

The DeKalb County Commission met in regular session on Tuesday, September 28, 2010 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 Ben Luther delivering the invocation and Jimmy Wright 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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Lookout Mountain resident Van Akins addressed the Commission concerning a school bus crossing at Licksillet. A building was built near the County ROW blocking the view at the intersection of CR 27 and State Hwy 176. He asked the Commission to seek help from the State in getting a 4-way stop put up at that intersection.

Mr. Akins was also concerned about holes on the side of Dogtown Road. Also, CR 107 was recently paved and is in bad condition, along with other roads and he felt like the contractor should be held accountable.

Mr. Broyles said the problem with some of the roads paved last year was not the fault of the contractor, but was caused by the severe freeze last winter. Mr. Akins said Mr. Broyles did a good job, but was he given free rein to do his job. Mr. Broyles said he was blessed to have such a good Commission to work for.

Mr. Kuykendall said these were valid complaints and an effort would be made to correct these road problems.

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Mentone resident Rick Hardin addressed the Commission with a PowerPoint presentation concerning the Sheriff's Webpage as follows:

Mr. Hardin said he was a campaign volunteer for the Lamar Bray for Sheriff Campaign and said this was not a campaign issue. He further said some weeks ago he became aware of political ads running in *The Times Journal* for had the webpage [www.dekalbcountysheriff.org/fourmore.html](http://www.dekalbcountysheriff.org/fourmore.html). He said he knew that the ".org" is typically some entity or organization, so he checked to see if this was actually a County website that was being used as a political website. He said he searched and found that the site name "dekalbcountysheriff.org" belongs to the DeKalb County Sheriff's Office at 2801 Jordan Road SW, Fort Payne, Alabama and that the site was originally purchased in 2004 and renewed in 2009 by the Sheriff's Department. He went on to allege that the site says "Jimmy Harris for Sheriff" and "Vote for Jimmy Harris for Sheriff". He also states that another page solicits campaign donations and volunteers.

Mr. Hardin then quoted Code Section 36-25-5 (Use of official position or office for personal gain) which states that no public official or public employee shall use or cause to be used his or her official position or office to obtain to personal gain for himself or herself or family member of the public employee or family member of the public official... Mr. Hardin said he interpreted that to mean an official could not use a resource such as a public website for political purposes.

Mr. Hardin then directed comments toward Mr. Holcomb stating that he had spoken with him about these issues and nothing happened. He then said a week or so later he went to *The Times Journal* then a couple of hours later he went to *The DeKalb Advertiser*. By the time he got to *The DeKalb Advertiser* the site had been taken down. The television media would not report this either, so the only way to let the public know what was going on was to bring this before the Commission.

Mr. Holcomb apologized to Mr. Hardin for not getting back with him sooner. The budget and other matters delayed a response. He also noted that in his 21 years as a Commissioner, he had never heard of public official using a County webpage or other resource in this matter, so he sought the advice of the County Attorney and the ACCA. He also informed each Commissioner and based on Code Section

36-25-17 he filed a complaint with the Ethics Commission. Code Section 36-25-17 requires a governmental agency head to file a report within 10 days of any possible ethics violation coming to his attention. Mr. Holcomb said that's what he did on September 21. Mr. Holcomb said a letter dated September 22 from the Ethics Commission assigned a case number (2010-196) and said an investigation into the complaint would be made. Mr. Holcomb said he felt like at this time his job was complete.

Mr. Mauney stated that there's nothing the Commission can do at this point. It's in the hands of the Ethics Commission.

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Mr. Mauney addressed the Commission concerning the vote in the last meeting to file a lawsuit for clarification on whether the County Commission must be a party to a contract between the Sheriff and a third party, namely housing federal inmates. Mr. Mauney said a more expeditious way to get this done would be to seek an Attorney's General (AG) Opinion, specifically on the issues of whether or not the Sheriff is authorized to sign a contract without the governing body and receive those funds. A lawsuit would be more protracted and would not be resolved for possibly a year or longer. He stated that currently the Commission is liable for actions resulting from this contract; such as the death or injury of a federal inmate. However, the funds are controlled primarily by the Sheriff. He said an AG Opinion would be the best way to settle this issue without getting into a lawsuit with the Sheriff's Office.

Mr. Holcomb asked the members what their opinions were on the matter.

Mr. Kuykendall said since he made the motion he wanted to say a few things. He stated the following: "First of all, an Attorney General's Opinion takes time too. Secondly, as I understand it, an Attorney General's opinion is just that, an opinion. Until validated in a court of law, it remains an opinion. It has a weight of course no doubt of that. I still think, felt then and feel now, that until you know whether the contract was valid or not, and you're sort of working at a disadvantage in trying to resolve the problem. I think a declaratory judgment is the only way you're going to know one way or the other. I haven't changed my mind on that but this Commission has the obligation to do what they believe is the best for the entire county and obviously majority rules."

Mr. Mauney said that he didn't have any reason to believe that if the Attorney General ruled that the County Government must be a party that Sheriff Harris wouldn't concur with the AG Opinion do whatever the Attorney General recommended doing. He stated that it would be the choice then of the Sheriff to determine if he wanted to file a lawsuit.

Mr. Holcomb said he understood Mr. Kuykendall's concern, but he thought if the County could get an AG Opinion it would cover the County if we get sued.

Mr. Jackson commented as follows: "I agree with the Attorney. I agree, I feel like going to the Attorney General we could get a quicker response. We can get past this issue and get on with life. Recede the lawsuit and let's just let the Attorney General do his opinion. It'll probably be a quicker response and we can get done with it. I feel like his recommendation is a good one".

Mr. Nix made the following comments: "Mr. Chairman, I will make a comment on that since you asked me, I'll go back and make one. I'll concur with the Attorney and what he said. First of all, I don't think 5 men elected by the people of this county looking at another person that is elected by the people of this county, we should study on it real hard whether we sue that individual or not. If we could settle it like our Attorney is talking about then I'm for that. This other to me is way beyond things that we should be doing. We've got more important things to be doing than that in the first place and that's my opinion. Let the Attorney General give us his opinion. I believe Sheriff Harris will go along with whatever the Attorney General says then we can go from there".

Mr. Kuykendall stated: "The way I understand this in getting an Attorney General's opinion is by not having a pending legal action is that correct, that's the reason for rescinding of the motion".

Mr. Mauney said, Yes, if a lawsuit is pending, the Attorney General is not going to issue an opinion.

Mr. Kuykendall stated: "First of all and clarification too, (the) Sheriff was named in a lawsuit, because you have to be named in a lawsuit, there is no way to not name him personally, because he signed a contract. My question was not with Sheriff Harris or his actions as the Sheriff of DeKalb County, it was

the termination of the legality of this suit. I mean the legality of the contract, nothing more. So, and I still believe that's the case to do."

Mr. Holcomb called for a motion.

It was moved by Mr. Jackson, seconded by Mr. Nix, with Mr. Kuykendall voting nay, all other members voting affirmatively, motion carrying to rescind the motion regarding the lawsuit against Sheriff Harris and to seek an Attorney General's opinion regarding the legality of the contract and his authority to unilaterally contract with third parties.

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Road Superintendent Tom Broyles addressed the Commission as follows:

- a) CR 89: Mr. Broyles said he would go check the areas on CR 89 that Mr. Akins brought to the Commission's attention. He noted that ditches did need to be cleaned out and that's one of the areas that has suffered over the past few years because of the emphasis on paving dirt roads and the limited amount of employees in the Road Department.
  - b) Hauling: Crews are hauling chert in District IV.
  - c) Herbicide: The second application of herbicide is underway and is about 60-70% complete.
  - d) Paving: Paving contractor came in last week and worked part of a day resurfacing a portion of CR 85. He still has several roads remaining. Have not heard from him in a few days. He plans to work on repairing some of the roads done last year that were damaged due to the freeze. He should be able to complete everything in about 4 days.
  - e) Asphalt Paving Machine: The asphalt paving machine was delivered last week and crews are putting down some base material with it. It will be a dual-purpose machine. It should be good training for our crews before we start putting down hot mix material.
  - f) CR 85/CR 27: CR 85 from the top of the mountain to AL Hwy 40 and CR 27 from Hwy 75 to the Jackson County line are in real bad shape. These are asphalt roads that have what are called alligator cracks. It is too expensive to seal these with asphalt, so we have to use bituminous treatment (tar/gravel) and pave over the existing lines. As soon as the loose gravel gets worked off, these roads will need to be re-striped.
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County Engineer Ben Luther addressed the Commission concerning the proposed vacation of CR 362, as requested by Commissioner Nix. It is located below Kilpatrick between Hwy 68 and CR 433. Mr. Nix stated it was a cut-thru road and a man owns both sides of the road and wants to vacate it because people are dumping dead goats and junk on the road. Mr. Luther asked the Commission to authorize him to start the procedures to vacate the road (i.e., advertising, sending letters, etc.).

