *The Mountain Valley News* for four consecutive weeks, beginning June 6 and running through June 27, 2024; and

WHEREAS, the DeKalb County Commission has received no written objection and heard no verbal objection at the hearing hereon to the vacation of the dead-end portion of County Road 484 as described below; and

WHEREAS, Commissioner Saferite of District III, made a motion before this Commission to approve the vacation of this portion of the road;

THEREFORE, BE IT RESOLVED, by the DeKalb County Commission that the dead-end portion of County Road No. 484, more particularly described below, be, and hereby is, vacated;

All of the dead-end portion of County Road 484 as follows: Commencing at the intersection of the southeasterly right-of-way of County Road 484 (60 foot ROW) and the R7E/R8E line of the USGS Public Land Survey System; thence perpendicular to the centerline of County Road 484 for a point of beginning; thence southwesterly along the centerline of the roadway for approximately 700 feet to the dead end. Said property lying in Section 24, Township 8 South, Range 7 East, located in the Portersville area.


BE IT FURTHER RESOLVED, by the DeKalb County Commission that the name of the owners of the abutting properties who have petitioned vacation of said road is Wayne Hill and there are no other lots or parcels of land which will be cut off from access by the vacation sought; and

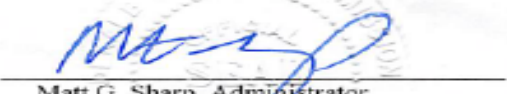
IT IS FURTHER RESOLVED, by the DeKalb County Commission that it is in the interest of the public that the above-described portion of the public road be vacated; and

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 9th day of July 2024

ATTEST:


Ricky Harcrow, President


Matt G. Sharp, Administrator

Challenger Learning Center—President Harcrow welcomed Ms. Martha Lavender who addressed the commission requesting support for their program (named after the Space Shuttle “Challenger”) that reaches out to students in 5th – 8th grades enabling them to come to the learning center for a day to learn about space missions. Their goal is this would be at no cost to students and schools would be responsible for the cost of transporting the students. They did request the County Commission as well as private organizations to pledge funding for this project.

Sheriff’s Office Personnel

Sheriff Welden requested the Commission approve the following personnel matters:

- Accept the resignation of Sgt Zach Priest.
- Promote Deputy Stephen Berry to Sgt to replace Mr. Priest.
- Rehire Deputy Tyler Pruitt to replace Deputy Stephen Berry’s position.
- Rehire Chasity (Goza) Jacobs for a PT Courthouse Security position (note: PT CH Security Officer Clay Fugatt is reducing his hours).

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

Sheriff Welden also made the request to transfer Lt. Wesley Greeson from SRO at Geraldine to SRO at the Tech School in Rainsville and to transfer Deputy Nick Hester from patrol to FT SRO at Geraldine to replace Lt. Wesley Greeson.

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

Jail

Personnel—Chief Wright requested the Commission approve the termination of Brian Freeman effective 07/08/2024, and approval to hire Kyle Gainey to fill that position.

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

Free Income Tax Assistance—President Harcrow introduced Ms. Traci Pondick who was in attendance along with COA Director Emily McCamy. Ms. Pondick gave a brief overview of the free Federal Income Tax Assistance Program that is offered at the Senior Center each year stating their target audience is low income and senior citizens, but is free to anyone. The program has saved seniors thousands of dollars since its inception 3 years ago.

Revenue Commission--Personnel—Mr. Wilks requested the Commission’s approval to hire Lexi Jackson retroactive to July 1, 2024 (replaces Bekka Atkins position) and Gladys Causey to the open spot replacing Gloria Aguilar. He also requested permission to promote Courtney Cameron to replace Bekka Atkins’ position as Rainsville Supervisor.

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

President Harcrow addressed the audience declaring July 11th as “**Jack Ivey Day**” in DeKalb County, stating Mr. Ivey was a life long resident of DeKalb County and passed on June 11th, just weeks before celebrating his 100th birthday.

President Harcrow notified the audience that the next meeting will be on August 13, 2024 and asked for a motion to adjourn.

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

Ricky Harcrow, President

Shane Wootten, Commissioner District I

Terry Harris, Commissioner District II

Ron Saferite, Commissioner District III

Lester Black, Commissioner District IV