

The DeKalb County Commission met in regular session on Tuesday, June 14, 2016 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.

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

It was moved by Mr. Wootten, 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.

Road Department

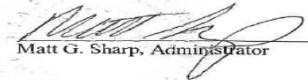
Maintenance Update--Tom Broyles stated that the first round of herbicides is complete and that two patch units have been installed on the new trucks and a third is being installed today. He said he would be able to keep a driver in each of the three trucks most of the time. Crews are working on some roads in District 1 and District 2, the dry. And a crew is still working on expanding the building for the third patch truck.

Personnel--Mr. Broyles stated that Randall Nelson, who is a temporary part time employee, has resigned. Mr. Broyles recommended John Simpson to fill the position in District 2.

Mr. Caldwell made a motion to accept the resignation of Mr. Nelson and approve the hiring of John Dylan Simpson (G5/1 - \$10/hr) as a temporary part time employee. Mr. Wootten seconded the motion and all members voting affirmatively, motion carried.

Resolution--Ben Luther addressed the Commission and reminded them of a public hearing held at the May 24, 2016 meeting regarding the Vacation of a portion of CR 368.

Mr. Caldwell made a motion to adopt the following Resolution for the Vacation of a portion of CR 368, Mr. Wootten seconded the motion, all members voting affirmatively, motion carried:

RESOLUTION NO. 16-0614-01 VACATION OF A PORTION OF DEKALB COUNTY COUNTY ROAD NUMBER 368	
<p>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</p> <p>WHEREAS, this Commission set down for public hearing on May 24, 2016, and caused notice of such hearing to be published in the <i>The Times Journal</i> for four consecutive weeks, beginning April 7, 2016 and running through April 28, 2016; and</p> <p>WHEREAS, this Commission has received no written objection and heard no verbal objection at the hearing hereon to the vacation of a portion of DeKalb County Road Number 368; and</p> <p>WHEREAS, Commissioner Caldwell of District 2, made a motion before this Commission to approve the vacation of this road;</p> <p>THEREFORE, BE IT RESOLVED, by the DeKalb County Commission that a portion DeKalb County Road 368, more particularly described below, be, and hereby is, vacated;</p> <p style="text-align: center;"><i>All of that portion of DeKalb County Road #368, beginning at a point that is approximately 300 feet north of its intersection with County Road #58, thence proceeding Northerly and Easterly approximately 2,875 feet to its intersection with County Road #1012. Said property lying in Sections 26 & 27, Township 7 South, Range 5 East, located in the New Harmony community.</i></p> <p>BE IT FURTHER RESOLVED, by the DeKalb County Commission that the name of the owners of the abutting lots are Bobby Satterfield, Tommy Kittle and Don Wyatt and there are no other lots or parcels of land which will be cut off from access by the vacation sought; and</p> <p>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 street be vacated; and</p> <p>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.</p> <p>DONE this the 14th day of June 2016</p> <p style="text-align: right;">ATTEST:</p>	
 Ricky Harcrow, President	 Matt G. Sharp, Administrator

Travel--Mr. Luther request to attend the ACCA Convention, August 16-18 should his schedule permit.

Mr. Kuykendall made a motion to honor his request, Mr. Jackson seconded the motion, all members voting affirmatively, motion carried.

Revenue Commission

Personnel--Tyler Wilks requested the Commission approve the hiring of Dominica Martinez, to fill the position vacated by Debra Waddell, who retired.

Mr. Kuykendall made a motion to approve the hiring of Ms. Martinez (G4/1), with a second from Mr. Wootten, all members voting affirmatively, motion carried.

Insolvents, Errors, and Taxes--Mr. Wilks presented the Final Settlement for Insolvents, Errors, Taxes in Litigation for the tax year 2015 (based on property tax sale); he asked that President Harcrow be given authorization to sign the document.

A motion was made by Mr. Jackson. Seconded by Mr. Kuykendall. All members voting affirmatively authorizing President Harcrow to sign the Final Settlement of Insolvents, Errors, Taxes and Litigation for the tax year 2015 as follows:

DPC 22 (Rev. 2-01)

**INSOLVENTS, ERRORS AND TAXES IN LITIGATION FOR 2015 AND
UNCOLLECTED INSOLVENTS AND TAXES IN LITIGATION FOR PREVIOUS YEAR(S)**

THE STATE OF ALABAMA
Dekalb County.

BE IT REMEMBERED, That at the meeting of the Board of County Commissioners of said County, held on this 14th day of June, 2016,
Tyler Wilks Revenue Commissioner of said County, made his report of "Insolvents", "Errors in Assessment" and "Taxes in Litigation" on taxes for the current year 2015, as required by Code of Ala. 1975, Section 40-5-23. And after a careful and rigid examination of said reports by said Board, it was considered and adjudged that said collector be allowed credit on his final settlement with the Comptroller for the following amounts:

Insolvents: State Taxes—General	\$	<u>173.40</u>
—Soldier	\$	<u>69.36</u>
—School	\$	<u>208.08</u>
Errors in Assessments: State Taxes—General	\$	<u>15281.35</u>
—Soldier	\$	<u>6112.54</u>
—School	\$	<u>20500.80</u>
Taxes in Litigation: State Taxes—General	\$	<u>504.30</u>
—Soldier	\$	<u>201.72</u>
—School	\$	<u>605.16</u>

And said Collector has also made his report for final allowance of the uncollected balances of Insolvent Taxes for the previous year 2014, as required by Code of Ala. 1975, Section 40-5-29; and the Board thereupon made the following allowances to said Collector of such Insolvent Taxes as he may have been unable to collect, as follows:

State Taxes—General	\$	<u>4.50</u>
—Soldier	\$	<u>1.80</u>
—School	\$	<u>5.40</u>

And said Collector is also allowed credit for the following taxes in litigation for the previous year(s) which he has been unable to collect as follows:

	General	Soldier	School
<u>2012</u>	\$ <u>1330.25</u>	\$ <u>532.10</u>	\$ <u>1596.30</u>
<u>2013</u>	\$ <u>1118.85</u>	\$ <u>447.54</u>	\$ <u>1342.62</u>
	\$	\$	\$
	\$	\$	\$

Given under my hand this _____ day of June, 2016

Presiding Officer

See Code of Ala. 1975, Sections 40-5-23, 40-5-24 and 40-5-25 as to taxes of current year and Sections 40-5-26, 40-5-28 and 40-5-29 as to insolvent taxes and taxes in litigation of previous year(s).