It was moved by Mr. Nix, seconded by Mr. Harcrow, all members voting affirmatively, motion carrying to begin the procedure to vacate CR 362.

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Mr. Luther also asked the Commission to authorize him to attend the Fall County Engineer's meeting November 15-16 in Prattville.

It was moved by Mr. Harcrow, seconded by Mr. Nix, all members voting affirmatively, motion carrying to authorize Ben Luther, County Engineer to attend the Fall County Engineer's Meeting.

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Mr. Luther presented the Annual Road Material and Other Bids to the Commission and asked them to award to the lowest and best bidders.

It was moved by Mr. Jackson, seconded by Mr. Nix, all members voting affirmatively, motion carrying to award the Annual Bids as listed below:

**Annual Bids 2010-2011**  
**SUMMARY - Low Bidders List**  
**Awarded for Fiscal Year 2011 (October 1, 2010 to September 30, 2011)**  
**Bids opened September 16, 2010 @ 1:00 p.m.**

| <b>Bid Category</b>                               | <b>Low Bidder</b>   |
|---|---|
| Asphalt Cold Mix Material                         | Jackson Paving  |
| Asphalt Hot Mix Material                          | 1. Jackson Paving<br>2. DeKalb Asphalt                    |
| Concrete (Minor Structure)                        | No Bids Received  |
| Concrete (Structural Portland Cement)             | Kirkpatrick Concrete                                      |
| Concrete Pipe                                     | Harvey Culvert Co.  |
| Corrugated Metal Pipe                             | Contech Construction Products                             |
| CRS 2 Asphalt                                     | Hunt Refining   |
| Crushed Stone                                     | 1. Vulcan Materials<br>2. Blount Springs Materials        |
| Debris Removal                                    |   |
| Grader Blades                                     | Thompson Tractor  |
| High Density Polyethylene Pipe                    | S&S Wholesale   |
| High Performance Cold Patch Material              | Unique Paving Materials                                   |
| High Performance Cold Patch Material - Co. Pickup | Dunn Construction   |
| Hot Mix Asphalt Paving                            | Jackson Paving  |
| Lubricants  | Cedar Bluff Oil   |
| Traffic Signs                                     | 1. Vulcan Signs<br>2. Traffic Signs Inc.<br>3. G&C Supply |
| Traffic Sign Posts                                | G&C Supply  |
| Traffic Stripe                                    | 1. JC Cheek<br>2. Peek Pavement Marking                   |
| Treated Bridge Timber                             | Stringfellow Lumber                                       |
| Truck Haul  | Moses Excavating  |

Itemized Bids are as follows:

|   |                  |
|---|------------------|
| <b>Asphalt Cold Mix Road Patching Material (awarded to Jackson Paving):</b> |                  |
| Jackson Paving & Construction   | \$ 65.00         |
| Vulcan  | No Bid           |
| DeKalb Asphalt  | No Bids received |
| Blount Springs Materials  | No Bids received |

|   |                  |
|---|------------------|
| <b>Asphalt Hot Mix Road Patching Material:</b>                          |                  |
| Jackson Paving & Construction   | \$ 55.40         |
| DeKalb Asphalt  | \$ 60.00         |
| Vulcan  | No Bids received |
| Blount Springs Materials  | No Bids received |
| Bid awarded to both vendors depending on haul distance and availability |                  |

|   |                  |
|---|------------------|
| <b>Concrete - Minor Structure (will negotiate):</b> |                  |
| Eagle Ready Mix                                     | No Bids received |
| Kirkpatrick Concrete                                | No Bids received |
| DeKalb Ready Mix                                    | No Bids received |

**Concrete - Structural Portland Cement (awarded to Kirkpatrick Concrete):**

|                         |                  |
|-------------------------|------------------|
| Kirkpatrick Concrete    |                  |
| Class A-1a (3000psi)    | \$ 105.00        |
| Class A-1c (4000psi)    | \$ 105.00        |
| Class B-3 (2000 psi)    | \$ 105.00        |
| Add Retarder            | \$ 3.00          |
| Add Air Entrainment     | No Charge        |
| Add Fiber Reinforcement | \$ 6.00          |
| Add Accelerator         | \$ 14.00         |
| Eagle Ready Mix         | No Bids received |
| DeKalb Ready Mix        | No Bids received |

**Concrete Pipe (awarded to Harvey Culvert Co.):**

|                               |                  |
|-------------------------------|------------------|
| Harvey Culvert Co.            |                  |
| 15" Reinforced, Class 3       | \$ 9.45          |
| 18"                           | \$ 12.29         |
| 24"                           | \$ 19.40         |
| 30"                           | \$ 26.65         |
| 36"                           | \$ 34.65         |
| 48"                           | \$ 54.62         |
| 60"                           | \$ 85.00         |
| 42" (wrote in)                | \$ 43.22         |
| Hanson Pipe                   |                  |
| 15" Reinforced, Class 3       | \$ 12.00         |
| 18"                           | \$ 13.65         |
| 24"                           | \$ 21.56         |
| 30"                           | \$ 29.61         |
| 36"                           | \$ 38.50         |
| 48"                           | \$ 60.69         |
| 60"                           | \$105.70         |
| Contech Construction Products | No Bids received |
| Shipman Concrete Pipe Co.     | No Bids received |

**Corrugated Metal Pipe (awarded to Contech Construction Products):**

|                               |                  |
|-------------------------------|------------------|
| Contech Construction Products |                  |
| Plain Galvanized              | 46% Discount     |
| BCCM                          | 46%              |
| BCCMPI                        | 46%              |
| Aluminized Type II            | 46%              |
| Coupling Bands                | same             |
| Lift Hooks                    | \$100.00         |
| Harvey Culvert Co.            |                  |
| Plain Galvanized              | 41% Discount     |
| BCCM                          | 41%              |
| BCCMPI                        | 41%              |
| Aluminized Type II            | 36%              |
| Coupling Bands                | same             |
| Lift Hooks                    | \$ 15.00         |
| Empire Pipe                   | No Bid           |
| BMP, Inc.                     | No Bids received |
| Alabama Steel Supply          | No Bids received |
| Dixie Bridge & Culvert        | No Bids received |
| Hanson Pipe                   | No Bids received |
| Keeling Co.                   | No Bids received |

**CRS 2 Asphalt (awarded to Hunt Refining Co.):**

|                                |                  |
|--------------------------------|------------------|
| Hunt Refining Co.              | \$ 1.7877        |
| Ergon Asphalt & Emulsions      | \$ 1.7900        |
| Gulf Coast Asphalt             | \$ 1.9300        |
| Warrior Asphalt Refining Corp. | No Bids received |
| Vulcan Materials Co.           | No Bids received |
| Hudson Materials Co.           | No Bids received |

**Crushed Stone (awarded to both Vulcan and Blount Springs – low bidder per item):**

|                        | <u>Vulcan</u>   | <u>Blount Springs</u> |
|------------------------|-----------------|-----------------------|
| #1 Aggregate           | \$7.65          | \$8.50                |
| #2                     | \$7.65          | \$8.00                |
| #24                    | No Bid          | No Bid                |
| #3                     | No Bid          | No Bid                |
| #357                   | No Bid          | No Bid                |
| #4                     | \$7.65          | \$7.00                |
| #467                   | No Bid          | \$7.75                |
| #410                   | \$7.35          | \$6.50                |
| #5                     | \$7.75          | \$7.00                |
| #56                    | No Bid          | \$7.00                |
| #57                    | \$7.85          | \$7.50                |
| #6                     | \$7.65          | \$7.00                |
| #67                    | \$7.95          | \$7.50                |
| #68                    | No Bid          | No Bid                |
| #610                   | \$7.55          | \$6.50                |
| #7                     | \$7.95          | No Bid                |
| #78                    | \$7.95          | \$7.25                |
| #710                   | \$7.35          | No Bid                |
| #8                     | No Bid          | No Bid                |
| #89                    | \$12.00         | \$7.50                |
| #810                   | \$7.05          | No Bid                |
| #8910                  | \$7.05          | \$6.25                |
| #9                     | No Bid          | No Bid                |
| #10                    | No Bid          | No Bid                |
| <br>                   |                 |                       |
| #5 Washed Stone        | \$7.75          | \$7.50                |
| #6                     | \$7.65          | \$7.50                |
| #78                    | \$7.95          | \$7.50                |
| #89                    | \$12.00         | \$8.00                |
| <br>                   |                 |                       |
| RipRap #1              | \$8.75          | \$9.50                |
| RipRap #2              | \$9.40          | \$9.50                |
| Pit Run Shotrock       | \$7.10          | \$9.50                |
| Surge Pile Agg.        | \$7.10          | No Bid                |
| 1 ½” Crusher Run       | \$7.30          | \$6.50                |
| Pug Mixed Dense Grade  | \$7.50          | \$6.75                |
| <br>                   |                 |                       |
| McCartney Construction | No Bid          |                       |
| Whitaker Construction  | No Bid received |                       |

