

The DeKalb County Commission met in rescheduled session on Wednesday, October 9, 2013 at 10:00 a.m. in the DeKalb County Activities Building (Courthouse Annex). Those present were Ricky Harcrow, President, Shane Wootten, Derek Caldwell, Chris Kuykendall and Dewitt Jackson. Those absent were none.

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

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It was moved by Mr. Caldwell, seconded by Mr. Jackson, 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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Mr. Broyles gave a brief maintenance update of the CDBG Tornado Projects (CR 739, CR 714) and the ATRIP CR 328 Bridge Project.

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Mr. Broyles and Mr. Luther requested the Commission reject the bid for the 2014 International Truck from Southland International (\$58,950) that was tabled from the previous meeting.

It was moved by Mr. Wootten, seconded by Mr. Caldwell, all members voting affirmatively, motion carrying to reject the bid from Southland International from the September 24, 2013 meeting.

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Mr. Broyles and Mr. Luther recommended the purchase of a used 2006 Freightliner Truck from CP Truck Sales in the amount of \$14,800 instead of the new truck.

It was moved by Mr. Jackson, seconded by Mr. Kuykendall, all members voting affirmatively, motion carrying to purchase the 2006 Freightliner from CP Truck Sales.

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Mr. Broyles also requested the purchase of a used fuel truck in the amount of \$8,000 - \$9,000.

It moved by Mr. Kuykendall, seconded by Mr. Wootten, all members voting affirmatively, motion carrying to authorize the purchase of a \$8,000 - \$9,000 used fuel truck.

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Mr. Luther requested that he be authorized to attend the CEGI and Legislative Conferences this year.

It was moved by Mr. Wootten, seconded by Mr. Caldwell, all members voting affirmatively, motion carrying to authorize training for the Engineer's Office.

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Mr. Luther requested on behalf of Christie Hardin to vacate platted ROW on her property adjacent to Camp Comer. There is another ROW access to Camp Comer and Ms. Hardin who is a member of the Camp Comer Boy Scouts Executive Committee has indicated that another access has been made available to Camp Comer.

It was moved by Mr. Wootten, seconded by Mr. Kuykendall, all members voting affirmatively, motion carrying to begin the process for vacating the ROW plats for said property.

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Mr. Luther gave an update of the ATRIP Program. There will be \$13 million in ATRIP funds allocated to DeKalb County (to be matched/leveraged by \$3.25 million in local funds). Four of the projects are for two bridges and two roads for the City of Fort Payne and Rainsville in the amount of approximately \$1,870,000 (local funding provided by the municipality). The County projects are as follows:

Project	ATRIP FUNDS	District
CR 328 (Bridge)	\$ 403,715.34	(District 2)
CR 27 (CR 121 – Jackson County Line)	\$ 1,380,000.00	(District 4)
CR 85 (US 11 – CR 40)	\$ 982,400.00	(District 4)
CR 127 (CR 271 – CR 89)	\$ 434,400.00	(District 3)
CR 479 (Etowah County Line – Hwy 168)	\$ 848,000.00	(District 2)
CR 44 (CR 50 – CR 835)	\$ 560,000.00	(District 4)
CR 50 (CR 56 – CR 44)	\$ 340,000.00	(District 4)
CR 138 (Hwy 75 – Hwy 117)	\$ 698,443.00	(District 1)
CR 155 (Hwy 75 – Georgia State Line)	\$ 1,378,882.00	(District 1)
CR 169 (Hwy 75 – Georgia State Line)	\$ 656,609.00	(District 1)
CR 43 (CR 400 – CR 56)	\$ 1,292,889.00	(District 2)
CR 51 (CR 30 – US 11)	\$ 1,759,887.00	(District 3)
CR 81 (CR 130 – Hwy 176)	\$ 238,858.00	(District 3)
CR 83 (CR 55 – Hwy 176)	\$ 144,285.00	(District 3)
Total ATRIP	\$11,118,368.34 (approximate)	
Local Match	2,804,592.09 (approximate)	

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Mr. Sharp gave the Commission one damage claim from Sunny Stevenson of CR 62 in Collinsville. He claims that a bush hog threw a stone that broke a window in his bedroom. The claim was for approximately \$150.00.

It was moved by Mr. Wootten, seconded by Mr. Kuykendall, all members voting affirmatively, motion carrying to send the damage claim to Meadowbrook ASI for final disposition.

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Mr. Sharp requested on behalf of the Sheriff's Office to hire Keisha Powell to fill the vacancy left by Tiffany Graham (who was promoted).

It was moved by Mr. Wootten, seconded by Mr. Caldwell, all members voting affirmatively, motion carrying to hire Keisha Powell to replace Tiffany Graham's vacant position (G5/1).

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Mr. Sharp requested authorization to submit bids for the inmate food bid to be opened November 19.

It was moved by Mr. Caldwell, seconded by Mr. Jackson, all members voting affirmatively, motion carrying to request bids for Jail food.

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Mr. Mauney addressed the Commission concerning donated work of Attorney's in the County and requested them to Proclaim October 20-26 as Pro-Bono Legal Work Week.

