

MINUTES OF THE HOUSTON COUNTY COMMISSION
REGULAR SESSION
December 14, 2020

PRESENT: Chairman Mark S. Culver, Commissioner Curtis Harvey, Commissioner Doug Siquefield, Commissioner Ricky Herring, Commissioner Brandon Shoupe, County Engineer Barkley Kirkland, Chief Administrative Officer Peter Covert and County Attorney Pres Register.

Chairman Culver welcomed everyone to the December 14th, 2020, Houston County Commission Regular Session and called the 10:00 a.m. meeting to order. He declared a quorum as all commissioners were in attendance. He also welcomed everyone that was watching the meeting via ZOOM.

The invocation was given by Commissioner Harvey and Commissioner Siquefield led in the pledge of allegiance.

The minutes of the previous meeting were approved on a motion by Commissioner Harvey and seconded by Commissioner Siquefield. The motion passed unanimously.

ANNOUNCEMENTS AND COMMENTS FROM THE CHAIRMAN AND COMMISSIONERS

Chairman Culver began by announcing that this would be the last meeting of the year and he wished everyone a Very Merry Christmas and a Happy New Year. He added that this holiday season is quite different from any other year and he encouraged everyone to spend time with their families and be thankful for the birth of our lord and savior Jesus Christ. Commissioner Shoupe commented that the Wicksburg Christmas Parade had the most entries they have ever had and it was a great event even if the crowd was slim. Chairman Culver added that some areas had cancelled parades due to COVID, but some have continued. Commissioner Siquefield reported that the "Turkeys From Heaven" event will be going on this year and turkeys can be purchased from any Piggly Wiggly for \$22 and the distribution of those will be on December 23rd at the Wiregrass Museum of Art. He added that the Salvation Army will be distributing their toys on December 21st at the Houston County Farm Center.

REGULAR AGENDA

1. Request to present the 2019-2020 departmental over/under spending summary report – Peter Covert, CAO

Commissioner Harvey made a motion to approve the spending summary report and Commissioner Siquefield seconded. Chief Administrative Officer Peter Covert presented the report and began with opening comments that this has been an unusual year and has created some additional challenges by many of the departments and that the presentation is a little different since it includes some additional items that are not normally in the presentation and that includes a COVID-19 column. Items in this column are items that are not traditionally spent and include money that was spent to ensure the safety and health of both the citizens and employees of the county. Mr. Covert reported that, overall, the

departments came in at about one and a quarter million dollars under budget even though a few ran a little over due to overturn of employees and their payouts of benefits. The Sheriff's Department was slightly over due to higher than expected repairs and maintenance of their motor vehicles and communications equipment that needed to be updated. He added that the Coroner's Department was slightly over due to an assistant being replaced and is incorporated into this year's budget. Community Corrections was slightly over budget due to an unforeseen increase in the required contract services of DSI Security guard rate increases. The Rebuild Alabama fund is significantly under budget due to the entire Rebuild Alabama money being put into the budget and that will be bled off over the next couple of years as the Road & Bridge Department continue to work on this strategic plan. Overall, the expenditures for the county came in at 6.5 million dollars under budget for the year. Chairman Culver asked if there were any questions regarding the over/under report. Chairman Culver stated that COVID had an impact but all money spent on COVID related items should be reimbursed after the first of the year. Commissioner Siquefield asked about the jail and the housing of several state inmates and could that have an effect and he asked if we had been reimbursed on those. Mr. Covert replied not yet but it has not been requested. He added that at this point he and Major Rafferty are working on the details regarding this. Mr. Covert stated that he received some clarity on this from the ACCA counsel that the money is reimbursable after 30 days of being housed by the county.

With there being no further discussion, the motion passed unanimously.

2. Request to publish the Houston County year-end financial report to include county, fiduciary, and other special trust funds – Peter Covert, CAO

Commissioner Harvey made a motion to approve the request to publish the year-end report and Commissioner Herring seconded. Chairman Culver stated that this is required by law to publish this report in the paper. He added that a comment, which was submitted to the commission, includes a note regarding our website not having an updated current financial statement as the one that is on the website is out of date and this will be taken care of immediately. The motion carried unanimously.

