

The DeKalb County Commission met in regular session on Tuesday, July 10, 2012 at 10:00 a.m. in the DeKalb County Activities Building (Courthouse Annex). The meeting was called to order by President Harcrow with Tom Broyles delivering the invocation and Jimmy Wright leading the Pledge.

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Mr. Harcrow extended the County's sympathies for the passing of Mr. Tinker's mother. Mr. Tinker thanked Mr. Harcrow for his sentiments.

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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.

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EMA Director Anthony Clifton addressed the Commission as follows:

Personnel: Michael Posey has been working as the temporary PT grant management employee and he asked that he be designated as permanent PT employee. The EMA office currently has 1FT and 2PT positions budgeted. Mr. Posey has been working on a temporary basis on the shelter grants. Mr. Clifton said he would like to fill Mr. Posey's position as a temporary grant manager by one of the various volunteers. Mr. Harcrow said Mr. Posey had received accommodations from the State EMA Office concerning his work on the grants in the County EMA Office.

It was moved by Mr. Tinker, seconded by Mr. Kuykendall, all members voting affirmatively, motion carrying to transfer Michael Posey from a temporary employee to a permanent part-time employee.

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Mr. Clifton informed the Commission that there would be a Local Emergency Planning Committee (LEPC) meeting at 1:00 p.m. on July 24<sup>th</sup> in the Commission chambers and he invited the Commission to attend. He also mentioned that he has a final draft of the Emergency Operation Plan (EOP).

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Mr. Broyles addressed the Commission with a maintenance update as follows:

- a) Hauling: Crews are hauling base material on roads that were reclaimed last year in District II. They will then be treated with calcium chloride. CR 160 in the Skirum Community has now been completed.
- b) Calcium Chloride: A bid will need to be awarded to purchase any more calcium chloride. A crew is working on the storage facility that's going up at the Road Department to store the calcium chloride. A containment system that's actually a pit with a tank in it will serve as the containment system. The floor was poured yesterday and the rest of it will be formed in the coming days. A fence will be put around it for additional security.
- c) CR 51: Due to vacations of employees, the CR 51 project had to be postponed. It should be started tomorrow depending on the weather.
- d) Personnel: Mr. Broyles noted that David (Todd) Hale only worked less than a week and asked that the Commission hire Kevin Bates to replace him as Equipment Operator

It was moved by Mr. Nix, seconded by Mr. Jackson, all members voting affirmatively, motion carrying to authorize the hiring of Kevin Bates as equipment operator/truck driver at the Road Department (G5/3).

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- e) Surplus: Mr. Broyles asked the Commission to declare surplus a 6' bushhog, brake lathe, one used tractor engine/parts, a lot of used tires, light fixtures, one lot of used windows, a lot of cedar logs and some used dozer blades. He also asked to sell these items on GovDeals.com.

It was moved by Mr. Jackson, seconded by Mr. Kuykendall, all members voting affirmatively, motion carrying to declare the above items surplus and to list on GovDeals.

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- f) Pugmill: Mr. Broyles said a pugmill might cost \$150,000 and a new one would cost approximately \$250,000. Mr. Harcrow said he would rather buy a new mill than someone else's problems on a used one. The other Commissioners agreed and Mr. Broyles said he would put together some specs for a bid on a new pugmill.
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County Engineer Ben Luther addressed the Commission regarding a Debris Removal/Monitor joint bid resolution. The ACCA has broke the State up into 7 regions for the purpose of bidding and awarding regional bids (instead of a state-wide bid) for the purpose of debris removal/monitoring services. State law requires Counties to pass a resolution when a County is joining another County in a joint bid.

It was moved by Mr. Kuykendall, seconded by Mr. Tinker, all members voting affirmatively, motion carrying to authorize the President to sign the following Resolution on the joint-bid program with the ACCA for debris removal and debris monitoring services:

**RESOLUTION AND AGREEMENT TO PARTICIPATE IN  
THE COUNTY JOINT BID PROGRAM'S REGIONAL  
DEBRIS REMOVAL AND MONITORING SERVICES  
JOINT BID PROJECT**

**WHEREAS**, Code of Alabama 1975, § 41-16-50 authorizes two or more counties in the state to enter into agreements for the joint bidding and purchase of items required to be bid under Alabama's competitive bid; and

