

The DeKalb County Commission met in regular session on Tuesday, January 8, 2013 at 10:00 a.m. in the DeKalb County Activities Building (Courthouse Annex). Those present were Ricky Harcrow, President, Shane Wootten, Derek Caldwell, Chris Kuykendall and Dewitt Jackson. Those absent were none.

The meeting was called to order by President Harcrow with Mr. Harcrow delivering the invocation and Mr. Jackson leading the Pledge.

Mr. Broyles gave the following Road Maintenance Update:

- a) Storage Building: Crews are still working on the storage building and should be completed within a few days.
 - b) Radio System: Mr. Broyles said the radio system hasn't worked in about 5 years. Crews have been relying on Cell phones and that didn't work during the tornado. The bare essentials for a new repeater will be about \$7,500.
-

County EMA Director Jimmy Durham, along with Dennis Bollinger and Jason Pennypacker with Bio Energy came to the meeting to discuss a 10 year tax abatement for a methane gas renewable energy business at the BFI Landfill in Lebanon. This will be a \$5.2 million investment. The tax abatement will not effect education taxes.

It was moved by Mr. Kuykendall, seconded by Mr. Jackson, all members voting affirmatively, motion carrying to adopt the following resolution authorizing the tax abatement:

Resolution Number 13-0108-01

2/11

This Resolution is made this 8 day of January, 2013 by the DeKalb County Commission (the Granting Authority), to grant a tax abatement to Bio-Energy (Alabama), LLC (the Company).

WHEREAS, the Company has announced plans for a (check one):

new project or major addition to their existing facility (the Project), located within the jurisdiction of the Granting Authority; and

WHEREAS, pursuant to the Tax Incentive Reform Act of 1992 (Section 40-9B-1 et seq., *Code of Alabama 1975*) (the Act) the Company has requested from the Granting Authority an Abatement of (check all that apply):

all state and local noneducational property taxes,

all construction related transaction taxes, except those local construction related transaction taxes levied for educational purposes or for capital improvements for education, and/or

all mortgage and recording taxes; and

WHEREAS, the Company has requested that the abatement of state and local noneducational property taxes (if applicable) be extended for a period of 10 years, in accordance with the Act; and

WHEREAS, the Granting Authority has considered the request of the Company and the completed applications (copy attached) filed with the Granting Authority by the Company, in connection with its request; and

WHEREAS, the Granting Authority has found the information contained in the Company's application to be sufficient to permit the Granting Authority to make a reasonable cost/benefit analysis of the proposed project and to determine the economic benefits to the community; and

WHEREAS, the construction of the project will involve a capital investment of \$ 5,202,676 ; and

WHEREAS, the Company is duly qualified to do business in the State of Alabama, and has powers to enter into, and to perform and observe the agreements and covenants on its part contained in the Tax Abatement Agreement; and

WHEREAS, the Granting Authority represents and warrants to the Company that it has power under that constitution and laws of the State of Alabama (including particularly the provisions of the Act) to carry out the provisions of the Tax Abatement Agreement;

NOW THEREFORE, be it resolved by the Granting Authority as follows:

Section 1. Approval is hereby given to the application of the Company and abatement is hereby granted of (check all that apply):

all state and local noneducational property taxes,

all construction related transaction taxes, except those local construction related transaction taxes levied for educational purposes or for capital improvements for education, and/or

all mortgage and recording taxes

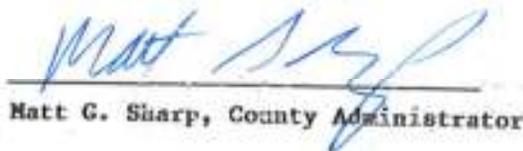
as the same may apply to the fullest extent permitted by the Act. The period of abatement for the noneducational property taxes (if applicable) shall extend for a period of 10 years measured as provided in Section 40-9B-3(a)(12) of the Act.

Section 2. The governing body of the Granting Authority is authorized to enter into an abatement agreement with the Company to provide for the abatement granted in Section 1.

Section 3. A certified copy of this resolution, with the application and abatement agreement, shall be forwarded to the Company to deliver to the appropriate local taxing authorities (if applicable) and to the Alabama Department of Revenue in accordance with the Act.

Section 4. The governing body of the Granting Authority is authorized to take any and all actions necessary or desirable to accomplish the purpose of the foregoing of this resolution.

I hereby certify that the above and foregoing was duly adopted by the DeKalb County Commission at a meeting held on the 8 day of January, 2013.


Matt G. Sharp, County Administrator

(NOTE: Tax Abatement is filed in the County Commission Office).

Mr. Sharp notified the Commission about the following damage claim: Wootten Farms in Ider claims that a tractor tire was damaged by a sign post sticking up on the ROW. The damage claim was for approximately \$2,500.

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

Wade Hill with the Sheriff's Office requested that Shannon St. John be transferred from PT to FT Executive Assistant for the Sheriff's Office.

It was moved by Mr. Jackson, seconded by Mr. Wootten, all members voting affirmatively, motion carrying to hire Shannon St. John full time as the Sheriff's Executive Assistant.