3. Request to approve change order from Poly, Inc., for solid waste disposal project at Industrial Park – James Brannon, Project Manager, Poly, Inc.

Commissioner Shoupe made a motion to approve the change order from Poly, Inc., and Commissioner Siquefield seconded. The motion carried unanimously.

4. Request to enter into an agreement with Five Star Credit Union for the financing of (4) John Deere Tractors – Peter Covert, CAO

Commissioner Siquefield made a motion to approve the agreement with Five Star Credit Union and Commissioner Herring seconded. The motion carried unanimously.

5. Request to award contract to Merchant Services for probate credit card use – Peter Covert, CAO

Commissioner Shoupe made a motion to approve the contract with Merchant Services and Commissioner Sinquefield seconded. The motion carried unanimously.

6. Request to approve Resolution for the expansion of the Industrial Development Authority of Houston and Henry Counties – David Parsons and Matt Parker

Commissioner Shoupe made a motion to approve the Resolution and Commissioner Sinquefield seconded. Chairman Culver reported that he had just received a message from Matt Parker and Geneva County had approved their portion of this earlier today. He added that this is a good thing and the Commission should be commended for looking and operating regionally for the area. The motion carried unanimously.

7. Request to award bid for chiller at Jail to lowest bidder meeting specs – Sean Curtis, Maintenance Mgr.

Commissioner Herring made a motion to approve the request to award the bid for the chiller at the Houston County Jail. Commissioner Sinquefield seconded the motion and it carried unanimously.

8. Request to award bid to replace Road & Bridge shop roof to lowest bidder meeting specs – Sean Curtis, Maintenance Mgr.

Commissioner Shoupe made a motion to approve the request to award the bid and Commissioner Sinquefield seconded. The motion carried unanimously.

9. Request to approve agreement for housing municipal inmates in county jail – Sheriff's Dept.

Commissioner Sinquefield made a motion to approve the agreement and Commissioner Shoupe seconded. Chairman Culver added that this item's paperwork was emailed to the commission. Captain James Ivey approached the podium and stated that he had spoken to Chief Carlisle this morning and there a couple of amendments to this agreement that needed to be made. County Attorney Pres Register suggested that this item be tabled until the amendments can be worked out between both parties. Chairman Culver stated that unless there are any objections, a motion to table until the next commission meeting. Commissioner Shoupe commented that on the agreement it states on item #2 "that the municipality shall pay the commission an amount of \$15 per day for each municipal inmate who is incarcerated at the jail" and after doing the math, Commissioner Shoupe stated that about \$11,600 per day is spent on manpower at the facility. He continued by stating that if that is divided by 375 inmates per day that comes us to about \$31 per day just for the manpower to oversee that one individual inmate. Mr. Shoupe's question was that maybe the rate needs to be revised upward. Chairman Culver agreed but he stated that we currently charge \$5 per day and this proposed rate is based on what other counties are charging in the state and this is a sort of service per say and the \$15 was recommended by the Sheriff and that is pretty much the standard rate around the region and trying to raise the cost to what was better than where we were and still provide the service. CAO Peter Covert commented and apologized to Commissioner Shoupe that when he asked that question earlier to Mr.

Covert that he did not know the answer. He added that if looking at this as an accountant, he would look to this as an incremental cost rather than an allocated cost and by that he means that no admin/payroll expense has been added to the municipal inmate but they have added meals and other minor incremental costs. Commissioner Shoupe thanked Mr. Covert.

Commissioner Herring made a motion to table this request until the next commission meeting and Commissioner Harvey seconded. The motion carried unanimously.

10. Request to approve pass through grant 20FIL from Homeland Security in the amount of \$7,501.00 – Chris Judah, EMA Director

Commissioner Harvey made a motion to approve the pass through grant and Commissioner Herring seconded. Chairman Culver commented that this is a normal and customary grant. The motion carried unanimously.

