

The DeKalb County Commission met in regular session on Tuesday, February 14, 2012 at 10:00 a.m. in the DeKalb County Activities Building (Courthouse Annex). Those present were Ricky Harcrow, President, Jerome Tinker, Ed Nix, Chris Kuykendall and Dewitt Jackson. Those absent were none.

The meeting was called to order by President Harcrow with Tom Broyles delivering the invocation and Jimmy Wright leading the Pledge.

It was moved by Mr. Nix, seconded by Mr. Tinker, all members voting affirmatively, motion carrying to dispense with the reading of the minutes and to accept them as presented in written format.

Mr. Harcrow requested that Judge Osborn be authorized to attend the annual Probate Conference along with employees in his office.

It was moved by Mr. Tinker, seconded by Mr. Jackson, all members voting affirmatively, motion carrying to authorize Probate Judge Ronnie Osborn and employees to attend the Annual Probate Conference.

Mr. Sharp notified the Commission that Decatur General Hospital had filed a lawsuit against the Marion, Cullman, Jackson and DeKalb Counties for the care of mental patients ordered by the Probate Judge. The claim against DeKalb County is for \$9,171.80.

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

Road Superintendent Tom Broyles addressed the Commission as follows:

- 1) Patching: Crews are still patching potholes. The rain and cold weather have hindered progress. Crews are averaging about 2,500 tons of patching material a month.
- 2) Mack Trucks: The new trucks started arriving today and are in the process of getting the old trucks ready for the auction. 5 trucks are ready to go to auction.
- 3) Road: A road SW of Fyffe had been closed since the last meeting due to the pipe being washed out. That project is complete and the road has been reopened.
- 4) Personnel: Mr. Broyles recommended Larry Waldrop to replace Toby Brothers who recently resigned in the District 2 Crews.

It was moved by Mr. Nix, seconded by Mr. Tinker, all members voting affirmatively, motion carrying to hire Larry Waldrop in the District 2 Road Department Crew (G5/3).

- 5) Auction: Mr. Broyles said bids were sent to four auction companies with the minimum guarantees shown as follows:

JM Woods	\$1,574,490.00
Ritchie Brothers	\$1,535,000.00
DeanCo	\$1,522,950.00
Iron Planet	No Bid

It was moved by Mr. Nix, seconded by Mr. Jackson, all members voting affirmatively, motion carrying to award the auction proposal to JM Woods Auction Company.

- 6) Bushcutters: Mr. Broyles also noted that proposals were received for the surplus bushcutters as follows:

JM Woods	\$49,290.00
Ritchie Brothers	\$35,500.00
DeanCo	No Bid
Iron Planet	No Bid

Mr. Broyles said he would like to list these on GovDeals to see if they can beat the minimum guarantee offered by JM Woods. If not, he recommended letting JM Woods auction off the surplus bushcutters.

County Engineer Ben Luther addressed the Commission concerning annual bids (opened on February 9) for Bituminous Surface Treatment, Guardrail and herbicide as follows:

Bituminous Surface Treatment:

Agg. by Contractor	A	G	J	K	L	AKG	AJG	JG	KG	E
Charles E. Watts	\$1.14	\$1.42	\$1.62	\$1.74	\$4.31	\$4.30	\$4.18	\$3.04	\$3.16	\$1.28
Hudson Materials					NO BIDS					
Carnes Construction Co. Inc.					NO BIDS					
Norris Paving, Inc.					NO BIDS					

Agg. by County	A	G	J	K	L	AKG	AJG	JG	KG	E
Charles E. Watts	N/A	\$1.42	\$1.32	\$1.38	\$3.34	\$3.74	\$3.68	\$2.54	\$2.60	\$1.11
Hudson Materials					NO BIDS					
Carnes Construction Co. Inc.					NO BIDS					
Norris Paving, Inc.					NO BIDS					

Strip Patching	Treatment (Agg by Contractor)		(Agg by County)
Charles E. Watts		\$1.74	\$1.70
Hudson Materials			NO BIDS
Carnes Construction Co. Inc.			NO BIDS
Norris Paving, Inc.			NO BIDS