Tyler Wilks

Training--Mr. Wilks request to attend classes to complete his training as a Tax Assessor. The classes are July 13-15 in Montgomery.

Mr. Kuykendall made a motion to approve the training with a second from Mr. Caldwell, all members voting affirmatively, motion carried.

Jail

Personnel—Michael Edmondson requested the Commission approve the following personnel recommendations:

- a) Transfer Sebastian Gamez (G5/1 – no change in pay) from part-time to full-time corrections officer to replace Jonathan Lowery, who resigned.
- b) Hire Micah McCreary as part-time corrections officer (G5/1) to replace Sebastian Gamez' part-time position.
- c) Hire Jennifer Kean as full-time corrections officer (G5/1) to replace Keisha Dobbins who resigned.
- d) Promote Ray Morales to Sgt. To replace Keisha Dobbins Sgt. Position. This will change Mr. Morales from a Grade 5/2 to 6A/1.

Mr. Caldwell made a motion to approve Mr. Edmondson's personnel recommendations. Mr. Wootten seconded the motion, all members voting affirmatively, motion carried.

Information Technology

Website--Heath Crowe presented a proposal for Yellowbox Solutions to rebuild the County Commission Website, which will also include the Revenue Commission. The total cost for both Websites is \$6,200.00.

Mr. Wootten made a motion to approve the proposal, with a second from Mr. Caldwell, all members voting affirmatively, motion carried.

Council on Aging

Transportation Resolution--Mr. Sharp presented a Resolution to adopt DeKalb County Rural Public Transportation Title VI Plan.

Mr. Jackson made a motion to pass the following resolution, with a second from Mr. Kuykendall, all members voting affirmatively, motion carried.

**DEKALB COUNTY RURAL PUBLIC TRANSPORTATION
RESOLUTION ADOPTING A TITLE VI PLAN**

WHEREAS, the DeKalb County Rural Public Transportation is a recipient of federal financial assistance from the Alabama Department of Transportation in support of transit services which imposes certain obligations upon the recipient, including complying with the Title VI federal requirements.

WHEREAS, Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance; and

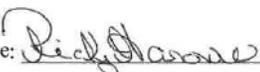
WHEREAS, the DeKalb County Rural Public Transportation commits to assure that no person shall, on the grounds of race, color, national origin, or sex, as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (PL 100.259), be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination under any program or activity regardless of the funding source; and

NOW, THEREFORE, be it resolved by the DeKalb County Commission of the DeKalb County Rural Public Transportation as follows:

The DeKalb County Commission approves the proposed Title VI Program in order to comply with the Title VI federal requirements.

The Director in her capacity will serve as the Title VI Officer and is authorized to revise and update the plan as necessary.

Adopted this 14th day of June, 2016.

Signature: 

Attest: 

Typed Name: Ricky Harcrow

Typed Name: Matt Sharp

Title: President, County Commission

Title: County Administrator

Solid Waste

Garbage Exemptions--Mr. Sharp delivered a list of garbage exemptions for the County and the Town of Powell.

Mr. Jackson made a motion to approve the list of exemptions, with a second from Mr. Kuykendall, all members voting affirmatively, motion carried (Copy of File is in Commission Office)..

Sales Tax

Back to School Tax Holiday--President Harcrow presented a Sales Tax Holiday resolution that will be in effect August 5-7.

Mr. Wootten made a motion for the County to participate in the Sales Tax holiday, with a second from Mr. Caldwell, all members voting affirmatively, motion carried to adopt the following Resolution:

RESOLUTION NO. 16-0614-03
RESOLUTION PROVIDING FOR DeKALB COUNTY'S
PARTICIPATION IN THE "SALES TAX HOLIDAY"
AS AUTHORIZED BY ACT NO. 2006-574 IN AUGUST 2016

WHEREAS, during its 2006 Regular Session, the Alabama Legislature enacted Act No. 2006-574, effective July 1, 2006, which provides an exemption of the state sales and use tax for certain non-commercial purchases related to school clothing and supplies during the first full weekend in August of each year; and

WHEREAS, Act No. 2006-574 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 days prior to 12:01 a.m. on the first Friday in August; 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. 2006-574 during the first weekend of August 2016, beginning at 12:01 a.m. on August 5, 2016 and ending at twelve midnight on Sunday, August 7, 2016, the first full weekend of August in 2016; 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 30 days prior to the effective date of the change; and

WHEREAS, the exemption of certain county sales and use taxes for the first full weekend of August 2016 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. 2006-574 beginning at 12:01 a.m. on August 5, 2016 and ending at twelve midnight on Sunday, August 7, 2016.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of the June 14, 2016 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(c)*.

IN WITNESS WHEREOF, the DeKalb County Commission has caused this Resolution to be executed in its name and on its behalf by its Chairman on this the 14th day of June 2016.

ATTEST


Matt G. Sharp, County Administrator


Ricky Harcrow, Commission President

President Harcrow notified the audience that the next meeting would be on Tuesday, June 28, 2016. He asked for a motion to adjourn.

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 IV