

The DeKalb County Commission met in regular session on Tuesday, December 9, 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 Mr. Harcrow delivering the invocation and Mr. Wright leading the Pledge.

It was moved by Mr. Kuykendall, 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.

Road Department—Mr. Broyles

Maintenance Update

Mr. Broyles stated that ADECA and FEMA Road Projects are 100% complete. Crews are now hauling base material out to roads in District IV and District II. One wall is poured and a second formed on the Patch Truck building. Walls should be complete by the end of the week.

Mr. Broyles also asked for the Commission's approval to send out Auction Bid Proposals for Dump Trucks. President Harcrow ask if this was agreeable with the Commission. There were no objections.

Resolution & Quote (Mack Trucks)—Mr. Sharp:

At Mr. Sharp's recommendation a motion was made by Mr. Wootten to adopt a Resolution to finance the 2015 Mack Trucks with BancorpSouth bank. The motion was seconded by Mr. Caldwell. All members voting affirmatively, motion carried to adopt the following Resolution (interest rate is quoted at 2.04% - same as last year).

RESOLUTION NO. 14-1209-01

Resolution Authorizing and Approving Execution of a Contract With First Continental Leasing, a Division of BancorpSouth Bank

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

1. The Buyer desires to enter into a Contract with the Exhibits attached thereto in substantially the same form as attached hereto as Exhibit "a" (the "Contract") with First Continental Leasing, a division of BancorpSouth Bank (the "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 the Buyer to approve and authorized 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 Sharp, Administrator (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 2015.

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 payment 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 2015, Buyer has designated \$2,500,000 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 2015 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 the Buyer during calendar year 2015 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.

Following the reading of the foregoing resolution, Mr. Wootten moved that the foregoing resolution be adopted. Mr. Caldwell seconded the motion for its adoption. President Harcrow put the question to a roll call vote and the result was as follows:

<u>Commissioner Wootten</u>	Voted: <u>Yea</u>
<u>Commissioner Caldwell</u>	Voted: <u>Yea</u>
<u>Commissioner Kuykendall</u>	Voted: <u>Yea</u>
<u>Commissioner Jackson</u>	Voted: <u>Yea</u>

The motion having received the affirmative vote of all members present, the President declared the motion carried and the resolution adopted this the 9th day of December, 2014.

Sheriff's Department—Mr. Hill

Jacksonville Agreement for Forensics—Mr. Hill recommended and asked the Commission to enter into an agreement/contract with JSU Center for Applied Forensics to assist law enforcement at crime scenes, as well as training our officers at no extra cost. Other Counties participating are Cleburne, Calhoun, Etowah and Cherokee. Total cost of the Contract is \$10,000 for DeKalb County, with the County Commission paying \$5,000; the Sheriff's Office paying \$2,500; and the City of Fort Payne paying \$2,500.

Mr. Caldwell made the motion to sign the JSU Agreement. Mr. Jackson seconded the motion. All members voting affirmatively, motion carried.

Note: A Memorandum of Understanding will be developed between the Sheriff's Office, District Attorney's Office and the County Commission to clarify which organization will bear the responsibility for additional expenses (i.e., Travel/Meals, etc.) incurred during the forensic investigation of criminal activities.

Personnel

Mr. Hill requested the Commission's approval for the transfer of Josh Wilson from Corrections Officer to Deputy to replace Steve Flynn.

Mr. Caldwell made the motion to promote Josh Wilson to Deputy, replacing Steve Flynn. Mr. Wootten Seconded the motion. All members voting affirmatively, motion carried.

Mr. Hill requested the Commission's approval for transfer of Hunter Akins from Corrections Officer to Deputy.

Mr. Caldwell made the motion to promote Hunter Akins to Deputy, replacing Kody Oliver. Mr. Wootten Seconded the motion. All members voting affirmatively, motion carried.

Mr. Hill also requested permission for both Josh Wilson and Hunter Akins to attend the Police Academy in Jacksonville beginning January 10 for approximately fourteen weekends at a cost of \$1,400 each.

Mr. Kuykendall made the motion. Seconded by Mr. Caldwell. All members voting affirmatively, motion carried (raises to be given upon completion of Police Academy).

Mr. Hill requested the Commission's approval to hire Levi Bates as FT Corrections Officer replacing Josh Wilson.

Mr. Jackson made the motion. Seconded by Mr. Caldwell. All members voting affirmatively, motion carried to hire Levi Bates as FT Correction's Officer to replace Josh Wilson (who was promoted to Deputy).

Mr. Hill requested the Commission's approval to transfer Kyle Wright from PT to FT Corrections Officer replacing Hunter Akins leaving a PT position open to fill at a later date.

Mr. Wootten made the motion. Seconded by Mr. Caldwell. All members voting affirmatively, motion carried to transfer Kyle Wright from PT to FT Correction's Officer to replace Hunter Akins (who was promoted to Deputy).

Mr. Hill requested the Commission's approval to promote Steven Berry to the position of Sergeant.

Mr. Jackson made the motion. Seconded by Mr. Kuykendall. All members voting affirmatively, motion carried to promote Steven Berry to the position of Sergeant (G6A) and to demote Cole McAnelly from Sergeant to Correctional Officer (G6)

Probate Judge—Mr. Osborne

Personnel—Judge Osborne notified the Commission that he has an employee planning to retire in April and made the recommendation to the Commission to post the position.

Mr. Caldwell made a motion. Seconded by Mr. Kuykendall. All members voting affirmatively, motion carried to post the position.

Revenue Commissioner—Martha Ogle

License Conference—Ms. Ogle requested the Commission's permission to attend a License Conference in January.

Mr. Jackson made the motion. Seconded by Mr. Wootten. All members voting affirmatively, motion carried to approve travel for the Revenue Commissioner.

2 Year Tag Renewal—Ms. Ogle notified the Commission of the option to change from the current yearly tag renewal schedule to an every two year schedule. After a brief discussion with the Commission members, it was decided there were no significant benefits to warrant the change at the present time, and tabled the discussion.

Contract for Aerial Fly-Over—Ms. Ogle requested the Commission approve a Contract for New County-wide Aerials at a cost of \$89,923 every four years. The Costs is included in the 2015FY budget and paid out over a two-year period. The new Aerial should be on the County's Web-Site by October 2015.

Mr. Wootten made the motion to accept the contract. Mr. Caldwell seconded the motion. All members voting affirmatively, motion carried to approve contract for Aerials.

Unclaimed Fiduciary Money—Mr. Sharp

Mr. Sharp requested the Commission's authorize the transfer of \$161.88 from the Fiduciary Fund to the General Fund.

Mr. Caldwell made the motion authorizing the transfer. Mr. Jackson seconded the Motion. All members voting affirmatively, motion carried.

Board Member (North Lookout Mtn. Fire Protection District)—President Harcrow

Mr. Harcrow presented a letter from Mr. David Tucker, Chairman of the N. Lookout Mtn. Fire Protection District, recommending the appointment of Mr. Charles Runnells to the Board of Directors.

Mr. Wootten made the motion for the appointment of Mr. Runnells with a term expiring November 2018. Seconded by Mr. Jackson. All members voting affirmatively, motion carried.

Christmas Holiday—President Harcrow

Mr. Harcrow made the recommendation to add Friday, December 26 to the County's Holiday Schedule.

Mr. Jackson made the motion. Seconded by Mr. Wootten. All members voting affirmatively, motion carried to approve December 26 as additional holiday.

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

Ricky Harcrow, President

Shane Wootten, Commissioner District I

Derek Caldwell, Commissioner District II

Chris Kuykendall, Commissioner District III

Dewitt Jackson, Commissioner District I