Mr. Sharp addressed the Commission regarding a civil claim for an old road bed in District I called Old Copperton Road. It is a civil dispute between neighbors that one of the defendants requested the Judge to have the County as a party to. Mr. Mauney said he would like to defend the County in this suit since he has experience in that area.

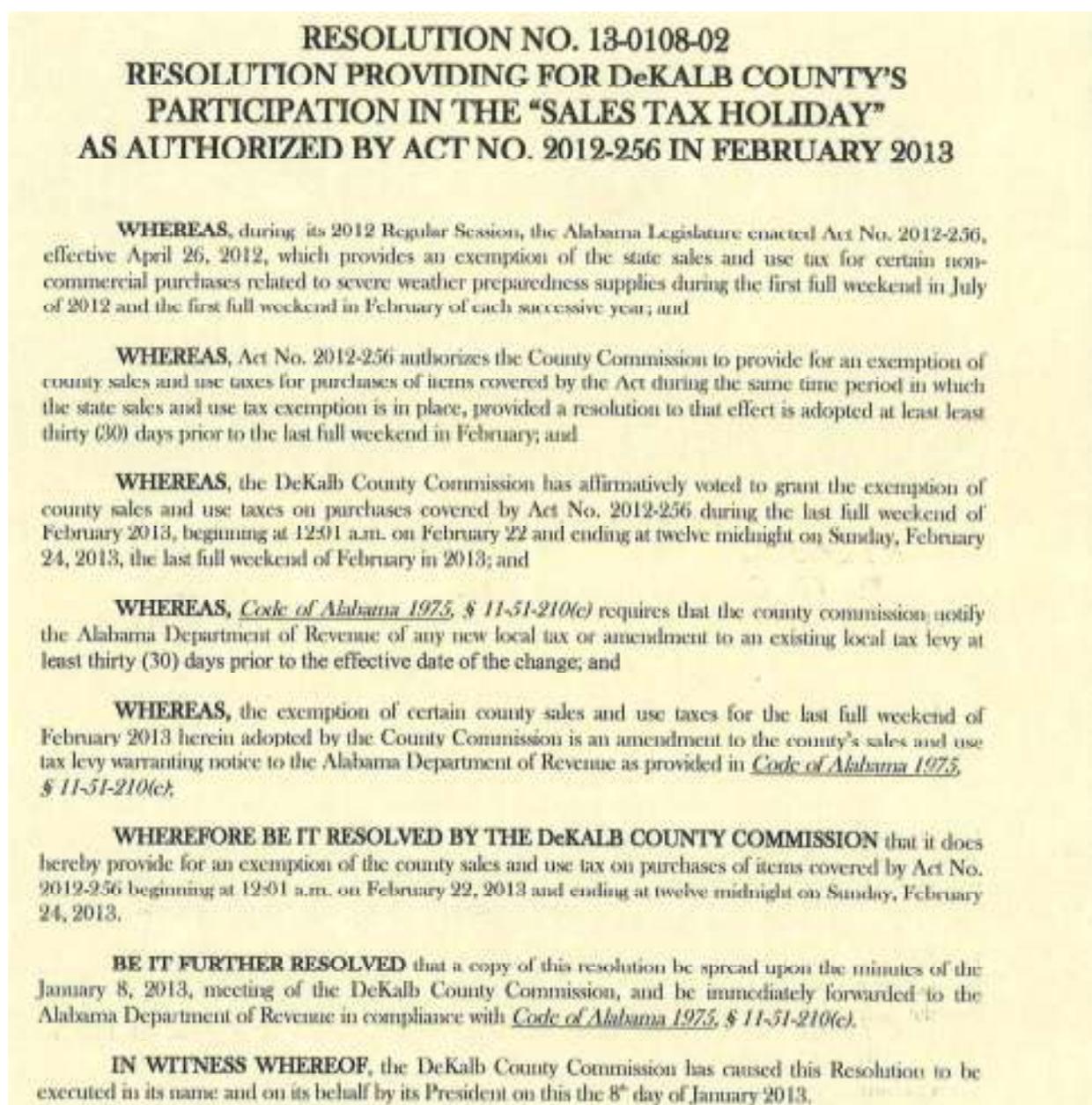
It was moved by Mr. Harcrow, seconded by Mr. Wootten, all members voting affirmatively, motion carrying to refer the matter to County Attorney, Charles Mauney.

Mr. Harcrow addressed the Commission regarding an agreement with ADEM concerning the disposal of Scrap Tires. The agreement would be for 3 years and would reimburse the County or any municipality up to \$300,000 during the 3 year term for the disposal costs of scrap.

It was moved by Mr. Kuykendall, seconded by Mr. Caldwell, all members voting affirmatively, motion carrying to authorize President Ricky Harcrow, to sign an agreement with ADEM for scrap tire clean up.

Mr. Harcrow asked the Commission to adopt the 2013 Severe Weather Preparedness Holiday Resolution for February 22 – 23.

It was moved by Mr. Jackson, seconded by Mr. Kuykendall, all members voting affirmatively, motion carrying to authorize the following Severe Weather Preparedness Tax Holiday:



Mr. Harcrow announced that the next Commission meeting would be on January 22.

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