Guardrail:	Alabama Guardrail	H&L Guardrail	Safety Hwy Products
Steel Beam, A2	\$30.00	No Bid	No Bid
Steel Beam, A4	\$31.00	No Bid	No Bid
Steel Beam, B2	\$41.00	No Bid	No Bid
Steel Beam, B4	\$42.00	No Bid	No Bid
Steel-Backed Timber Guardrail	\$75.00	No Bid	No Bid
Used Steel Beam, A2	\$21.50	No Bid	No Bid
End Anchor Type 10A2	\$2,250.00	No Bid	No Bid
End Anchor Type 20A2	\$2,850.00	No Bid	No Bid
End Anchor Type 13A2	\$1,800.00	No Bid	No Bid
End Anchor Type special 10A2	\$2,850.00	No Bid	No Bid
Rock Clause (LS)	\$2,500.00	No Bid	No Bid
“Half Round” End Treatments	\$125/ea	No Bid	No Bid

Herbicides:	Helena	Red River	Crop Prod. Services
Item 1 (gal)	\$15.08 (Request)	No Bid	No Bid
Item 2 (lb)	\$31.36 (Oust Extra)	\$26.34 (Sulfomet Ex)	\$32.05 (Sulfomet Extra)
Item 3 (gal)	\$24.10 (Fireball)	No Bid	No Bid
Item 4 (oz)	\$12.17 (Outrider)	\$11.94 (Outrider)	\$12.21 (Outrider)
Item 5 (gal)	\$42.16 (Element 3A)	\$42.00 (Element 3A)	\$41.30 (Element 3A)
Item 6 (gal)	\$20.10 (Target 6+)	\$21.45 (MSMA 6.0)	\$20.15 (Target 6+)
Item 7 (gal)	\$55.60 (Foambuster)	No Bid	No Bid
Item 8 (lb)	\$137.60 (Landmark XP)	\$125.65 (Landmark XP)	\$142.00 (Landmark XP)
Item 9 (gal)	\$13.70 (Roundup)	\$14.00 (Accord XRTII)	\$13.95 (Rodeo)
Item 10 (gal)	\$145.46 (Plateau)	\$133.90 (Plateau)	\$128.00 (Plateau)
Item 11 (gal)	\$299.73 (Milestone VM)	No Bid	\$150.00 (Transline)
Item 12 (lb)	\$12.90 (Sahara DG)	\$9.50 (Imazuron)	\$4.15 (Topsoil)
Item 13 (gal)	\$68.56 (Ground Zero)	No Bid	No Bid
Item 14 (gal)	\$164.00 (Vista)	\$171.00 (Vista XRT)	\$171.00 (Vista XRT)
Item 15 (gal)	\$31.27 (Hardball)	No Bid	No Bid
Item 16 (gal)	\$380.00 (Quicksilver)	No Bid	No Bid

It was moved by Mr. Tinker, seconded by Mr. Nix, all members voting affirmatively, motion carrying to award the bid for surface treatments to Watts, Inc.; guardrails to Alabama Guardrail and herbicides to Helena.

Mr. Sharp notified the Commission of a legal claim against the County. Attorney Roger Monroe claimed that his client Timothy Guffey hydroplaned on Hwy 227 (intersecting with CR 534) and hit an abandoned culvert pipe in the ditch. Mr. Broyles said this was not a pipe the County left.

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

Mr. Sharp also noted that two damage claims had been filed against the County. (1) Kathy Johnson claims that her tire was damaged on Gann Road and her claim is for \$130.00. (2) Jessie Bramlett claims that a bad place on CR 137 caused damage to her vehicle and she was required to purchase a new wheel at a cost of \$274.00.

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

Commander Wade Hill notified the Commission that Andrea Woodall would be going on maternity leave around March 1 and requested that a temporary employee be hired for 6-8 weeks to help with the sex-offender registration in Ms. Woodall's absence.

It was moved by Mr. Nix, seconded by Mr. Tinker, all members voting affirmatively, motion carrying to authorize the hire of Shannon St. John as a temporary part-time clerk in the Sheriff's Office.

Mr. Hill also notified the Commission that 19 vehicles needed to be salvaged and he would like to put the proceeds into another usable vehicle.

It was moved by Mr. Jackson, seconded by Mr. Tinker, all members voting affirmatively, motion carrying to authorize 19 vehicles as surplus and to sell them as scrap.

EMA Director Anthony Clifton requested training for the following: (1) Response Recovery Workshop in Prattville at the end of February; (2) NAEM Region 4 Conference in SC in April.