It was moved by Mr. Kuykendall, seconded by Mr. Jackson, all members voting affirmatively, motion carrying to adopt the following proclamation for Pro-Bono Week:

Office of the County Commission

DeKalb County, Alabama

DEKALB COUNTY

PROCLAMATION

WHEREAS, last year one in every four of the 821,268 Alabamians living in poverty experienced legal problems, with the majority of these civil problems being consumer issues (creditor harassment, utility non-payment, bankruptcy issues), health issues (Medicaid, government insurance, nursing home), family law issues (divorce, child support/custody, abuse), employment issues (unemployment benefits, pension, lost job), and housing issues (unsatisfactory repairs, foreclosure, eviction, poor living conditions); and

WHEREAS, 19.8% of the citizens in DeKalb County live in poverty; and

WHEREAS each year the low-income citizens of DeKalb County lack access to legal assistance for their legal problems that are often critical to their safety and independence, forcing them to resolve complex legal problems on their own; and

WHEREAS, the need for legal aid in Alabama is dire, since unlike in the criminal defense system, funding for low-income Alabamians who need civil legal assistance has not yet been met, with the consequences being a lack of access to justice which is devastating for the poor and which weakens our democratic society as a whole; and

WHEREAS, there are fewer than 60 paid legal aid lawyers to serve the more than 422,119 low-income households in the State of Alabama; and

WHEREAS, although 37% of the members of the DeKalb County legal community donated their time and talents in free legal services each year, a huge unmet need for legal assistance remains for the disadvantaged in our area; and

WHEREAS, the State of Alabama continues to be impacted by the lingering national recession and high unemployment, resulting in significant budget cuts to numerous State programs and services, such indigent defense, and State agencies such as the judicial system; and

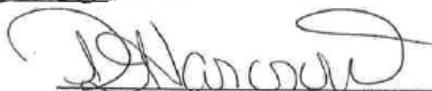
WHEREAS, as a result of these events and the continuing needs of Alabama's residents, the demand for pro bono services by members of the Alabama State Bar has never been greater; and

WHEREAS, sponsored by the Alabama State Bar and its Pro Bono Celebration Task Force, with support from local bar associations statewide, Pro Bono Week 2013, from October 20<sup>th</sup> to 26<sup>th</sup>, 2013, will educate the public about the extensive work Alabama lawyers are doing donating their time to improve the lives of vulnerable members of our community, and will encourage more individuals in the legal community to get involved in pro bono work and financially support the legal aid system; and

WHEREAS, Pro Bono Week 2013 will feature legal aid clinics throughout the State, assisting Alabamians who greatly need legal assistance but cannot afford to pay for that help, and will also feature service projects throughout the State of Alabama helping lawyers and law students make volunteer connections with legal aid organizations serving Alabamians:

NOW, THEREFORE, DEKALB COUNTY, does hereby proclaim October 20-26, 2013 to be PRO BONO WEEK, and urge all DeKalb County residents to recognize the contributions of our legal community helping those most in need.

DATED this the 9<sup>th</sup> day of October, 2013.



RICKY HARCROW, CHAIRMAN

Mr. Sharp discussed the 2013 ATRIP Bond Issue and requested the Commission to adopt a Purchase Contract Resolution with Merchant Capital in order to give Mr. Harcrow the authority to proceed with the issuance of the debt issue for the ATRIP Program.

It was moved by Mr. Kuykendall, seconded by Mr. Caldwell, all members voting affirmatively, motion carrying to adopt the following Purchase Contract Resolution:

SHANE WOOTTEN  
DISTRICT I  
  
DEREK CALDWELL  
DISTRICT II

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

CHRIS KUYKENDALL  
DISTRICT III  
  
DEWITT JACKSON  
DISTRICT IV

**BE IT RESOLVED** by the County Commission (the "Commission") of DeKalb County (the "County") as follows:

**Section 1. Findings.** The Commission has ascertained and does hereby find and declare as follows:

(a) In order to (1) acquire and construct certain capital improvements to the roads and highways located within the County and (2) pay issuance expenses, it is necessary, desirable and in the best public and financial interest of the County to issue its General Obligation Warrants, Series 2013, dated October 1, 2013 (the "Series 2013 Warrants") in the approximate principal amount \$3,105,000.

(b) It will be necessary for the County to enter into a Warrant Purchase Contract (the "Purchase Contract") with Merchant Capital, L.L.C. (the "Underwriter") respecting the sale of the Series 2013 Warrants prior to the date on which the issuance and delivery of the Series 2013 Warrants will be approved by the Commission.

**Section 2. Authorization to Sell Series 2013 Warrants.** The Commission hereby authorizes the Underwriter to distribute the Preliminary Official Statement and to sell the Series 2013 Warrants when, in their discretion, market conditions are favorable. All prior action heretofore taken by the Commission and the Underwriter with respect to any matters herein referred to is hereby ratified, adopted, authorized and confirmed.

**Section 3. Authorization and Execution of Purchase Contract.** The Commission hereby directs the President to execute a Purchase Contract between the County and the Underwriter with respect to the sale of the Series 2013 Warrants. The final form of the Purchase Contract shall be subject to ratification and approval by the Commission following its execution by said President at such time as the Commission adopts a resolution authorizing the issuance, sale and delivery of the Series 2013 Warrants.

Passed and adopted this 9<sup>th</sup> day of October, 2013.

COUNTY SEAL

  
Ricky Harcrow, President

Attest:   
Matt G. Sharp, County Administrator

{BH186251.1}

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Mr. Jackson made a motion to reappoint Bill Lanier to another term on the DeKalb County Park Board. Motion was seconded by Mr. Wootten, all members voting affirmatively, motion carrying.

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It was moved by Mr. Jackson, being without objection, so ordered to adjourn.

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Ricky Harcrow, President

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Shane Wootten, Commissioner District I

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Derek Caldwell, Commissioner District II

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Chris Kuykendall, Commissioner District III

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Dewitt Jackson, Commissioner District IV