11. Request to approve Resolution to adopt policy regarding audio and video recording within county-owned property

Commissioner Harvey made a motion to approve the Resolution to adopt the policy regarding audio and video recording within county-owned property and Commissioner Sinuefield seconded. Chairman Culver stated that this needs to be discussed and under our current situation we publicize our agenda and ask for comments from the public. Chairman Culver stated that some comments were received and he wanted to put them on record at this time. First, Mrs. Rose Taft submitted the following comments: (attached to original minutes)

“Commission meetings are meant to be public forums. The people are the ones that appointed you and as you represent them, it is important they are able to see and record these meetings. If someone is not able to attend a meeting, it is important to have that recording so that those that want to be informed can go back and watch that information. Concerning the proposed vote on Monday that will limit people from recording and videoing the public commission meetings, I urge you to remember your responsibility as public officials and the duty to the people. This is an overstep of your authority to even consider a vote on this. I’m urging you to vote no on this issue.”

Chairman Culver stated that they are not voting to limit any recording in this room (Commission Chambers). He continued by stating that there is no policy regarding video recording in this building and this is not an attempt to limit anybody from recording or attending a commission meeting and anyone that comes to this commission meeting, particularly media, is certainly welcome to video record and that this policy excludes the Commission Chamber as is the 6th Floor Conference Room where Commission work sessions are held. He stated that there are places in the facility that recordings should not be allowed just because it is a public building and that the example that was used on Thursday at the Admin. Meeting was a public restroom. Chairman Culver commented that there are other areas such as

the Probate Judge's office and that just because this is a public building, you cannot go into the Judge's office and video record without his permission and there is not a policy in place for that. He stated that this addresses areas such as that and this does not prohibit any recording of meetings of the Commission and they are very adamant, as a matter of fact, about allowing the public access to the meetings and that is why the Commission Meetings have been on Zoom. Chairman Culver then called on County Attorney Pres Register and asked for his comments.

County Attorney Pres Register approached the podium and began by stating that the purpose of the policy is to define what areas of the Administration Building are "on-limits" and "off-limits" for recording and audio videoing. He stated that the Commission Chambers, during a public meeting, will have access just as in the past, and in addition to the regular laws of the Open Meeting Act that would allow those things, this policy does address that. Mr. Register reported that it is in the areas of the Administration Building where business is typically conducted, that this would be limited to no allowing of audio or video recording unless the individuals being recorded consent to that recording. Again, it does not say "no", it says that you have to receive consent for it and this would not apply to the Commission Meetings because it is a public meeting and the policy would be for when other things are going on in this building which business is conducted at all times. For example, when citizens are paying their taxes for property, they should not be subject to being videoed and they should have to consent to it and the law certainly allows that. Mr. Register stated that this just seems reasonable and fair and the law certainly allows that as the law does not give an unfitted right in a public building to just record audio and video.

Chairman Culver asked the Commission for questions and Commissioner Shoupe commented that he knows that they have talked how the Commission Chambers is exempt from the rules they are considering so his question is that it states in Section I (d) that "The Houston County Commission Chambers and Conference rooms in the County Administrative Building are hereby declared to be nonpublic forums unless or until a public meeting is convened in such area pursuant to public notice." Commissioner Shoupe continued that when they come up here and spend five or so minutes before or after the meeting talking, the way he understands this is that it would be impermissible for anybody to record video or audio until the Chairman calls the meeting to order, is that correct? County Attorney Pres Register responded that without consent and if an open meeting has been called that would be subject to but outside of that, then no. They would have to get their consent to record video or audio. Commissioner Shoupe's next question is if he was coming into the building and was on the property coming or going and not inside the building and a reporter sticks a camera/microphone in his face and wanted to get a comment on something that was going on, is that permissible or impermissible? Mr. Register responded that this only addresses inside of the walls and outside of the walls this policy would not be effective. Commissioner Shoupe continued by asking that if the meeting is adjourned and he is going towards the elevator and someone puts a microphone or a camera in his face and wanted a comment, would that be permissible or impermissible? Mr. Register answered that if they are inside the building that he would have to consent to them recording and it is allowed if consent is given. Commissioner Shoupe's last question was if he was in the tag line and there was a confrontation or some kind of altercation and a citizen got out their camera phone and recorded that altercation, is that permissible or impermissible? Mr. Register responded that they would have to receive consent from