**Debris Removal (No recommendation made at this time):**

|  |          |
|--|----------|
| D&J Enterprises                                      |          |
| Removal/Disposal of Eligible Vegetative Debris (CY)  | \$ 16.50 |
| Removal/Disposal of Eligible C&D Debris (CY)         | \$ 17.50 |
| Removal/Disposal of Eligible Vegetative Debris (Ton) | \$ 84.00 |
| Removal/Disposal of Eligible C&D Debris (Ton)        | \$ 89.00 |
| Removal/Disposal of White Goods (Unit)               | \$ 65.00 |
| Removal/Disposal of Hazardous Household (LB)         | \$ 37.00 |
| Removal/Disposal of Electronic Waste (Unit)          | \$ 40.00 |
| 24.01 in – 47.99 in diameter Stumps (Stump)          | \$150.00 |
| 48 in + diameter Stumps (Stump)                      | \$250.00 |

Asplundh

|  |          |
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| Removal/Disposal of Eligible Vegetative Debris (CY)  | \$ 12.20 |
| Removal/Disposal of Eligible C&D Debris (CY)         | \$ 15.95 |
| Removal/Disposal of Eligible Vegetative Debris (Ton) | \$158.85 |
| Removal/Disposal of Eligible C&D Debris (Ton)        | \$103.85 |
| Removal/Disposal of White Goods (Unit)               | \$120.00 |
| Removal/Disposal of Hazardous Household (LB)         | \$ 10.00 |
| Removal/Disposal of Electronic Waste (Unit)          | \$ 10.00 |
| 24.01 in – 47.99 in diameter Stumps (Stump)          | \$550.00 |
| 48 in + diameter Stumps (Stump)                      | \$750.00 |
| <b>Bamaco</b>  |          |
| Removal/Disposal of Eligible Vegetative Debris (CY)  | \$ 7.73  |
| Removal/Disposal of Eligible C&D Debris (CY)         | \$ 12.73 |
| Removal/Disposal of Eligible Vegetative Debris (Ton) | \$ 17.73 |
| Removal/Disposal of Eligible C&D Debris (Ton)        | \$ 27.73 |
| Removal/Disposal of White Goods (Unit)               | \$ 32.00 |
| Removal/Disposal of Hazardous Household (LB)         | \$ 1.89  |
| Removal/Disposal of Electronic Waste (Unit)          | \$ 5.00  |
| 24.01 in – 47.99 in diameter Stumps (Stump)          | \$275.00 |
| 48 in + diameter Stumps (Stump)                      | \$375.00 |
| <b>Crowder</b>                                       |          |
| Removal/Disposal of Eligible Vegetative Debris (CY)  | \$ 7.60  |
| Removal/Disposal of Eligible C&D Debris (CY)         | \$ 8.00  |
| Removal/Disposal of Eligible Vegetative Debris (Ton) | \$ 76.00 |
| Removal/Disposal of Eligible C&D Debris (Ton)        | \$ 80.00 |
| Removal/Disposal of White Goods (Unit)               | \$ 50.00 |
| Removal/Disposal of Hazardous Household (LB)         | \$ 5.00  |
| Removal/Disposal of Electronic Waste (Unit)          | \$ 10.00 |
| 24.01 in – 47.99 in diameter Stumps (Stump)          | \$300.00 |
| 48 in + diameter Stumps (Stump)                      | \$400.00 |
| <b>TAG</b>   |          |
| Removal/Disposal of Eligible Vegetative Debris (CY)  | \$ 6.25  |
| Removal/Disposal of Eligible C&D Debris (CY)         | \$ 19.82 |
| Removal/Disposal of Eligible Vegetative Debris (Ton) | \$ 48.00 |
| Removal/Disposal of Eligible C&D Debris (Ton)        | \$ 95.50 |
| Removal/Disposal of White Goods (Unit)               | \$ 25.00 |
| Removal/Disposal of Hazardous Household (LB)         | \$ 20.00 |
| Removal/Disposal of Electronic Waste (Unit)          | \$ 15.00 |
| 24.01 in – 47.99 in diameter Stumps (Stump)          | \$175.00 |
| 48 in + diameter Stumps (Stump)                      | \$275.00 |
| <b>Phillips &amp; Jordan</b>                         |          |
| Removal/Disposal of Eligible Vegetative Debris (CY)  | \$ 16.75 |
| Removal/Disposal of Eligible C&D Debris (CY)         | \$ 16.75 |
| Removal/Disposal of Eligible Vegetative Debris (Ton) | \$134.00 |
| Removal/Disposal of Eligible C&D Debris (Ton)        | \$134.00 |
| Removal/Disposal of White Goods (Unit)               | \$ 95.00 |
| Removal/Disposal of Hazardous Household (LB)         | \$ 20.00 |
| Removal/Disposal of Electronic Waste (Unit)          | \$ 12.00 |
| 24.01 in – 47.99 in diameter Stumps (Stump)          | \$350.00 |
| 48 in + diameter Stumps (Stump)                      | \$450.00 |
| <b>DRC</b>   |          |
| Removal/Disposal of Eligible Vegetative Debris (CY)  | \$ 8.64  |
| Removal/Disposal of Eligible C&D Debris (CY)         | \$ 11.87 |
| Removal/Disposal of Eligible Vegetative Debris (Ton) | \$107.65 |
| Removal/Disposal of Eligible C&D Debris (Ton)        | \$116.65 |
| Removal/Disposal of White Goods (Unit)               | \$ 64.00 |
| Removal/Disposal of Hazardous Household (LB)         | \$ 8.84  |
| Removal/Disposal of Electronic Waste (Unit)          | \$ 2.00  |
| 24.01 in – 47.99 in diameter Stumps (Stump)          | \$ 95.00 |
| 48 in + diameter Stumps (Stump)                      | \$395.00 |
| <b>R. Baker</b>                                      |          |
| Removal/Disposal of Eligible Vegetative Debris (CY)  | \$ 6.50  |
| Removal/Disposal of Eligible C&D Debris (CY)         | \$ 14.95 |

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|--|-----------------|
| Removal/Disposal of Eligible Vegetative Debris (Ton) | \$ 48.00        |
| Removal/Disposal of Eligible C&D Debris (Ton)        | \$ 88.00        |
| Removal/Disposal of White Goods (Unit)               | \$ 5.00         |
| Removal/Disposal of Hazardous Household (LB)         | \$ 0.05         |
| Removal/Disposal of Electronic Waste (Unit)          | \$ 5.00         |
| 24.01 in – 47.99 in diameter Stumps (Stump)          | \$200.00        |
| 48 in + diameter Stumps (Stump)                      | \$400.00        |
| <b>Omni Pinnacle</b>                                 |                 |
| Removal/Disposal of Eligible Vegetative Debris (CY)  | \$ 10.95        |
| Removal/Disposal of Eligible C&D Debris (CY)         | \$ 14.65        |
| Removal/Disposal of Eligible Vegetative Debris (Ton) | \$105.00        |
| Removal/Disposal of Eligible C&D Debris (Ton)        | \$145.00        |
| Removal/Disposal of White Goods (Unit)               | \$ 65.00        |
| Removal/Disposal of Hazardous Household (LB)         | \$ 2.00         |
| Removal/Disposal of Electronic Waste (Unit)          | \$ 65.00        |
| 24.01 in – 47.99 in diameter Stumps (Stump)          | \$250.00        |
| 48 in + diameter Stumps (Stump)                      | \$350.00        |
| <b>McInnis</b>                                       |                 |
| Removal/Disposal of Eligible Vegetative Debris (CY)  | \$ 15.24        |
| Removal/Disposal of Eligible C&D Debris (CY)         | \$ 16.24        |
| Removal/Disposal of Eligible Vegetative Debris (Ton) | \$ 97.79        |
| Removal/Disposal of Eligible C&D Debris (Ton)        | \$ 97.79        |
| Removal/Disposal of White Goods (Unit)               | \$ 67.99        |
| Removal/Disposal of Hazardous Household (LB)         | \$ 4.95         |
| Removal/Disposal of Electronic Waste (Unit)          | \$ 19.98        |
| 24.01 in – 47.99 in diameter Stumps (Stump)          | \$374.98        |
| 48 in + diameter Stumps (Stump)                      | \$574.98        |
| <b>IED</b>   |                 |
| Removal/Disposal of Eligible Vegetative Debris (CY)  | \$ 8.75         |
| Removal/Disposal of Eligible C&D Debris (CY)         | \$ 9.50         |
| Removal/Disposal of Eligible Vegetative Debris (Ton) | \$ 76.00        |
| Removal/Disposal of Eligible C&D Debris (Ton)        | \$ 56.00        |
| Removal/Disposal of White Goods (Unit)               | \$ 35.00        |
| Removal/Disposal of Hazardous Household (LB)         | \$ 35.00        |
| Removal/Disposal of Electronic Waste (Unit)          | \$ 15.00        |
| 24.01 in – 47.99 in diameter Stumps (Stump)          | \$150.00        |
| 48 in + diameter Stumps (Stump)                      | \$250.00        |
| Storm Recon.   | No Bid received |

