

The DeKalb County Commission met in regular session on Tuesday, May 26, 2015 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. Harcrow delivering the invocation and Mr. Wright leading the Pledge.

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It was moved by Mr. Caldwell, 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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**Charter Cable Franchise Extension Agreement—Mr. Taylor Vice**

Taylor Vice with Charter Cable notified the Commission that Charter currently has two Cable Franchise Agreements with DeKalb County, one adopted in 1985 (expires this year and originally owned by Mountaineer Telecommunications) and one adopted in 2008 (originally owned by Time Warner expiring in 2028). Charter has since purchased both companies. Mr. Vice proposed to the Commission the extension of the 1985 agreement to coincide with the 2028 expiration date. In 2028, these agreements would merge into one Franchise Agreement.

A motion was made by Mr. Wootten and seconded by Mr. Caldwell to enter into an Agreement with Charter Communications extending the 1985 Franchise Agreement expiration date to 2028. All members voting affirmatively, motion carried.

FRANCHISE EXTENSION AGREEMENT

**WHEREAS**, Charter Communications L.L.C., (“Charter”) currently holds a Cable Television Franchise Agreement with County of DeKalb, Alabama, granted by the Television System Ordinance (“Franchise”), on August 18, 1985; and

**WHEREAS**, Charter’s Franchise with the County of DeKalb, Alabama is due to expire on August 17, 2015; and

**WHEREAS**, Charter timely filed its request for renewal of the Franchise under Section 626 of the Cable Act; and

**WHEREAS**, the parties continue to reserve all rights under the formal procedures of Section 626 of the Cable Act and do not waive any rights related thereto; and

**WHEREAS**, it is in the public interest to extend the current Franchise for an additional period of time so that cable service to the public will not be interrupted.

**NOW, THEREFORE**, the Franchise of Charter shall be extended until March 11, 2028. Execution of this Extension shall not constitute a waiver of the County of DeKalb, Alabama’s or Charter’s rights respecting the Franchise. Charter shall not be required to send another request for renewal of the Franchise under Section 626 as a result of this Extension.

**Road Department—Mr. Broyles**

Maintenance Update—Mr. Broyles stated that crews have completed their 1<sup>st</sup> round of herbicide applications and are preparing for the mowing season.

A portion of CR 212 west of the bridge to the intersection of CR 209 has been reclaimed and treated with Liquid Calcium Chloride. Grade work and compaction of an additional 4" layer of dense grade material should be finished by weeks end. One small soft spot at the crest of the hill may need to be dug out and filled with rip rap. Mr. Broyles stated that the upgrade of this road should help traffic going to and from the landfill.

Mr. Broyles stated that the 2<sup>nd</sup> round of ADECA roads should begin by mid-June.

Personnel—Mr. Broyles made the recommendation to the Commission to hire Rodney Kerby to fill the position recently vacated by Dustin Fleming. Mr. Broyles also requested permission to post the Temporary position (District 4). Note: Mr. Kerby is currently a temporary PT employee.

Mr. Jackson made a motion to transfer Rodney Kerby from temporary employee to FT Road Department employee in District 4 (G5/3). Mr. Caldwell seconded the motion. All members voting affirmatively, motion carried.

Mr. Broyles asked the Commission to accept the resignation of Devin Fleming and requested permission to post the position.

Mr. Jackson made a motion to accept the resignation of Devin Fleming and for the position to be posted and filled as soon as possible. Mr. Wootten seconded the motion. All members voting affirmatively, motion carried.

ATRIP—Mr. Luther presented Funding Agreements for upcoming ATRIP Projects. There are Four Individual Agreements grouped into two Contracts. CR's 81 & 83 and two projects on CR 51.

Mr. Luther requested the Commission pass a Resolution for each agreement authorizing Mr. Harcrow and Mr. Sharp Authority to execute said agreements.

Mr. Kuykendall made a motion, seconded by Mr. Wootten, all members voting affirmatively, motion carried to adopt the following ATRIP Project Resolutions:

RESOLUTION NUMBER 15-0526-01

**BE IT RESOLVED**, by the County Commission of DeKalb County, Alabama, that the County enters into an agreement with the State of Alabama; acting by and through the Alabama Department of Transportation for:

The resurfacing on CR-83 from CR-55 to SR-176. Length – 1.19 miles  
Project# ACNU61232-ATRP(014); DCP# 25-25-13; ATRIP# 25-05-32

which agreement is before this Commission, and that the agreement be executed in the name of the County, by the Chairman of the Commission for and on its behalf and that it be attested by the County Clerk and the seal of the County affixed thereto.

**BE IT FURTHER RESOLVED**, that upon the completion of the execution of the agreement by all parties, that a copy of such agreement be kept of record by the County Clerk.

Passed, adopted, and approved this 26th day of May, 2015.

**ATTESTED:**

  
County Clerk

  
Chairman, DeKalb County Commission

RESOLUTION NUMBER 15-0526-02

**BE IT RESOLVED**, by the County Commission of DeKalb County, Alabama, that the County enters into an agreement with the State of Alabama; acting by and through the Alabama Department of Transportation for:

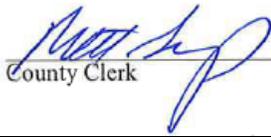
The resurfacing on CR-81 from CR-130 to SR-176. Length – 2.08 miles  
Project# ACNU61231-ATRP(014); DCP# 25-24-13; ATRIP# 25-05-31

which agreement is before this Commission, and that the agreement be executed in the name of the County, by the Chairman of the Commission for and on its behalf and that it be attested by the County Clerk and the seal of the County affixed thereto.