**WHEREAS**, the Association of County Commissions of Alabama (hereinafter "the Association") has since 2000 administered a statewide joint bid program for counties pursuant to Code of Alabama 1975, § 41-16-50 for the joint bidding of certain equipment, materials, and supplies required to be competitively bid under Alabama's competitive bid law; and

**WHEREAS**, due to the need in every county for professional and economical debris removal and monitoring services which can be operational in any county immediately following a disaster necessitating such services, the Association will be conducting regional joint bids for debris removal contracts and for monitoring services contracts which, once executed, can be utilized by each county in a region as needed for disaster response (hereinafter referenced as "the project"); and

**WHEREAS**, pursuant to Code of Alabama 1975, § 41-16-50, each county desiring to participate in the project is required to adopt a similar resolution, signifying its desire to participate and its agreement to the terms and conditions of participation; and

**WHEREAS**, the DeKalb County Commission desires to join and participate in the project for debris removal and monitoring services as a member of **Region 7** and understands and agrees to the procedures as set out below:

(1) That the Association, a non-profit organization devoted to providing support and services to its membership of the 67 counties in Alabama, shall provide administrative services to the program, and in this regard, shall

*oversee the development of written specifications for services to be bid in the region*

*provide notice to respective bidders for all services to be jointly bid in the region as required by law*

*open bids pursuant to bid specifications at its office at 100 North Jackson Street in Montgomery, Alabama and*

*provide other services as necessary excluding the awarding of the contracts.*

(2) That in order to participate, the DeKalb County Commission shall forward to the Association the names and addresses of each person or company who has submitted a written request to be included in solicitations of bids for debris removal and/or for monitoring services (its "vendor list"), and that following receipt of said vendor lists, the Association shall provide notice of all bid offerings to each applicable person or company if those services are being bid, as provided in Code of Alabama 1975, § 41-16-54.

(3) That in compliance with Code of Alabama 1975, § 41-16-54, the DeKalb County Commission shall not be eligible to utilize services under a contract awarded through the project unless it has provided the Association with its vendor list for those services, if such a list is held by the county.

(4) That the Association will provide the county with a notice of each solicitation for bid and in compliance with Code of Alabama 1975, § 41-16-54, the DeKalb County Commission shall post said notice on a bulletin board in the county's purchasing office.

(5) That in compliance with Code of Alabama 1975, § 41-16-54, the DeKalb County Commission agrees that it shall not be eligible to utilize the services included in a contract awarded through the project unless it has posted such notice.

(6) That following the opening of bids, the Etowah County Commission will serve as awarding authority for **Region 7** and shall determine the lowest responsible bidder and award any contract for the Region at a regular meeting of the Etowah County Commission.

(7) That the Association shall not serve as the awarding authority for any services bid through the project.

(8) That participation in this project is strictly voluntary, and that, subject to the conditions set out in paragraphs 2, 3, 4, and 5, once a contract has been awarded through the project, the DeKalb County Commission may utilize the contract services during the contract period under the terms of and at the price established under the contract, but shall not be required to purchase any of the services awarded through the project.

(9) That if the DeKalb County Commission decides to utilize debris removal or monitoring services other than through the project, it must separately bid those services if such bidding is required by Alabama's competitive bid law.

(10) That following the award of a regional contract under the project, the DeKalb County Commission shall deal directly with the successful vendor to activate the services available under the contract, and that there shall be no joint purchasing agent representing any of the counties participating in the project.

(11) That the DeKalb County Commission shall remain a member of the project so long as it desires and agrees to participate in this joint bid agreement under its terms and conditions, and that the DeKalb County Commission shall give at least thirty (30) days notice to the Association of its intent to terminate its participation in the project.

(12) That at the expiration of the thirty days termination notice, the DeKalb County Commission shall be removed from this project and from any correspondence or advertisement regarding the project or any services to be bid under its terms and conditions.

(13) That following its termination from the project, the DeKalb County Commission shall not be eligible to utilize the services under the terms and at the cost of the regional contract, and will be required to bid all such services on its own under the requirements of Alabama's competitive bid law.

(14) That this resolution, once adopted by the DeKalb County Commission, shall serve as its agreement and contract with all other counties in **Region 7** participating in this project.

(15) That prior to soliciting any bids for services to be jointly bid under this project, the Association shall forward a list of all participating counties to the Office of Examiners of Public Accounts.