| <b>Grader Blades (awarded by Thompson Tractor Co.):</b> |                         |                            |
|---|-------------------------|----------------------------|
|   | <u>Thompson Tractor</u> | <u>Batey &amp; Sanders</u> |
| 5/8" x 6" x 6' Blades                                   | \$41.05                 | \$51.00                    |
| 5/8" x 6" x 7' Blades                                   | \$47.07                 | \$58.46                    |
| Joe Money   | No Bid                  |                            |
| Tractor & Equipment                                     | No Bid received         |                            |
| Power Equipment   | No Bid                  |                            |

| <b>High Density Polyethylene Pipe (awarded to S&amp;S Wholesale):</b> |            |            |            |            |            |            |            |            |
|---|------------|------------|------------|------------|------------|------------|------------|------------|
|   | <u>12"</u> | <u>15"</u> | <u>18"</u> | <u>24"</u> | <u>30"</u> | <u>36"</u> | <u>42"</u> | <u>48"</u> |
| S&S Wholesale   | \$3.80     | \$5.60     | \$6.65     | \$12.45    | \$16.68    | \$20.75    | \$26.96    | \$34.00    |
| Eagle Wholesale   | \$3.91     | \$5.68     | \$6.88     | \$12.60    | \$17.01    | \$21.21    | \$28.27    | \$35.42    |
| Harvey Culvert  | \$3.91     | \$5.62     | \$7.21     | \$12.40    | \$17.42    | \$21.75    | \$28.58    | \$38.00    |
| Harris Land, Inc.   | \$3.90     | \$5.60     | \$6.70     | \$12.60    | \$16.95    | \$21.25    | \$28.86    | \$35.00    |
| Contech Const.  | \$4.50     | \$5.86     | \$7.74     | \$13.48    | \$19.21    | \$25.89    | \$34.61    | \$45.25    |
| DeKalb Wholesale  | \$3.87     | \$5.65     | \$6.80     | \$12.60    | \$17.50    | \$21.50    | \$27.75    | \$36.98    |
| Empire Pipe   | No Bid     |            |            |            |            |            |            |            |

| <b>High Performance Cold Patch Material (awarded to Unique Paving Materials):</b> |                 |
|---|-----------------|
| Unique Paving Materials Corp.   | \$0.475         |
| QPR Division of LaFarge   | No Bid received |
| Hudson Materials Co.  | No Bid received |

**High Performance Cold Patch Material - Co. Pickup (awarded to Dunn Construction):**

|                               |                 |
|-------------------------------|-----------------|
| Dunn Construction             | \$110.00        |
| QPR Division of LaFarge       | No Bid received |
| Unique Paving Materials Corp. | No Bid received |
| Hudson Materials Co.          | No Bid received |

**Hot Mix Asphalt Paving (awarded by Jackson Paving):**

|                            |                 |
|----------------------------|-----------------|
| 405-A                      | \$ 2.90         |
| 407-B                      | \$1,940.00      |
| 408-A                      | \$ 3.37         |
| 424-A (3/8")               | \$ 71.80        |
| 424-A (1/2")               | \$ 68.15        |
| 424-A (3/4")               | \$ 64.80        |
| 424-B (3/4")               | \$ 61.80        |
| 424-B (1")                 | \$ 56.60        |
| 424-B (1/2" leveling)      | \$ 66.35        |
| 424-B (3/4" leveling)      | \$ 64.98        |
| 424-B (1" leveling)        | \$ 59.80        |
| 424-B (3/4" widening)      | \$ 67.28        |
| 424-B (1" widening)        | \$ 62.40        |
| 424-C                      | \$ 100.00       |
| 430-B                      | \$ 22.10        |
| McCartney Construction     | No Bid          |
| Norris Paving              | No Bid received |
| Good Hope Const. Co., Inc. | No Bid received |
| Whitaker Contracting, Inc. | No Bid received |

**Lubricants (awarded to Cedar Bluff Oil):**

|                         |                 |
|-------------------------|-----------------|
| Cedar Bluff Oil Co.     |                 |
| Item #1                 | \$375.00        |
| #2                      | \$365.00        |
| #3                      | \$590.00        |
| #4                      | \$425.00        |
| #5                      | \$175.00        |
| #6                      | \$245.00        |
| #6A                     | \$ 25.00        |
| #7                      | \$150.00        |
| #8                      | \$150.00        |
| #8A                     | \$150.00        |
| #9                      | \$375.00        |
| #10                     | \$435.00        |
| #11                     | \$435.00        |
| #12                     | \$425.00        |
| #13                     | \$425.00        |
| McPherson Oil           | No Bid received |
| HJ Walker Oil Co., Inc. | No Bid received |
| D&D Oil Co.             | No Bid received |
| Williamson Oil          | No Bid received |
| Lubrication Engineers   | No Bid received |

**Traffic Signs (awarded to Vulcan Signs, Traffic Signs, Inc. and G&C Supply – based on line item):**

|                         | <u>Vulcan</u> | <u>Traffic Signs</u> | <u>G&amp;C Supply</u> |
|-------------------------|---------------|----------------------|-----------------------|
| 1 Color, Type I         | \$3.09        | \$2.98               | \$3.00                |
| 1 Color, Type II        | \$3.36        | \$3.68               | No Bid                |
| 1 Color, Type III       | \$3.86        | \$3.73               | \$3.80                |
| 2 Color, Type I         | \$3.14        | \$3.03               | \$3.10                |
| 2 Color, Type II        | \$3.41        | \$3.73               | No Bid                |
| 2 Color, Type III       | \$3.91        | \$3.78               | \$3.89                |
| 3 Color, Type I         | \$3.26        | \$3.10               | \$3.28                |
| 3 Color, Type II        | \$3.52        | \$3.78               | No Bid                |
| 3 Color, Type III       | \$4.02        | \$3.85               | \$4.17                |
| Octagon 30"x30", Type I | \$17.94       | \$17.55              | \$17.83               |

|                                       |         |         |         |
|---------------------------------------|---------|---------|---------|
| Octagon 30"x30", Type II              | \$19.70 | \$21.94 | No Bid  |
| Octagon 30"x30", Type III             | \$22.83 | \$22.92 | \$22.59 |
| Octagon 36"x36", Type I               | \$25.94 | \$25.27 | \$26.00 |
| Octagon 36"x36", Type II              | \$28.44 | \$31.30 | No Bid  |
| Octagon 36"x36", Type III             | \$32.97 | \$33.01 | \$32.40 |
| Octagon 48"x48", Type I               | \$46.00 | \$44.93 | \$59.95 |
| Octagon 48"x48", Type II              | \$50.41 | \$55.64 | No Bid  |
| Octagon 48"x48", Type III             | \$58.50 | \$58.69 | \$66.30 |
| Yield 30"x30", Type I                 | \$9.10  | \$8.94  | \$14.27 |
| Yield 30"x30", Type II                | \$9.98  | \$11.04 | No Bid  |
| Yield 30"x30", Type III               | \$11.55 | \$11.19 | \$19.18 |
| Pentagon 30"x30", Type I              | \$17.99 | \$17.55 | \$18.60 |
| Pentagon 30"x30", Type II             | \$19.74 | \$21.74 | No Bid  |
| Pentagon 30"x30", Type III            | \$22.90 | \$22.92 | \$22.59 |
| Co. Rt. Marker 18"x18", Type I        | \$17.69 | \$16.98 | \$19.43 |
| Co. Rt. Marker 18"x18", Type II       | \$19.22 | \$20.97 | No Bid  |
| Co. Rt. Marker 18"x18", Type III      | \$21.95 | \$20.35 | \$22.19 |
| FYG School Signs – DG3                | \$7.33  | \$7.00  | \$6.93  |
| Specialty Signs, Type I               | \$4.04  | \$3.88  | \$3.60  |
| Specialty Signs, Type II              | \$4.72  | \$4.72  | No Bid  |
| Specialty Signs, Type III             | \$5.25  | \$5.04  | \$4.57  |
| Type 1 w/Reflectors, Type I           | \$13.20 | \$11.75 | \$15.24 |
| Type 1 w/Reflectors, Type II          | \$14.25 | N/A     | No Bid  |
| Type 1 w/Reflectors, Type III         | \$15.40 | \$13.25 | \$18.41 |
| Type 1 w/o Reflectors, Type I         | \$6.57  | \$6.71  | \$8.68  |
| Type 1 w/o Reflectors, Type II        | \$7.53  | \$8.28  | No Bid  |
| Type 1 w/o Reflectors, Type III       | \$8.67  | \$8.39  | \$10.04 |
| Type 2 w/Reflectors, Type I           | \$4.48  | \$4.35  | \$5.71  |
| Type 2 w/Reflectors, Type II          | \$4.75  | N/A     | No Bid  |
| Type 2 w/Reflectors, Type III         | \$5.08  | \$4.95  | \$6.06  |
| Type 2 w/o Reflectors, Type I         | \$2.15  | \$1.55  | \$2.46  |
| Type 2 w/o Reflectors, Type II        | \$2.25  | \$1.90  | No Bid  |
| Type 2 w/o Reflectors, Type III       | \$2.50  | \$1.98  | \$2.80  |
| End of Rdway w/Reflectors, Type I     | \$12.00 | \$12.75 | \$15.24 |
| End of Rdway w/Reflectors, Type II    | N/A     | N/A     | No Bid  |
| End of Rdway w/Reflectors, Type III   | N/A     | \$14.44 | \$18.31 |
| End of Rdway w/o Reflectors, Type I   | \$6.57  | \$6.71  | \$8.41  |
| End of Rdway w/o Reflectors, Type II  | \$7.53  | \$8.28  | No Bid  |
| End of Rdway w/o Reflectors, Type III | \$8.67  | \$8.39  | \$9.61  |

