

The DeKalb County Commission met in regular session on Tuesday, January 14, 2014 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.

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

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It was moved by Mr. Jackson, seconded by Mr. Wootten, 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. Harcrow introduced Dale Fischer with the VFW who spoke about the DeKalb County VFW Memorial Project. There will be a meeting at 11:00 a.m. to discuss it.

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Mr. Broyles gave the following Road Maintenance Update:

- a) Pot Holes: The cold weather has contributed to the number of maintenance problems in the County. Crews are working to patch potholes throughout the County.
  - b) Bushcutting: Crews are also cutting bushes in the districts.
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- c) Auction: Mr. Broyles requested the Commission to send out proposals for the Mack Truck Auction. He said the final 4 of the 16 new trucks were delivered last week.

It was moved by Mr. Caldwell, seconded by Mr. Wootten, all members voting affirmatively, motion carrying to send out bid proposal for the auction of Mack Trucks.

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- d) Personnel: Mr. Broyles requested that Jerry Aaron be hired in the District 3 crew to fill a temporary employee vacancy.

It was moved by Mr. Kuykendall, seconded by Mr. Wootten, all members voting affirmatively, motion carrying to hire Jerry Aaron as a temporary employee in the District 3 crew of the Road Department.

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- e) Concrete Crusher: Mr. Broyles notified the Commission that due to the ADECA road projects and space available on the yard, he felt like they should stop renting the Crusher for the time being.
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Mr. Sharp requested the Commission to retroactively adopt a Resolution authorizing Bancorp South to finance the new Mack Truck Lease. He noted that the cost for the 16 trucks would be approximately \$1.9 million and the interest rate was up slightly from 1.9% to 2.04%.

It was moved by Mr. Caldwell, seconded by Mr. Wootten, all members voting affirmatively, motion carrying to retroactively approve the following resolution for Bancorp South for financing:

## RESOLUTION NO. 14-0114-01

### RESOLUTION AUTHORIZING AND APPROVING EXECUTION OF AN CONTRACT WITH BANCORPSOUTH EQUIPMENT FINANCE, A DIVISION OF BANCORPSOUTH BANK

WHEREAS, County Commission, the Governing Body (the "Governing Body") of Dekalb County, Alabama (the "Buyer"), acting for and on the behalf of the Buyer hereby finds, determines and adjudicates as follows:

1. The Buyer desires to enter into an Contract with the Exhibits attached thereto in substantially the same form as attached hereto as Exhibit "A" (the "Contract") with BancorpSouth Equipment Finance, a division of BancorpSouth Bank ("Seller") for the purpose of presently purchasing the equipment as described therein for the total cost specified therein (collectively the "Equipment").

2. It is in the best interest of the residents served by Buyer that the Buyer acquire the Equipment pursuant to and in accordance with the terms of the Contract; and

3. It is necessary for Buyer to approve and authorize the contract.

4. The Buyer desires to designate the Contract as a qualified tax-exempt obligation of Buyer for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986 (the "Code").

NOW, THEREFORE, BE IT RESOLVED by this Governing Body for and on behalf of the Buyer as follows:

Section 1. The Contract and Exhibits attached thereto in substantially the same form as attached hereto as Exhibit "A" by and between the Seller and the Buyer is hereby approved, and Matt G. Sharp (the "Authorized Officer") is hereby authorized and directed to execute said Contract on behalf of the Buyer.

Section 2. The Delivery Order is being issued in calendar year 2013.

Section 3. Neither any portion of the gross proceeds of the Contract nor the Equipment identified to the Contract shall be used (directly or indirectly) in a trade or business carried on by any person other than a governmental unit, except for such use as a member of the general public.

Section 4. No portion of the rental payments identified in the Contract (a) is secured, directly or indirectly, by property used or to be used in a trade or business carried on by a person other than a governmental unit, except for such use as a member of the general public, or by payments in respect of such property; or (b) is to be derived from payments (whether or not to Buyer) in respect of property or borrowed money used or to be used for a trade or business carried on by any person other than a governmental unit.