**BE IT FURTHER RESOLVED**, that upon the completion of the execution of the agreement by all parties, that a copy of such agreement be kept of record by the County Clerk.

Passed, adopted, and approved this 26th day of May, 20 15.

ATTESTED:

  
County Clerk

  
Chairman, DeKalb County Commission

RESOLUTION NUMBER 05-0526-03

**BE IT RESOLVED**, by the County Commission of DeKalb County, Alabama, that the County enters into an agreement with the State of Alabama; acting by and through the Alabama Department of Transportation for:

The resurfacing on CR-51 from CR-52 to US-11 (SR-7). Length – 5.76 miles  
Project# ACNU61230-ATRP(014); DCP# 25-23-13; ATRIP# 25-05-30

which agreement is before this Commission, and that the agreement be executed in the name of the County, by the Chairman of the Commission for and on its behalf and that it be attested by the County Clerk and the seal of the County affixed thereto.

**BE IT FURTHER RESOLVED**, that upon the completion of the execution of the agreement by all parties, that a copy of such agreement be kept of record by the County Clerk.

Passed, adopted, and approved this 26th day of May, 20 15.

ATTESTED:

  
County Clerk

  
Chairman, DeKalb County Commission

RESOLUTION NUMBER 05-0526-04

**BE IT RESOLVED**, by the County Commission of DeKalb County, Alabama, that the County enters into an agreement with the State of Alabama; acting by and through the Alabama Department of Transportation for:

The resurfacing on CR-51 from CR-30 to CR-52. Length – 7.03 miles  
Project# ACNU61229-ATRP(014); DCP# 25-22-13; ATRIP# 25-05-29

which agreement is before this Commission, and that the agreement be executed in the name of the County, by the Chairman of the Commission for and on its behalf and that it be attested by the County Clerk and the seal of the County affixed thereto.

**BE IT FURTHER RESOLVED**, that upon the completion of the execution of the agreement by all parties, that a copy of such agreement be kept of record by the County Clerk.

Passed, adopted, and approved this 26th day of May, 20 15.

ATTESTED:

  
County Clerk

  
Chairman, DeKalb County Commission

Motor Grade Lease Agreement—Mr Sharp presented financing options for Motor Graders to the Commission recommending either Bancorp or Caterpillar.

After a brief discussion Mr. Caldwell made a motion to finance with Caterpillar. Mr. Wootten Seconded the motion. All members voting affirmatively, motion carried to finance the Motor Grade Lease Agreement with Caterpillar.

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**Sheriff's Dept.—Chief Edmondson**

Personnel—Mr. Edmondson requested approval to promote Taylor Johnson to Corrections Shift Sgt. with a salary change from 5/7 to 6A/2.

Mr. Jackson made a motion to approve the position and salary change of Taylor Johnson. Mr. Caldwell Seconded the motion. All members voting affirmatively, motion carried.

Chief Edmondson requested permission for Corrections Officers Marisol Benitez, Matt Jones and Kyle Wright to attend the Northeast Alabama Law Enforcement Academy June 1<sup>st</sup>—June 11<sup>th</sup> for required Jail Management Courses. Officers will transport daily (to be paid from Special Jail Fund).

Motion was made by Mr. Jackson. Seconded by Mr. Caldwell. All members voting affirmatively, motion carried.

HVAC—Chief Edmondson advised the Commission of price quotes to repair or replace HVAC Units at the jail. Mr. Sharp made the recommendation to transfer approximately \$25,000 from the General Fund to the Jail Fund to repair and/or replace the following units. A 4-ton unit in the electrical room (\$4,100), a 5-ton unit (compressor-\$1,500), and a 15-Ton unit (Kitchen-\$14,900) - as well as other HVAC costs in the Jail.

A Motion was made by Mr. Wootten, seconded by Mr. Caldwell for the transfer of \$25,000 from the General Fund to the Jail Operating Fund for HVAC units in the Jail. All members voting affirmatively, motion carried.

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**Revenue—Travel/Training—Ms. Ogle**

Ms. Ogle requested approval for Debbie Steward and Kelly Bryan to travel for mapping classes.

Mr. Jackson made motion to grant the request. Mr. Wootten seconded the Motion. All members voting affirmatively, motion carried to approval travel for mapping classes.

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**License Agreement—American Red Cross—President Harcrow**

Mr. Harcrow notified the Commission that the License Agreement with the American Red Cross providing the Red Cross with Office space in the Activities Building was due to be signed. He asked for Authorization to sign the Agreement.

A motion was made by Mr. Wootten and Seconded by Mr. Jackson granting President Harcrow and Mr. Sharp Authorization to sign the Agreement. All members voting affirmatively, motion carried (Agreement is filed in the Commission Office).

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Mr. Harcrow notified the audience that the next meeting would be on Tuesday, June 9, 2015. He asked for a motion to adjourn.

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

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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