**Traffic Sign Posts (awarded to G&C Supply):**

|                             |         |         |         |
|-----------------------------|---------|---------|---------|
| Sign Posts – 8' – 2 lbs/ft  | \$12.52 | \$12.00 | \$11.69 |
| Sign Posts – 8' – 3 lbs/ft  | \$17.98 | \$18.24 | \$16.94 |
| Sign Posts – 10' – 2 lbs/ft | \$15.67 | \$15.00 | \$14.61 |
| Sign Posts – 10' – 3 lbs/ft | \$22.56 | \$22.80 | \$21.17 |
| Sign Posts – 12' – 2 lbs/ft | \$18.42 | \$18.00 | \$17.53 |
| Sign Posts – 12' – 3 lbs/ft | \$27.03 | \$27.36 | \$25.41 |

**Treated Bridge Timber (awarded by Stringfellow Lumber):**

|  | Stringfellow | Tri-State  |
|--|--------------|------------|
| Timber Treated w/CCA 0.60 lbs – 4"           | \$ 700.00    | \$ 625.00  |
| Timber Treated w/CCA 0.60 lbs – 3"           | \$ 675.00    | \$ 650.00  |
| Timber Treated w/CCA 0.80 lbs – 4"           | \$ 790.00    | \$ 850.00  |
| Timber Treated w/CCA 0.80 lbs – 3"           | \$ 765.00    | \$ 875.00  |
| 10,000 Board feet (truck load) – 4" 0.60 ret | \$7,000.00   | \$6,875.00 |
| 10,000 Board feet (truck load) – 3" 0.60 ret | \$6,750.00   | \$7,125.00 |
| 10,000 Board feet (truck load) – 4" 0.80 ret | \$7,900.00   | \$9,125.00 |
| 10,000 Board feet (truck load) – 3" 0.80 ret | \$7,650.00   | \$9,375.00 |

**Truck Hauling (awarded to Moses Excavating)**

|                             |                 |
|-----------------------------|-----------------|
| Moses Excavating:           |                 |
| CY for 1 <sup>st</sup> Mile | \$1.10          |
| CY/mi thereafter            | \$0.40          |
| TS&W Trucking               | No Bid received |
| G.G. Smith                  | No Bid received |
| Joe McElroy Const.          | No Bid received |

**Traffic Striping (awarded to Peek Pavement Marking, Inc. and J.C. Cheek based on line item):**

|   | <u>Peek Pavement</u> | <u>JC Cheek</u> |
|---|----------------------|-----------------|
| Solid White, Class 1, Type A              | \$ 475.00            | \$ 445.00       |
| Solid Yellow, Class 1, Type A             | \$ 475.00            | \$ 445.00       |
| Broken Yellow, Class 1, Type A            | \$ 375.00            | \$ 225.00       |
| Solid White, Class 2, Type A              | \$1,550.00           | \$2,500.00      |
| Solid Yellow, Class 2, Type A             | \$1,550.00           | \$2,500.00      |
| Broken Yellow, Class 2, Type A            | \$1,250.00           | \$1,200.00      |
| Solid White, Class 2T, Type A             | \$1,350.00           | \$1,400.00      |
| Solid Yellow, Class 2T, Type A            | \$1,350.00           | \$1,400.00      |
| Broken Yellow, Class 2T, Type A           | \$1,050.00           | \$ 800.00       |
| Broken Temporary                          | \$ 325.00            | \$ 800.00       |
| Solid Temporary                           | \$ 425.00            | \$ 850.00       |
| Traffic Control Marking, Class 1, Type A  | \$ 2.50              | \$ 2.00         |
| Traffic Control Marking, Class 2, Type A  | \$ 5.00              | \$ 4.50         |
| Traffic Control Marking, Class 2T, Type A | \$ 4.00              | \$ 4.50         |
| Traffic Control Legends, Class 1, Type A  | \$ 3.00              | \$ 2.50         |
| Traffic Control Legends, Class 2, Type A  | \$ 5.50              | \$ 4.50         |
| Traffic Control Legends, Class 2T, Type A | \$ 4.50              | \$ 4.50         |
| Pavement Markers, Class A, Type 1-B       | \$ 3.50              | \$ 5.75         |
| Pavement Markers, Class A, Type 2-D       | \$ 3.50              | \$ 5.75         |
| Ozark Striping Co.                        | No Bid received      |                 |
| Marcato & Son, Inc.                       | No Bid received      |                 |

Wade Hill requested that Matt Martin be hired as a Correction Officer to replace Heath Tate and that Joshua Phillips be hired as a PT Dispatcher to replace Eric Johnson. Both Tate and Johnson recently resigned.

It was moved by Mr. Jackson, seconded by Mr. Nix, all members voting affirmatively, motion carrying to hire Matt Martin as a full time Corrections Officer and Joshua Phillips as a part-time dispatcher.

Mr. Sharp notified the Commission that the County had received a claim from Killian & Killian attorneys regarding the death of County Inmate Kenneth Ray Houston, Jr. Mr. Houston was arrested on January 2, 2010 and passed away at DeKalb Regional Hospital on January 15, 2010. Mr. Hill said he went into cardiac arrest. The claim is for the maximum of \$100,000. They are also including the County Commission, Jail Nurse and Jailer in the suit. The County spent approximately \$35,000 on his medical care during his stay in the jail. Mr. Sharp noted that it was County policy to present such claims in the Commission meeting and forward to the County's Liability Insurance carrier, Meadowbrook, ASI.

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

Mr. Sharp notified the Commission that bids for Office Supplies were opened on September 23, 2010 as follows:

| <b>Berry &amp; Dunn:</b>    |              |
|-----------------------------|--------------|
| Office Furniture            | 23% Discount |
| Art/Drafting Supplies       | 21%          |
| Binders/Supplies            | 22%          |
| Calculators                 | 18%          |
| Calculator Ribbons/Supplies | 22%          |
| Calendars                   | 21%          |
| Clips                       | 20%          |
| Computer Accessory Supplies | 20%          |
| Correction Supplies         | 17%          |
| Data Storage Media          | 20%          |

