

The DeKalb County Commission met in regular session on Tuesday, July 27, 2010 at 10:00 a.m. in the DeKalb County Activities Building (Courthouse Annex). Those present were Sid Holcomb, President, Ricky Harcrow, Ed Nix, Chris Kuykendall and Dewitt Jackson. Those absent were none.

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The meeting was called to order by President Holcomb with Mike Leath delivering the invocation and Commissioner Harcrow leading the pledge.

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It was moved by Mr. Harcrow, seconded by Mr. Nix, 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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District Attorney, Mike O'Dell addressed the Commission concerning the problem they were having in regards to the Department of Forensics decision to cease transporting bodies for autopsy. Mr. O'Dell said a Pathologist in Huntsville with the Forensics Sciences Department was complaining about the condition of one of the bodies that we recently sent that I had requested an autopsy on. The Pathologist said this has happened in several Counties across North Alabama, lately.

He stated that State Law required the D.A. to request an autopsy for any unattended or suspicious death. The problem is that the lab in Huntsville only has 3-5 spots available in their cooler at many times. If someone is killed or dies suddenly late Friday or over the weekend, then the bodies are not transferred until Monday or Tuesday of the next week. That creates a health and forensics problem. As the body decays, potential evidence can be lost and it could be a problem.

Because of the number of bodies that require autopsies, it has caused a backlog, which will require a local solution. Mr. O'Dell said he asked Josh Summerford in the D.A.'s office and Assistant EMA Director Christy Hardin to come up with a solution.

One option would be to ask the State Department of Homeland Security to send a truck up every so often; however, the body would need to be sent to Cullman and parked, but that would not be practical. A second option would be to install a permanent cooler; however, the chain of evidence would be compromised since the cooler would need to be in the custody of the Coroner and there is no permanent office facility for the Coroner. The most practical solution would be to purchase a portable cooler that could be moved as the Coroner changes from election to election.

Mortech has a three (3) body cooler for approximately \$6,300. We have \$1,000 from grants through the EMA; \$2,000 from State Representative Todd Greeson and the remaining amounts would be paid for from the D.A.'s Office. The only thing the County would need to do is take ownership and maintenance of the cooler. It would be placed in Tom Wilson's Funeral Home and would only be used for such bodies as the D.A.'s Office requests for autopsies. Mr. Wilson said he would pay for the utility costs.

Without a cooler, families would be forced to pay for the costs of transportation and housing of the bodies and/or decomposition of the bodies might prevent viewing the bodies during funeral ceremonies. Mr. Holcomb said he thought it was a good idea.

It was moved by Mr. Jackson, seconded by Mr. Nix, all members voting affirmatively, motion carrying to authorize ownership of the 3 body refrigerator to be used by the Coroner. (Note: Also, the Department of Forensics budget shortfall has resulted in Coroner's across Alabama being required to transport bodies to Forensic Labs. Another cost has been body bags needed for this transportation (these costs may be partly offset by a small appropriation to each County that has yet to be received).

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Road Superintendent Tom Broyles addressed the Commission as follows:

- 1) Hauling: Crews are hauling material in District II this week and will be in District I next week.
- 2) Bridge: One crew is doing a bridge replacement on CR 22 South of Mt. Vernon today and should be finished up by tomorrow morning. A railroad tanker on the yard was used to replace a wooden bridge on this road.
- 3) CR 483: This road in the Portersville Community between Hwy 11 and CR 51 was a reclamation project that has been completed and only needs a surface treatment on it to put truck traffic back on the road. Mr. Kuykendall said the road is better now without the paving surface than it was before it was reclaimed.
- 4) Paving Machine: Bids for a new asphalt paving machine will be opened on August 5. Prices are estimated to be approximately \$125,000.

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Mr. Sharp notified the Commission that a damage claim had been received by Derwood Ragan concerning a bushcutter causing approximately \$3,100.00 in damage to a vehicle on Dugout Valley Road.