Section 5. No portion of the gross proceeds of the Contract are used (directly or indirectly) to make or finance loans to persons other than governmental units.

Section 6. Buyer hereby designates the Contract as a qualified tax-exempt obligation for purposes of Section 265(b) of the Code.

Section 7. In calendar year 2013, Buyer has designated \$ 2,000,000 of tax-exempt obligations (including the Contract) as qualified tax-exempt obligations. Including the Contract herein so designated, Buyer will not designate more than \$10,000,000 of obligations issued during calendar year 2013 as qualified tax-exempt obligations.

Section 8. Buyer reasonably anticipates that the total amount of tax-exempt obligations (other than private activity bonds) to be issued by Buyer during calendar year 2013 will not exceed \$10,000,000.

Section 9. For purposes of this resolution, the amount of tax-exempt obligations stated as either issued or designated as qualified tax-exempt obligations including tax-exempt obligations issued by all entities deriving their issuing authority from Buyer or by an entity subject to substantial control by Buyer as provided in Section 265(b)(3) of the Code.

Section 10. The Authorized Officer is further authorized for and on behalf of the Governing Body and the Buyer to do all things necessary in furtherance of the obligations of the Buyer pursuant to the Contract, including execution and delivery of all other documents necessary or appropriate to carry out the transactions contemplated thereby in accordance with the terms and provisions thereof.

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Mr. Sharp notified the Commission of a damage claim from Ethan Crosley of Fort Payne. His vehicle was allegedly damaged on Old Valley Head road between Vulcraft and Fort Payne High School after hitting a pothole. His total claim is \$547.

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

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Mr. Hill addressed the Commission concerning personnel changes at the Sheriff's Office/Jail as follows:

- a) Asked the Commission to accept the resignation of Bradley Simpson as County Deputy.

It was moved by Mr. Caldwell, seconded by Mr. Jackson, all members voting affirmatively, motion carrying to accept the resignation of Bradley Simpson.

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- b) Mr. Hill asked the Commission to hire Steven Flynn to replace Mr. Simpson as County Deputy at G8/1.

It was moved by Mr. Jackson, seconded by Mr. Wootten, all members voting affirmatively, motion carrying to hire Steven Flynn as a Deputy.

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- c) Mr. Hill asked that Jim Chambers be hired as an SRO to replace Stanley Vinson as PT SRO at Collinsville HS and transfer Mr. Vinson to CH Security to replace Wayne Mayes position.

It was moved by Mr. Kuykendall, seconded by Mr. Caldwell, all members voting affirmatively, motion carrying to hire Jim Chambers as an SRO at G8/1 and to transfer Stanley Vinson from PT SRO to PT CH Security.

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- d) Mr. Hill asked the Commission to accept the resignation of Shawn Blankenship as supervisor in the jail.

It was moved by Mr. Jackson, seconded by Mr. Caldwell, all members voting affirmatively to accept the resignation of Shawn Blankenship.

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- e) Mr. Hill asked that Hunter Akins be hired to replace Mr. Blankenship as Correction Officer at G5/1.

It was moved by Mr. Jackson, seconded by Mr. Wootten, all members voting affirmatively, motion carrying to hire Hunter Akins as Corrections Officer.

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Mr. Clifton asked the Commission to terminate the Code Red Contract and to enter into a contract with Everbridge Communications in the amount of \$24,606 (a savings of \$5,394). Everbridge Communication's has the GSA Contract (# GS-35F-0692P) and Mr. Clifton said it would provide better service than the Code Red Contract.

It was moved by Mr. Jackson, seconded by Mr. Kuykendall, all members voting affirmatively, motion carrying to authorize changeover from Code Red to Everbridge Communication for the mass communication company for Emergency Management.

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Mr. Clifton requested that Bobby Ridgeway be transferred from PT status to FT status in the EMA Office. The position was properly posted.