|  |                          |                        |
|--|--------------------------|------------------------|
| Envelopes                                    | 20%                      |                        |
| Files  | 21%                      |                        |
| Page Flags                                   | 20%                      |                        |
| Forms  | 20%                      |                        |
| Indexes                                      | 20%                      |                        |
| Label Holders                                | 18%                      |                        |
| Label Makers                                 | 18%                      |                        |
| Labels                                       | 20%                      |                        |
| Laminating Supplies                          | 17%                      |                        |
| Letter Openers                               | 23%                      |                        |
| Mailroom & Shipping Supplies                 | 20%                      |                        |
| Notebooks                                    | 18%                      |                        |
| Notebook Pads                                | 18%                      |                        |
| Self-Stick Note Pads                         | 18%                      |                        |
| Copy Paper                                   | \$35.38/case (Navigator) |                        |
| Pencils                                      | 20%                      |                        |
| Pens   | 20%                      |                        |
| Printing Supplies                            | 8% Inkjet                | 20% Aftermarket Inkjet |
|  | 10% Laser                | 20% Aftermarket Laser  |
| Report Covers                                | 20%                      |                        |
| Rubber Bands                                 | 17%                      |                        |
| Rulers                                       | 17%                      |                        |
| Scissors                                     | 17%                      |                        |
| Sheet Protectors                             | 17%                      |                        |
| Staplers                                     | 17%                      |                        |
| Staples                                      | 17%                      |                        |
| Tape/Dispensers                              | 18%                      |                        |
| <b>Amy's Ink Shop: (aftermarket pricing)</b> |                          |                        |
| Inkjet Refills                               | \$9.99/each              |                        |
| Lexmark T640                                 | \$99.99                  |                        |
| Dell 3115cn                                  | \$85.99 black            | \$131.99 color         |
| Dell 1600                                    | \$62.99                  |                        |
| Dell 3000cn                                  | \$49.99                  |                        |
| HP C4129X                                    | \$109.99                 |                        |
| HP C9730, 9731, 9732, 9733                   | \$149.99 black           | \$209.99 color         |
| HP Q2670, 2681, 2682, 2863                   | \$98.99 black            | \$112.99               |
| HP Q5942                                     | \$146.99                 |                        |
| <b>Riddles Office Supply</b>                 | Did Not Submit a Bid     |                        |

Mr. Sharp recommended that Berry & Dunn be given the regular Office Supply Bid through December 31, 2011. He also recommended that Amy's Ink Shop be awarded the Aftermarket bid on all Lexmark & HP printer cartridges and all Dell printer cartridges with the exception of Dell 3000cn.

It was moved by Mr. Nix, seconded by Mr. Kuykendall, all members voting affirmatively, motion carrying to award the office supply bid to Berry & Dunn and the Refill bid to Amy's Ink Shop.

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Mr. Sharp notified the Commission that D.A. Mike O'Dell had requested that Kristin Sanders be hired as a PT employee in the D.A.'s Office to be paid from District Attorney Funds. The payroll goes through the County, so the hire will need to be recorded in the County Commission minutes.

It was moved by Mr. Jackson, seconded by Mr. Harcrow, all members voting affirmatively, motion carrying to hire Kristin Sanders as a part-time employee at the District Attorney's Office at \$8/hr.

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Mr. Sharp presented a Department of Youth Services (DYS) contract to the County for long-term detention providing one bed by the State to Coosa Valley Youth Services. This agreement was sent to the County by Juvenile Probation Officer Jimmy Wilbanks.

It was moved by Mr. Jackson, seconded by Mr. Nix, all members voting affirmatively, motion carrying to authorize the contract for Coosa Valley Youth Services.

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Assistant Deputy EMA Director Daryl Lester addressed the Commission concerning the County's Hazardous Mitigation Plan. He stated that the plan is updated about every 5 years. A public meeting is scheduled on September 30. He presented the plan and asked the Commission to adopt a resolution approving the plan pending the final public review.

I was moved by Mr. Jackson, seconded by Mr. Kuykendall, all members voting affirmatively, motion carrying to authorize the following Hazardous Mitigation Plan Resolution:

**Natural Hazard Mitigation Plan of 2010  
RESOLUTION No. 10-0928-01**

**WHEREAS**, in the Disaster Mitigation Act of 2000, the Congress of the United States determined that Counties and Municipalities should prepare and adopt plans for the mitigation of the effects of natural hazards, and

**WHEREAS**, the DeKalb County Emergency Management Agency, in cooperation with the Federal Emergency Management Agency and the Alabama Emergency Management Agency, has prepared a multi-jurisdictional Natural Hazard Mitigation Plan for adoption by the County Commission and by the Municipalities of DeKalb County:

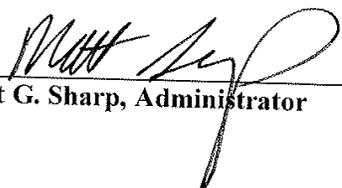
**NOW, THEREFORE BE IT RESOLVED** by the DeKalb County Commission that the DeKalb County Natural Hazard Mitigation Plan is hereby adopted, pending a public comment period.

**RESOLVED** this 28<sup>th</sup> day of September, 2010



\_\_\_\_\_  
Sid Holcomb, President  
DeKalb County Commission

ATTEST

  
\_\_\_\_\_  
Matt G. Sharp, Administrator

Mr. Jackson addressed the Commission and stated that the Blake Community Center has agreed to allow Highpoint voters to vote with them during the November 2, 2010 General Election. Sylvania was considered, but they have about 1,600 registered voters and congested traffic while Blake only has about 700-800 registered voters. Mr. Sharp said the Commission would still need to preclear the move with the USDOJ; however, a response is not likely by the election, but also noted that there shouldn't be a problem

It was moved by Mr. Jackson, seconded by Mr. Kuykendall, all members voting affirmatively, motion carrying to temporarily move the Highpoint voters to Blake Community Center (caused by Wilborn's Community Center no longer being available and Hawkin's Chapel members voting to turn down the County's request to move the voters to the church). It was further moved to pass the following resolution to be sent to the USDOJ for preclearance requirements:

**RESOLUTION NO. 10-0928-02  
HIGHPOINT VOTING LOCATION  
PRECINCT 4, BOX 9**

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

**WHEREAS**, the privately owned Wilborn's Community Center (located at 6747 CR 121, Fort Payne, AL 35967) is no longer available for use as a polling place causing an emergency situation for Precinct 4, Box 9; and

**WHEREAS**, no other site in the Highpoint Community was located to temporarily place Precinct 4, Box 9; and

**WHEREAS**, the Blake Community Center (located at 464 CR 505, Fort Payne, AL 35967) is the nearest current polling place available that can accommodate the voters of Precinct 4, Box 9 and be used as a polling place for the November 2, 2010 General Election; and

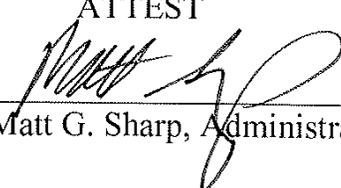
**WHEREAS**, the DeKalb County Commission is authorized by Code Section 17-6-3 and 17-6-4 to select polling places for each precinct;

**THEREFORE IT IS RESOLVED** due to the emergency situation caused by the unavailability of Wilborn's Community Center, the DeKalb County Commission does hereby authorize the polling place for Precinct 4, Box 9, to be temporarily moved to the Blake Community Center, subject to pre-clearance by the U.S. Justice Department.

**DONE THIS** 28<sup>th</sup> day of September 2010

  
\_\_\_\_\_  
Sid Holcomb, President

ATTEST

  
\_\_\_\_\_  
Matt G. Sharp, Administrator

Mr. Holcomb notified the Commission that a couple of meetings ago, Circuit Clerk Pam Simpson had requested that Willie Godwin be paid for an invoice of \$100 to use the Grove Oak Clubhouse as a voting location. A check was sent to Mr. Godwin and he has decided to return the check back to the County as a donation.

Mr. Kuykendall notified the Commission that a family on CR 484 near the landfill is in need of reliable clean water. Their well is not good and requested that about \$12,000 in tipping funds be used to help offset the costs of extending water to this family. The FP Water Board will pay the labor costs on this project.

It was moved by Mr. Kuykendall, seconded by Mr. Harcrow, all members voting affirmatively, motion carrying to authorize extension and payment of a waterline on CR 484.

Mr. Kuykendall also noted that he was checking on extending a waterline on CR 223 in the Collinsville area and would come back at the next meeting after costs were determined to see if sufficient funds are available in the Tipping Fee Fund to do that work.

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Mr. Holcomb said he had received a letter from Homeland Security rating the EMA staff as superior. He said the letter states “It is extremely commendable that your program is rated as one of the top programs in the State and received no significant deficiencies. This level of performance reflects credit to your office, other first responder agencies and the Homeland Security stakeholders in your county.” He thanked Mike Leath, Christy Hardin and Daryl Lester for their work in moving the EMA office from worst to first.

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Mr. Sharp addressed the Commission concerning the 2011 Holiday Calendar for the County and the 2010-11 Calendar for the Aging/Rural Transportation Program.