those people they are recording in order for that to be recorded. Commissioner Harvey asked if you could really stop them and Mr. Register stated that this policy would allow, if that is being done without the consent of the individuals, then the law enforcement officer would be allowed to say "you need to stop recording". If they refuse to acknowledge and follow the law enforcement officer's request then that person could be cited for trespassing and removed from the premises. Commissioner Harvey asked what if they are shooting (recording) off the premises and then onto the premises and Mr. Register responded that if they are standing at the Library shooting, the policy would not be in effect. Commissioner Harvey stated that they could be standing on the street and it would not address it and Mr. Register said that is correct and that the purpose of this policy was within the building and primarily with the thinking that the employees are here to do their job and they should not be berated by this type of action as well as the citizens that are coming to the building to do business and they do not want their business being recorded.

Chairman Culver stated that they are not doing this (policy) to knit-pick anything but for security to have the ability to enforce things should it get to that point and right now they do not have that ability and this policy would give them the authority and that is the reason for this and not to try to create an issue but trying to give the Sheriff's Department and Law Enforcement the ability to take action when they need to. Commissioner Harvey asked if some of the recordings would be important for some instances depending on the situation and trying to look at it from both sides. Commissioner Herring stated that there is a law of criminal eaves dropping in the state of Alabama which is a Class B Misdemeanor and there is also a federal law that covers audio recording someone's conversation without their consent of the other as you have to have consent as Alabama is a one party consent. Commissioner Herring continued by saying that he thinks that their concern is that something has gone on and there are security cameras on the building for security reasons and the safety of the citizens of the county and for them to feel secure and for us to be able to, if something happens, to be able to see it. But, in the duty of a commissioner or the duty of a law enforcement officer, those can be recorded if they are in their official duties and capacity just like the commission meeting, when it is in session, they are allowed to record, video record or audio record what is going on. Mr. Register responded yes that there is a specific on page 2, line (e), second sentence, about a third of the way down, it states "This prohibition shall not apply to any law enforcement activities." and if there was any issue inside this building that would be law enforcement related, then this policy concedes to the law. Commissioner Herring responded that the issue that we have been having is that there are some people that are coming with video recorders and they're trying to come into this building and record citizens of this county and come in and record what they are doing and it is making them feel uncomfortable because they are recording them. Commissioner Herring stated that he understands that there are some situations that somebody might be involved in a domestic violence situation where they may not know where the ex is or have gone to but if you record them you put it out there in the public and you just put that person's safety at risk and this is just one example. He continued that what the commission is doing is putting a policy in place because there is not a policy in place to say that we are not going to allow people to come here and just trespass and harass our citizens of our county as they come and do business or our employees. Chairman Culver stated that those are very good points that Commissioner Herring brought up and he stated that they had an issue come up and asked the security to handle it and they could not because there was not a policy in place and we need this for that reason and, again, he reiterated that the

Commission is not trying to knit-pick, but trying to protect and that is what this policy is for.

Commissioner Herring stated that this has nothing to do with the Commission Meetings as when they are in session, anyone can come in and record audio or video of the meeting. Commissioner Siquefield commented that, for example, that there are certain areas that are intended for county employees to conduct business and this is a public building and security is in place to monitor any unusual activity or suspicious activity and if anyone sees anything unusual, or they are concerned about, that might interfere with their job, with or without this policy that person can be addressed and he does not feel that this proposed policy is needed as there is law enforcement in the building to take care of the employees and that should be priority. He continued that it is a public building and he is a little concerned about limiting to things that we can and can't do and a lot of hypothetical's can be talked about but overall Commissioner Siquefield is concerned about audio and video recordings here should not be a concern as long as the commission is doing the right thing in making sure that people are protected and allowing the public to do what they do.