It was moved by Mr. Kuykendall, seconded by Mr. Jackson, all members voting affirmatively, motion carrying to honor EMA Director, Anthony Clifton's request to attend training.

Mr. Clifton notified the Commission that the Plainview Storm Shelter is operating. It is a 600 person community shelter and may be used by the general public when school is not in session. An open house will be on April 27.

Also, the EMA Office has been in contact with communities across the County to locate possible "places of refuge" during the upcoming storm season.

The six (6) shelters that were bid out earlier will not be able to be placed by the upcoming storm season due to the lawsuit filed against the County. Mr. Harcrow said the Licensing Board for General Contractors had asked for an AG Opinion. Mr. Mauney said a motion for partial dismissal of the lawsuit has been made and a full motion for dismissal will be entered later.

Mr. Clifton also gave a Long-Term Recovery Committee (LTRC) update. The Committee is made up mostly of volunteers from Jackson and DeKalb County, including the Upper Sand Mountain Parish, the Baptist Association, Salvation Army, Red Cross, EMAs from Jackson and DeKalb County, as well as others. So far, the following projects have been started

31 homes have been totally rebuilt, with 8 families having already moved in.

7 major repairs have been started, with 4 of those complete.

66 Miscellaneous repairs (i.e., roofs, porches, etc.)

89 furniture/appliance projects have been approved with 53 completed.

84 volunteer teams from 15 States have contributed to the success.

Mr. Sharp reminded the Commissioners that the County is required to pass the annual property tax levy at the first regular meeting in February.

It was moved by Mr. Jackson, seconded by Mr. Tinker, all members voting affirmatively, motion carrying to adopt the following resolution regarding the annual ad valorem tax levy:

Resolution No. 11-0214-01 Property Tax Levy

NOW THEREFORE BE IT RESOLVED and ordered by the DeKalb County Commission that taxes are hereby levied for the year of said County that began October 1, 2011 and which tax year taxes will become due and payable on October 1, 2012 as follows: based on each instance on the assessed valuation of the properties with respect to which the respective levies are made as said valuation will be shown in the book of assessments after it has been corrected:

- (a) For the general expenses of the County (as provided in Amendment 208 and Section 215 of the Constitution of 1901) at the rate of 5 mills of each dollar on said assessed valuation of all taxable property in the County.
- (b) For the payment of any debt or liability heretofore or hereafter incurred for the erection, construction or maintenance of the necessary public buildings, bridges or roads (as provided in Amendment 208 and Section 215 of the Constitution of 1901) at the rate of 2 ½ mills of each dollar of said assessed valuation of all taxable property in the County.
- (c) For the support of public schools in the County (as provided in Amendment 111 and Section 269 of the Constitution of 1901) at the rate of 1 mill on each dollar of said assessed valuation of all taxable property in the County; and (as provided in Section 1 of Amendment 3 and Section 260 of the Constitution of 1901) at a rate of 3 mills on each dollar of said assessed valuation of all taxable property in the County.
- (d) For public school purposes in each of the respective school districts in the County (as provided in Section 2 of Amendment 3 of the Constitution of 1901) at the rate of 3 mills on each dollar of said assessed valuation of all taxable property in each of the said respective school districts.
- (e) For acquiring, construction, operation, equipping or maintaining county hospitals, or other public hospitals, nonprofit hospitals, and public health facilities in the County (as provided in Amendment 72 of the Constitution of 1901) at a rate of 4 mills on each dollar of said assessed valuation of all taxable property in the County to be distributed to the County Commission for the purpose of aiding the funding of "health" related operations in DeKalb County.
- (f) For the education purposes in each of the respective school districts in the County (as provided in Amendment 146 to the Constitution of 1901) at the rate of 7 ½ mills on each dollar of said assessed valuation of all taxable property in each of the said respective school districts.
- (g) To be paid into the General Fund (or other special revenue fund) of the County and distributed for the benefit of fire protection only, an amount of 3 mills per dollar of assessed value of taxable property within DeKalb County, outside the city limits of Fort Payne (as provided by Amendment 637 to the Constitution of 1901).

Done this the 14th day of February 2012.


Ricky Harcrow, President

Attest by:


Matt G. Sharp, Administrator

Mr. Harcrow noted that the next meeting will be February 28th.

It was moved by Mr. Jackson, without objection, so ordered to adjourn.