It was moved by Mr. Harcrow, seconded by Mr. Nix, all members voting affirmatively, motion carrying to adopt the following holiday schedule for 2011:

| <b>2011 Calendar Year Holiday</b>         |                       |                 |
|---|-----------------------|-----------------|
| New Year’s Day                            | Friday, December 31   | (State Holiday) |
| Martin Luther King, Jr./<br>Robert E. Lee | Monday, January 17    | (State Holiday) |
| President’s Day                           | Monday, February 21   | (State Holiday) |
| Confederate Memorial Day                  | Monday, April 25      | (State Holiday) |
| Memorial Day                              | Monday, May 30        | (State Holiday) |
| Independence Day                          | Monday, July 4        | (State Holiday) |
| Labor Day                                 | Monday, September 5   | (State Holiday) |
| Columbus Day                              | Monday, October 10    | (State Holiday) |
| Veteran’s Day                             | Friday, November 11   | (State Holiday) |
| Thanksgiving Day                          | Thursday, November 24 | (State Holiday) |
| Day-After Thanksgiving                    | Friday, November 25   | (*)             |
| Christmas Eve                             | Friday, December 23   | (*)             |
| Christmas Day                             | Monday, December 26   | (State Holiday) |

(\*) The State observes Jefferson Davis’ Birthday on June 6. Mardi Gras day is celebrated in Mobile & Baldwin County on March 8, while other State employees receive a personal day instead of Mardi Gras. The DeKalb County Commission observes the day after Thanksgiving and Christmas Eve as holidays.

DEKALB COUNTY RURAL PUBLIC TRANSPORTATION  
AND DEKALB COUNTY COUNCIL ON AGING  
HOLIDAYS FY 2010-2011

|  |                               |
|--|-------------------------------|
| November 11, 2010                        | Veteran's Day                 |
| November 25-26, 2010                     | Thanksgiving Holidays         |
| December 22, 23, 24,27,28,29, & 30, 2010 | Christmas Holidays & Closings |
| December 31, 2010                        | New Year's Day Holiday        |
| January 17, 2011                         | Martin Luther King Day        |
| April 22, 2011                           | Good Friday                   |
| May 30, 2011                             | Memorial Day                  |
| July 4, 2011                             | Independence Day              |
| September 5, 2011                        | Labor Day                     |

The Rural Public Transportation and Senior Center offices normally match their holiday schedule with ARC. Those holidays are different from the County/State Holidays. There are 16 holidays noted above, while there are 13 County/State holidays, so employees in these offices will need to take **annual leave for December 28-30.**

Note: December 22, 23 replace President's Day and Columbus Day  
April 22 (Good Friday) replaces Confederate Memorial Day (April 25).

Mr. Sharp addressed the Commission and notified the Commission that Chris Newton with the State EMA had informed him that the State had received a check for \$2.1 million from FEMA earlier in September and should make a payment to the County by early November. He asked the Commission to authorize a \$1 million loan from First State Bank for 3 months at 4% to complete the \$1.248 million principal payment to D&J Enterprises on the Debris Cleanup.

It was moved by Mr. Jackson, seconded by Mr. Kuykendall, all members voting affirmatively, motion carrying to authorize obtaining a loan from First State Bank to pay D&J Enterprises for debris removal.

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Mr. Sharp presented the following proposed 2010-11FY Budget as follows:

**2010-11FY BUDGET:**

|                               |                       |
|-------------------------------|-----------------------|
| <b>General Fund Budget</b>    | <b>\$7,149,245.00</b> |
| <u>General Government:</u>    |                       |
| County Commission             | 823,300.00            |
| Revenue Department            | 133,200.00            |
| Revenue Enforcement           | 34,200.00             |
| Courts                        | 12,000.00             |
| District Attorney's Office    | 54,650.00             |
| Probate Judge's Office        | 403,900.00            |
| Revenue Commissioner's Office | 677,000.00            |
| Elections                     | 126,500.00            |
| Board of Registrars           | 68,900.00             |
| Tax Equalization Board        | 900.00                |
| Veteran's Service Office      | 900.00                |
| Soil Conservation Office      | 33,950.00             |
| Data Processing Department    | 46,900.00             |
| State Examiner's Office       | 100.00                |
| Insurance (*)                 | 283,000.00            |
| DeKalb County EDA             | 58,200.00             |

|   |                       |
|---|-----------------------|
| Building Maintenance & Operations                     | 550,500.00            |
| <b>Total General Government</b>                       | <b>3,308,100.00</b>   |
| <b>General Fund Budget (continued):</b>               |                       |
| <u>Public Safety:</u>                                 |                       |
| Sheriff's Office (Sheriff & Supernumerary Salaries)   | 183,700.00            |
| EMA   | 200,000.00            |
| Coroner's Office                                      | 19,800.00             |
| Youth Services Agency                                 | 268,400.00            |
| <b>Total Public Safety</b>                            | <b>671,900.00</b>     |
| <u>Welfare:</u>                                       |                       |
| Aging Office  | 48,900.00             |
| Transportation Office                                 | 37,000.00             |
| Indigent Burial                                       | 500.00                |
| <b>Total Welfare</b>                                  | <b>86,400.00</b>      |
| <u>Tourism/Recreation:</u>                            |                       |
| DeKalb County Library Board                           | 100,000.00            |
| Libraries within DeKalb County                        | 20,370.00             |
| Park Board Association                                | 34,050.00             |
| <b>Total Tourism/Recreation</b>                       | <b>154,420.00</b>     |
| <u>Education (58000):</u>                             |                       |
| County Board of Education                             | 25,750.00             |
| Extension Office                                      | 30,070.00             |
| <b>Total Education</b>                                | <b>55,820.00</b>      |
| <b>TOTAL GENERAL FUND</b>                             | <b>\$4,276,640.00</b> |
| <b>OPERATING TRANSFERS TO OTHER FUNDS:</b>            |                       |
| Contingency Fund                                      | 4,000.00              |
| Jail Operating Fund                                   | 1,361,105.00          |
| Gas Tax Fund  | 11,000.00             |
| H & T Fund  | 1,367,700.00          |
| Rural Public Transportation Fund                      | 128,800.00            |
| <b>Total Operating Transfers Out</b>                  | <b>\$2,872,605.00</b> |
| <b>Total Expenditures and Operating Transfers Out</b> | <b>\$7,149,245.00</b> |

|  |                   |
|--|-------------------|
| <b>Contingency Fund</b>                      |                   |
| <b>Operating Transfers In (General Fund)</b> | <b>\$4,000.00</b> |
| County Commission                            | <b>\$4,000.00</b> |

|   |                       |
|---|-----------------------|
| <b>Local Fuel Tax Distribution Fund</b>               | <b>\$1,003,000.00</b> |
| ARC   | 10,000.00             |
| BOE   | 184,000.00            |
| <b>TOTAL LOCAL FUEL TAX DISTRIBUTION FUND</b>         | <b>194,000.00</b>     |
| <b>OPERATING TRANSFERS TO OTHER FUNDS:</b>            |                       |
| Gas Tax Fund  | <b>809,000.00</b>     |
| <b>Total Expenditures and Operating Transfers Out</b> | <b>\$1,003,000.00</b> |

**Federal Inmate Revenue Fund: \$861,175.00**

|   |                     |
|---|---------------------|
| Jail (Fed Inmate Expense)                             | 442,550.00          |
| Sheriff (Additional Deputy)                           | 59,050.00           |
| <b>TOTAL FEDERAL INMATE REVENUE FUND</b>              | <b>501,600.00</b>   |
| <b>OPERATING TRANSFERS TO OTHER FUNDS:</b>            |                     |
| Jail Operating Fund                                   | 359,575.00          |
| <b>Total Expenditures and Operating Transfers Out</b> | <b>\$861,175.00</b> |

**Jail Operating Fund: \$182,000.00**

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| <b>Operating Transfers In:</b>           |                       |
| General Fund                             | \$1,361,105.00        |
| Federal Inmate Fund                      | 359,575.00            |
| 1Mill Health Tax Fund                    | 295,220.00            |
| <b>Total Operating Transfers In</b>      | <b>\$2,015,900.00</b> |
| <b>Total Revenues &amp; Transfers In</b> | <b>\$2,197,900.00</b> |
| Jail (Regular Operating Budget)          | <b>\$2,197,900.00</b> |

**Gasoline Tax Fund \$1,338,500.00**

|  |                       |
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| <b>Operating Transfers In:</b>                           |                       |
| General Fund   | \$ 11,000.00          |
| Local Fuel Fund  | 809,000.00            |
| Road & Bridge Fund                                       | 1,065,000.00          |
| Tipping Fee Fund   | 135,200.00            |
| RRR Gas Tax Fund   | 654,000.00            |
| <b>Total Operating Transfers In</b>                      | <b>\$2,674,200.00</b> |
| <b>Total Revenues &amp; Transfers In</b>                 | <b>\$4,012,700.00</b> |
| Road Department  | 3,115,000.00          |
| Engineering  | 238,900.00            |
| Mechanic/Parts Department                                | 490,300.00            |
| <b>TOTAL GAS TAX FUND</b>                                | <b>\$3,844,200.00</b> |
| <b>Total Operating Transfers Out (Debt Service Fund)</b> | <b>168,500.00</b>     |
| <b>Total Expenditures and Operating Transfers Out</b>    | <b>\$4,012,700.00</b> |