(16) That in order for a county to utilize the services of a contract executed for Region \_\_ under this project, it must have adopted this resolution prior to the solicitation of bids for debris removal and/or monitoring services, but that once the county has adopted this resolution, it shall remain a member, and subject to the conditions set out in paragraphs 2, 3, 4, and 5 above, shall be eligible to utilize all debris removal and monitoring services thereafter bid for **Region 7** under the project until and unless it terminates its participation as set out in paragraphs 11, 12, and 13 above.

**BE IT RESOLVED BY THE DeKALB COUNTY COMMISSION** that it agrees to all terms and conditions of the project for regional bidding of debris removal and monitoring services as set out above, and desires to participate in said project.

**BE IT FURTHER RESOLVED** that it is the intent of the DeKalb County Commission by adoption of this resolution to enter into a joint bid agreement with all other counties in **Region 7** participating in this project.

**BE IT FURTHER RESOLVED** that a copy of this resolution be immediately forwarded to the Association with a request that the DeKalb County Commission be included as a participant of **Region 7** for regional bidding of debris removal and monitoring services for all services bid through the project until and unless notified of the County's desire to terminate its participation under the procedures set out in paragraphs 11, 12, and 13 above.

**IN WITNESS THEREOF**, the DeKalb County Commission has caused this Resolution to be executed in its name and on its behalf by its President this the 10<sup>th</sup> day of July, 2012.

Wade Hill addressed the Commission as follows:

- a) Jail Personnel: Jeanne Simpson vacated her position recently and Mr. Hill requested that Norma Marquez be hired to replace her as Correction Officer I.

It was moved by Mr. Tinker, seconded by Mr. Nix, all members voting affirmatively, motion carrying to authorize the hire of Norma Marquez at the Jail.

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- b) Work Crew Personnel: Verlon White is retiring and wants to continue to work in a PT capacity, maybe one (1) day / week at G5/1. He also recommended Eddie Freeman be promoted from PT Dispatcher to PT Work Crew to take Mr. White's place at the retiree maximum salary of \$22,000/year (or \$846.15/BW).

It was moved by Mr. Tinker, seconded by Mr. Jackson, all members voting affirmatively, motion carrying to promote Eddie Freeman to PT Work Crew to replace Verlon White at \$846.15/BW.

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It was also moved by Mr. Jackson, seconded by Mr. Tinker, all members voting affirmatively, motion carrying to authorize Verlon White to become part-time one or two days a week working with the Jail Work Crew at G5/1.

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c) Jail Training: Requested training for David Burt to attend Jail Management school.

It was moved by Mr. Nix, seconded by Mr. Tinker, all members voting affirmatively, motion carrying to authorize David Burt to attend jail management school.

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d) Dispatch Personnel: Requested Mark Wright to be hired as a PT Dispatcher to replace Eddie Freeman

It was moved by Mr. Nix, seconded by Mr. Tinker, all members voting affirmatively, motion carrying to authorize the hire of Mark Wright as part-time dispatcher (G5/3).

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Revenue Commissioner Martha Ogle requested the Commission to authorize her to attend the AAAO Conference in Orange Beach in August.

It was moved by Mr. Tinker, seconded by Mr. Jackson, all members voting affirmatively, motion carrying to authorize Martha Ogle, Revenue Commissioner to attend the AAAO Conference in August in Orange Beach.

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Mr. Sharp requested the Commission to transfer \$23,473.20 from the Fiduciary Fund to the General Fund as follows:

\$22,285.32 from Circuit Clerk (from Court Order on July 16, 2001 for 1977 Accounts)  
86.53 from Probate Judge (from 1990-1995 unclaimed accounts)  
959.64 from Revenue Commissioner (from unclaimed accounts in 2001)  
141.71 from Sales Tax (from unclaimed accounts in 2001).

(Note: These funds have been held in the Fiduciary Fund for at least 10 years).

It was moved by Mr. Nix, seconded by Mr. Jackson, all members voting affirmatively, motion carrying to transfer the \$23,473.20 from the Fiduciary Fund to the General Fund (See Fiduciary Fund files in the DeKalb County Commission Office).

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Mr. Harcrow notified the public that the next Commission meeting would be July 24, 2012.

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It was moved by Mr. Jackson, no objections heard, Mr. Harcrow called the meeting to adjournment.

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Ricky Harcrow, President

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Jerome Tinker, 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