It was moved by Mr. Wootten, seconded by Mr. Caldwell, all members voting affirmatively, motion carrying to authorize the hiring of Bobby Ridgeway full time in the EMA Office (G8/1).

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Mr. Clifton asked for Siren Maintenance Training for Mr. Ridgeway to be authorized by the Commission in January and February.

It was moved by Mr. Kuykendall, seconded by Mr. Jackson, all members voting affirmatively, motion carrying to authorize training on the sirens.

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Mr. Sharp notified the Commission that COA Director June Brewer had requested that Rita Annette Rowell be reclassified from a hired as the Geraldine Center Manager at G3/1.

It was moved by Mr. Wootten, seconded by Mr. Caldwell, all members voting affirmatively, motion carrying to authorize placing Rita Annette Rowell on payroll as a part-time employee at the Geraldine Nutrition Center (G3/1).

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Mr. Harcrow asked the Commission to pass a resolution authorizing the Severe Weather Preparedness Sales Tax Holiday

It was moved by Mr. Jackson, seconded by Mr. Caldwell, all members voting affirmatively, motion carrying to participate in the Severe Weather Preparedness Sales Tax Holiday as follows:

**RESOLUTION NO. 14-0114-02**  
**RESOLUTION PROVIDING FOR DeKALB COUNTY'S**  
**PARTICIPATION IN THE "SALES TAX HOLIDAY"**  
**AS AUTHORIZED BY ACT NO. 2012-256**

**WHEREAS**, during its 2012 Regular Session, the Alabama Legislature enacted Act No. 2012-256, effective April 26, 2012, which provides an exemption of the state sales and use tax for certain non-commercial purchases related to severe weather preparedness supplies during the first full weekend in July of 2012 and the first full weekend in February of each successive year; and

**WHEREAS**, Act No. 2012-256 authorizes the County Commission to provide for an exemption of county sales and use taxes for purchases of items covered by the Act during the same time period in which the state sales and use tax exemption is in place, provided a resolution to that effect is adopted at least thirty (30) days prior to the last full weekend in February; and

**WHEREAS**, the DeKalb County Commission has affirmatively voted to grant the exemption of county sales and use taxes on purchases covered by Act No. 2012-256 during the last full weekend of February 2014, beginning at 12:01 a.m. on February 21 and ending at twelve midnight on Sunday, February 23, 2014, the last full weekend of February in 2014; and

**WHEREAS**, *Code of Alabama 1975, § 11-51-210(e)* requires that the county commission notify the Alabama Department of Revenue of any new local tax or amendment to an existing local tax levy at least thirty (30) days prior to the effective date of the change; and

**WHEREAS**, the exemption of certain county sales and use taxes for the last full weekend of February 2014 herein adopted by the County Commission is an amendment to the county's sales and use tax levy warranting notice to the Alabama Department of Revenue as provided in *Code of Alabama 1975, § 11-51-210(c)*;

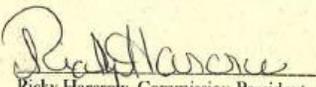
**WHEREFORE BE IT RESOLVED BY THE DeKALB COUNTY COMMISSION** that it does hereby provide for an exemption of the county sales and use tax on purchases of items covered by Act No. 2012-256 beginning at 12:01 a.m. on February 21 and ending at twelve midnight on Sunday, February 23, 2014.

**BE IT FURTHER RESOLVED** that a copy of this resolution be spread upon the minutes of the January 14, 2014, meeting of the DeKalb County Commission, and be immediately forwarded to the Alabama Department of Revenue in compliance with *Code of Alabama 1975, § 11-51-210(e)*.