**Public Building, Road & Bridge Fund \$1,065,000.00**

|                                 |                |
|---------------------------------|----------------|
| <b>Operating Transfers Out:</b> |                |
| Gas Tax Fund                    | \$1,065,000.00 |

**Public Highway & Traffic Fund \$ 1,080,000.00**

|  |                        |
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| <b>Operating Transfers In:</b>           |                        |
| General Fund                             | \$ 1,367,000.00        |
| <b>Total Revenues &amp; Transfers In</b> | <b>\$2,447,000.00</b>  |
| Sheriff's Office                         | 1,731,750.00           |
| SRO                                      | 342,600.00             |
| CH Security                              | 123,600.00             |
| Dispatching                              | 249,750.00             |
| <b>TOTAL H &amp; T FUND</b>              | <b>\$ 2,447,000.00</b> |

|   |                     |                      |
|---|---------------------|----------------------|
| <b>Landfill Tipping Fee Fund</b>                      | <b>\$300,200.00</b> |                      |
| Work Crew   |                     | 5,000.00             |
| Paving & Resurfacing                                  |                     | 150,000.00           |
| Water Projects  |                     | 10,000.00            |
| <b>TOTAL LANDFILL TIPPING FEE FUND</b>                |                     | <b>\$ 165,000.00</b> |
| <b>Operating Transfers Out (Gas Tax Fund – Reimb)</b> |                     | <b>\$ 135,200.00</b> |
| <b>Total Expenditures and Transfers Out</b>           |                     | <b>\$300,200.00</b>  |

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|---|---------------------|---------------------|
| <b>Capital Improvements Fund</b>                      | <b>\$288,700.00</b> |                     |
| <b>Operating Transfers to Jail Debt Service Funds</b> |                     | <b>\$288,700.00</b> |

|   |                       |                       |
|---|-----------------------|-----------------------|
| <b>RRR Gas Tax Fund</b>                               | <b>\$1,114,500.00</b> |                       |
| Paving  |                       | 230,250.00            |
| Resurfacing   |                       | 230,250.00            |
| <b>TOTAL RRR GAS TAX FUND</b>                         |                       | <b>\$460,500.00</b>   |
| <b>Operating Transfers Out (Gas Tax Fund – Reimb)</b> |                       | <b>\$ 654,000.00</b>  |
| <b>Total Expenditures and Transfers Out</b>           |                       | <b>\$1,114,500.00</b> |

|                                |                     |                     |
|--------------------------------|---------------------|---------------------|
| <b>Secondary Road Fund</b>     | <b>\$290,200.00</b> |                     |
| Match on FAS/Other Road Grants |                     | <b>\$290,200.00</b> |

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|---|---------------------|---------------------|
| <b>One Mill Health Tax Fund</b>             | <b>\$454,000.00</b> |                     |
| Prescription Drug Assistance                |                     | 68,900.00           |
| Rescue Squads                               |                     | 9,700.00            |
| Drug-Free Partnership                       |                     | 2,425.00            |
| Solid Waste/Sanitation                      |                     | 20,000.00           |
| Health Dept.                                |                     | 20,000.00           |
| CED Mental Health                           |                     | 2,910.00            |
| Mountain View                               |                     | 9,700.00            |
| ARC   |                     | 2,425.00            |
| Children's Advocacy                         |                     | 2,910.00            |
| CASA  |                     | 2,910.00            |
| Medical Scholarship                         |                     | -                   |
| <b>TOTAL 1MILL HEALTH TAX FUND</b>          |                     | <b>141,880.00</b>   |
| <b>Operating Transfers to Other Funds</b>   |                     |                     |
| Jail Operating Fund                         |                     | \$295,220.00        |
| Medicaid Waiver Fund                        |                     | 16,900.00           |
| <b>Total Operating Transfers Out</b>        |                     | <b>\$312,120.00</b> |
| <b>Total Expenditures and Transfers Out</b> |                     | <b>\$454,000.00</b> |

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| <b>Jail Court Costs Fund</b>                       | <b>\$405,300.00</b> |                     |
| Operating Transfers Out to Jail Debt Service Funds |                     | <b>\$405,300.00</b> |

|   |                    |                    |
|---|--------------------|--------------------|
| <b>Alabama Uniform Severance Tax Fund</b> | <b>\$30,000.00</b> |                    |
| Road Projects                             |                    | <b>\$30,000.00</b> |

|                                    |                     |                     |
|------------------------------------|---------------------|---------------------|
| <b>Animal Adoption Center Fund</b> | <b>\$219,900.00</b> |                     |
| Animal Adoption Center             |                     | <b>\$219,900.00</b> |

|                         |                     |                     |
|-------------------------|---------------------|---------------------|
| <b>Reappraisal Fund</b> | <b>\$969,600.00</b> |                     |
| Reappraisal Program     |                     | <b>\$969,600.00</b> |

|   |                     |                     |
|---|---------------------|---------------------|
| <b>Rural Public Transportation Fund</b> | <b>\$331,700.00</b> |                     |
| Operating Transfers In                  | <b>\$128,800.00</b> |                     |
| Total Revenues & Operating Transfers In | <b>\$460,500.00</b> |                     |
| Public Transportation Program           |                     | <b>\$460,500.00</b> |

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|--|---------------------|---------------------|
| <b>Aging &amp; Aging Special Funds</b> | <b>\$151,000.00</b> |                     |
| Aging Program                          |                     | <b>\$151,000.00</b> |

|                             |                    |                    |
|-----------------------------|--------------------|--------------------|
| <b>Medicaid Waiver Fund</b> | <b>\$86,900.00</b> |                    |
| Medicaid Waiver Programs    |                    | <b>\$86,900.00</b> |

|   |                     |                     |
|---|---------------------|---------------------|
| <b>2001 Gas Tax Warrants Fund</b>       |                     |                     |
| Operating Transfers In (Gas Tax Fund):  | <b>\$168,500.00</b> |                     |
| Principal                               |                     | 165,000.00          |
| Interest                                |                     | 3,500.00            |
| <b>TOTAL 2001 GAS TAX WARRANTS FUND</b> |                     | <b>\$168,500.00</b> |

|  |                     |                     |
|--|---------------------|---------------------|
| <b>2002 Jail Debt Service Fund</b>       |                     |                     |
| Operating Transfers In (Gas Tax Fund):   | <b>\$483,000.00</b> |                     |
| Principal                                |                     | 225,000.00          |
| Interest                                 |                     | 258,000.00          |
| <b>TOTAL 2002 JAIL DEBT SERVICE FUND</b> |                     | <b>\$483,000.00</b> |

|  |                     |
|--|---------------------|
| <b>2005 Jail Debt Service Fund</b>       | <b>\$211,000.00</b> |
| Principal                                | 55,000.00           |
| Interest                                 | 156,000.00          |
| <b>TOTAL 2005 JAIL DEBT SERVICE FUND</b> | <b>\$211,000.00</b> |

|                                 |                      |
|---------------------------------|----------------------|
| <b>GRAND TOTAL REVENUES</b>     | <b>17,304,020.00</b> |
| <b>GRAND TOTAL EXPENDITURES</b> | <b>17,304,020.00</b> |

Mr. Kuykendall asked Mr. Sharp how much was left in fund balance compared to 2007/2008 and asked if there was any prospect of building those funds back up. Mr. Sharp said the General Fund was down about \$2.5 million from a high of about \$4.5 million in September 2007 to about \$2 million in September 2010 and the chance of building those funds back up over the next few years was not likely. Mr. Sharp said the reduction in fund balance was caused by a combination of the ailing economy and the additional costs of operating the new County Jail.

Mr. Sharp encouraged the Commission to not hire additional personnel, even though the Road Department was short. Also, the Road Department needs to start back rotating out Motor Graders and other equipment; however, with lackluster revenues, that would be difficult.

Mr. Harcrow thanked Mr. Sharp and Mr. Holcomb for their work on the budget. He stated that 60% of the counties were laying employees off and DeKalb has not had to lay any employees off during this economic downturn.

Mr. Kuykendall asked about Amendment 3 for Road Projects. Mr. Harcrow said it would bring in about \$375,000/year for 10 years as long as the Trust Fund doesn't go below \$2 billion.

It was moved by Mr. Kuykendall, seconded by Mr. Jackson, all members voting affirmatively, motion carrying to adopt the 2010-11FY as presented.

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

\_\_\_\_\_  
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