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

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Mr. Sharp updated the Commission on bids for the HVAC system and New Roof at the Old Health Department Building as follows:

**HVAC – OLD HEALTH DEPARTMENT (ARRA GRANT):**

Modern Heating & Cooling	\$13,600.00
Southern Heating & Cooling	\$17,850.00
Bryant’s Heating & Cooling	\$17,498.00

**NEW ROOF – OLD HEALTH DEPARTMENT (ARRA GRANT):**

NO BIDS RECEIVED

Mr. Sharp noted that the ADECA Grant representatives in Montgomery said the County could negotiate with contractors to do the roof, since no bids were received.

It was moved by Mr. Kuykendall, seconded by Mr. Harcrow, all members voting affirmatively, motion carrying to award the bid for heating and air conditioning to Modern Heating and Cooling as low bidder and to negotiate with a contractor on the new roof for the Old Health Department building.

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Mr. Sharp read a letter from the Town of Ider requesting a voting location change from the Ider Town Hall to the Ider Senior Center. Mr. Harcrow said the Senior Center was handicapped accessible and had plenty of parking.

It was moved by Mr. Harcrow, seconded by Mr. Nix, all members voting affirmatively, motion carrying to pass the following resolution moving Precinct 1, Box 3 from the Ider Town Hall to the Ider Senior Center, subject to USDOJ preclearance:

RESOLUTION NO. 10-0727-01  
IDER VOTING LOCATION  
PRECINCT 1, BOX 3

**WHEREAS**, the DeKalb County Commission is the elected representation of the citizens of DeKalb County; and

**WHEREAS**, the Town of Ider has requested a change of voting location from the Ider Town Hall (located at 10793 Alabama Highway 75, Ider, AL 35981) to the Ider Senior Citizen Center (located at 1852 Dogwood Drive, Ider, AL 35981); and

**WHEREAS**, the reason for this change is because the Ider Senior Center has a larger facility, more seating and is also handicapped accessible, and has sufficient parking and will not interfere with normal business at the Ider Town Hall; and

**WHEREAS**, the DeKalb County Commission is authorized by Code Section 17-6-3 and 17-6-4 to select polling places for each precinct; and

**WHEREAS**, the Ider Town Hall currently serves as the Voting Location for Precinct 1, Box 3;

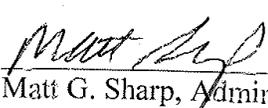
**NOW, THEREFORE** seeing good and just cause to move the polling place for Precinct 1, Box 3; and acknowledging that the new polling place is less than a five (5) minute drive from the current location,

**IT IS RESOLVED** that the DeKalb County Commission does hereby authorize the polling place for Precinct 1, Box 3, to be moved from the Ider Town Hall to the Ider Senior Center, subject to pre-clearance by the U.S. Justice Department.

**DONE THIS** 27<sup>th</sup> day of July 2010

  
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Sid Holcomb, President

ATTEST

  
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Matt G. Sharp, Administrator

Mr. Sharp also read a letter from Tenbroeck Election Inspector Gail Rucks requesting that this polling place be moved from the Tenbroeck Fire Hall to the Tenbroeck Community Center. The Fire Hall has no air-conditioning and the restrooms are inadequate. Voting used to be located in the Community Center; however, it was changed a few years ago due to the Community Center not meeting ADA requirements. According to Mr. Nix, the Community Center is now handicapped accessible and has adequate parking.

It was moved by Mr. Nix, seconded by Mr. Jackson, all members voting affirmatively, motion carrying to pass the following resolution moving Precinct 2, Box 11 from the Tenbroeck Fire Hall to the Tenbroeck Community Building, subject to USDOJ preclearance.