**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 this the 14<sup>th</sup> day of January 2014.

ATTEST

  
Matt G. Sharp, County Administrator

  
Ricky Harcrow, Commission President

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Mr. Sharp notified the Commission that there was a cash deficit of \$110,000 in the Jail Operating Fund. This is due primarily to a reduction in the amount of federal inmate revenues received during the first quarter of the 2013-14FY. The budget calls for transferring \$30,000/month from the Federal Inmate Fund to the Jail Operating Fund; however, due to a 7<sup>th</sup> payperiod during the quarter and the fact that the Federal Inmate Program is basically breaking even, very little has been transferred from the Federal Inmate Fund to the Jail Operating Fund. He requested a transfer of \$110,000 from surplus General Fund fund balance to offset this cash deficit.

It was moved by Mr. Kuykendall, seconded by Mr. Wootten, all members voting affirmatively, motion carrying to authorize transfer of \$110,000 from the General Fund to the Jail Fund.

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Mr. Sharp requested the Commission to authorize the early renewal of the ACCA Liability Insurance program effective January 1, 2015 – December 31, 2017. This would provide a discount of approximately \$36,000.

It was moved by Mr. Caldwell, seconded by Mr. Kuykendall, all members voting affirmatively, motion carrying to renew the Liability Insurance as follows:

**ACCA Liability Self-Insurance Fund Resolution  
RESOLUTION No. 14-0114-03**

*WHEREAS, DeKalb County is a member of the Association of County Commissions of Alabama Liability Self-Insurance Fund ("Liability Fund") for the contract period ending December 31, 2014; and*

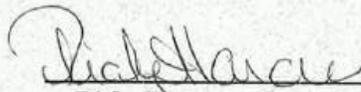
*WHEREAS, the County's participation in the Liability Fund has been a significant benefit to the County since becoming a member; and*

*WHEREAS, the representation and service provided by the Liability Fund continues to be in the best interest of DeKalb County and its officials and employees; and*

*WHEREAS, DeKalb County would benefit by agreeing to extend its participation in the Liability Fund for an additional three-year period beginning January 1, 2015 and concluding December 31, 2017.*

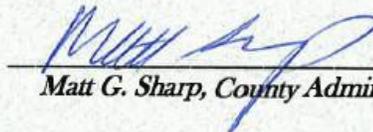
*NOW, THEREFORE, BE IT RESOLVED by the DeKalb County Commission that it renews its participation in the Liability Fund for calendar years 2015 through 2017 and expresses its content to execute a Participation Agreement in similar form to that previously executed.*

*ADOPTED this the 14<sup>th</sup> day of January 2014.*



*Ricky Harcrow, Commission President*

**ATTESTED BY:**



*Matt G. Sharp, County Administrator*

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Mr. Sharp notified the Commission that due to the large participation in the Wellness Program that the county was going to receive a \$24,000 discount and health insurance. He asked the Commission to pass on part of this discount to the approximate 170+/- employees that participated by giving back \$100 to each employee. This would cost approximately \$17,000 leaving the County with about \$7,000. The discount is distributed to the County at \$2,000/month during the 2014 Calendar Year. All of the Commissioners were very supportive of the idea.

It was moved by Mr. Wootten, seconded by Mr. Caldwell, all members voting affirmatively, motion carrying to authorize a \$100 payment to current County employees that participated in the Wellness Screening held in 2013.

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Mr. Sharp requested that Heath Crowe be retroactively hired as the new IT Coordinator replacing Marc Nichols who recently resigned. 15 people applied, 10 were interviewed and 4 were re-interviewed.

It was moved by Mr. Kuykendall, seconded by Mr. Caldwell, all members voting affirmatively, motion carrying to hire Heath Crow as IT Coordinator, retroactively (G9/3).

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Mr. Sharp notified the Commission that he had talked with representatives with JSU and they had a ballpark price of approximately \$10,000 to do a payroll study for the County. The last study was done in 2000. It is not likely to be completed and possibly ready for implementation until 2015.

It was moved by Mr. Kuykendall, seconded by Mr. Caldwell, all members voting affirmatively, motion carrying to authorize a payroll study to be conducted by JSU.

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Mr. Harcrow mentioned that the next meeting would be on January 28<sup>th</sup> at 10:00 a.m. in the Commission Chambers.

It was moved by Mr. Caldwell, 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