RESOLUTION NO. 10-0727-02  
TENBROECK VOTING LOCATION  
PRECINCT 2, BOX 11

**WHEREAS**, the DeKalb County Commission is the elected representation of the citizens of DeKalb County; and

**WHEREAS**, the Election Inspector for the Tenbroeck Voting Place has requested a change of voting location from the Tenbroeck Fire Hall (located at 634 County Road 43, Fyffe, AL 35971) to the Tenbroeck Community Center (located at 1690 County Road 342, Fyffe, AL 35971); and

**WHEREAS**, the reasons for this change is because the Tenbroeck Fire Hall does not have heating and air-conditioning and space is insufficient; and the Tenbroeck Community Center has heating and air-conditioning and is a larger facility and is also handicapped accessible, and has sufficient parking; and

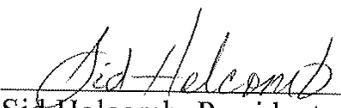
**WHEREAS**, the DeKalb County Commission is authorized by Code Section 17-6-3 and 17-6-4 to select polling places for each precinct; and

**WHEREAS**, the Tenbroeck Fire Hall currently serves as the Voting Location for Precinct 2, Box 11;

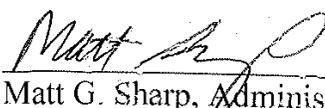
**NOW, THEREFORE** seeing good and just cause to move the polling place for Precinct 2, Box 11; and acknowledging that the new polling place is approximately one-quarter (1/4) mile from the current location,

**IT IS RESOLVED** that the DeKalb County Commission does hereby authorize the polling place for Precinct 2, Box 11, to be moved from the Tenbroeck Fire Hall to the Tenbroeck Community Center, subject to pre-clearance by the U.S. Justice Department.

**DONE THIS** 27<sup>th</sup> day of July 2010

  
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Sid Holcomb, President

ATTEST

  
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Matt G. Sharp, Administrator

Note: Mr. Sharp reminded the Commission that voting changes required pre-clearance by the USDOJ. Mr. Sharp said this change was outside of 90 days, so it meets the requirements of State law. He noted that the USDOJ had 60 days to respond from the time they received notice and he would try to get the Section 5 Civil Rights Package documents together by the end of the week.

Mr. Harcrow addressed the Commission regarding the DHR Board. Earl Lacey had been appointed to replace Lamar Bray on the DHR Board; however, Mr. Lacey is a member of the Henagar City Council and it was determined that elected officials could not serve on this board. Mr. Harcrow recommended Garvis Moore to replace him on the DHR Board.

It was moved by Mr. Harcrow, seconded by Mr. Nix, all members voting affirmatively, motion carrying to appoint Mr. Garvis Moore to the DHR Board, to replace Earl Lacey and finish the term of Lamar Bray.

Mr. Holcomb notified the Commission that the August meetings needed to be changed from August 10<sup>th</sup> and 24<sup>th</sup> to August 17<sup>th</sup> & 31<sup>st</sup> due to scheduling issues with Commissioners. Mr. Harcrow and Mr. Jackson have a meeting in Montgomery on August 10<sup>th</sup> and the ACCA Annual Conference is the week of August 24<sup>th</sup>. Since August has 5 Tuesdays, Mr. Holcomb recommended changing the meeting dates from the normal 2<sup>nd</sup> & 4<sup>th</sup> Tuesdays to the 3<sup>rd</sup> & 5<sup>th</sup> Tuesdays for August 2010.

It was moved by Mr. Nix, seconded by Mr. Harcrow, all members voting affirmatively to move the regularly scheduled meetings of the 10<sup>th</sup> and 24<sup>th</sup> of August to the 17<sup>th</sup> and 31<sup>st</sup> of August.

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It was moved by Mr. Harcrow, seconded by Mr. Nix, all members voting affirmatively, motion carrying to adjourn.

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Sid Holcomb, President

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Ricky Harcrow, Commissioner District I

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Ed Nix, Commissioner District II

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Chris Kuykendall, Commissioner District III

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Dewitt Jackson, Commissioner District IV