Chairman Culver responded to Commissioner Siquefield, with due respect, that it cannot be addressed now because there is not a policy in place and the deputies and the Sheriff's Dept. have said because there is not a policy in place that they cannot address it and that is exactly what happened when an instance came up and they could not address it because the Commission did not have a policy on this building. He continued that this is why this has come up and he asked Mr. Register, who was in the building on that day, to meet with them and give them a policy so that they could address a situation if it came up. Chairman Culver said he was told by the law enforcement that without a policy that they cannot address it and that is why they are doing this so they can do their job. Commissioner Harvey stated that he sees pros and cons on both sides and that is his personal opinion. Commissioner Shoupe stated that he is really divided about this as on one hand he sees that we have to have a policy in place because he does not think that we need to have somebody from who knows where coming here recording "Sally" clerk or "Joe" clerk down in the Probate Office that is typing on the computer and processing tags, or whatever, but the thing that Commissioner Shoupe is concerned about is that we may only need to go 50 yards but he feels that we are going further than that especially as it relates to elected officials. Commissioner Shoupe continued by stating that the times we are in, referring to COVID, the Commission is not even allowing the public to come to the meetings and now they are saying they cannot record unless it is consented to and even in the Chambers when they are all present and there is a quorum but they cannot be recorded unless it is consented to and he has some concerns about that. He stated that the people do not trust the elected officials anyway and they are giving them an excuse to distrust them even more. He wants to do a policy but he does not know that he can vote for this today and he would welcome this policy to be revised and limit it in some way so that he can vote for it as he is really having a problem voting for it as it stands, if that makes sense.

Chairman Culver responded that he would agree with some of that but he would also say that he thinks the public trust the Commission to keep them safe while they are here too and to keep their privacy safe as Commissioner Herring said that there are certainly a lot of situations and, again, this particularly goes back to one situation. He stated that security at the door was budgeted this year and we need to give them the ability to do their job. Mr. Register clarified that if anyone wanted to go into a commission office and video tape that the policy is only asking for permission before they do that and as the law

stands now, if they are told they cannot record, they cannot record and that is simply putting in policy what is true. He added that the law says that you could say that there is no videotaping other than the public meetings in this building and the purpose of this is trying to identify areas and locations that are given limited public forum is what the legal statement is as there are legal open forums and the only ones that those are identified in law are parks, streets, and historical places of congregation for public discourse. Mr. Register reported that he is more than happy to address whatever they would like to see in this policy as the purpose is to get what the Commission needs. Commissioner Harvey asked if the commission meeting is over with and they are adjourned and he walks out and has his son with him and they go to the hallway and a physical altercation happens and his son is recording. Commissioner Harvey asked if his son be wrong and would he not need to record or should he record and can he keep the recording or not keep it? Mr. Register responded that he does not understand the question and Mr. Harvey stated that he is asking if his son can record based on the policy that may be put in place today. Mr. Register responded that the policy would say that he can be asked to stop the recording and if he refused to stop the recording he could be escorted from the building. Commissioner Herring asked to make a motion to table this and put it on the next agenda as he realizes that there is some confusion about it and maybe more clarification is needed. Chairman Culver stated that he can make any motion that he would like but he would like to know what they are going to clarify and how he would like to do it. Commissioner Herring responded that it comes down to the recording and just anybody coming in and record what is going on for the safety of our employees of Houston County as well as the citizens of Houston County. He added that there are outside people that are coming in, which are not even from our county or our state, and they are coming in to record and cause chaos and they are alarming our citizens and our employees by coming in and doing that. He feels that they are trying to cause confrontation and he believes that they are called First Amendments Auditors and they are harassing our citizens and employees when they come in and do that. Mr. Register responded that there is no policy in place to address any of those issues. Commissioner Herring reiterated that there is no policy in place to address those issues however there is the law of criminal eaves dropping in the state of Alabama as well as the wire tapping law where you cannot record without one party consent in the State of Alabama but that one party consenting to that is part of that conversation and we are trying to put something in place, as a policy goes, so the Commission is in control of the building and a policy can be put in place by the Commission as it is not unconstitutional and it can be put in place so that law enforcement will be able to have something to question the public what their business is by coming into the building for the safety of the citizens. He added that for all is known, they could be coming in to record our building to get the layout and plant an explosive device and trying to figure out ways to come in and cause havoc. Commissioner Herring stated that the Commission has to look out for the safety of this building and the citizens of the county and the employees and he is not sure if it is clarified and he feels that some are worried that people can't come in and record if there is crime going on or an instant taking place and there is nothing unconstitutional or violating anyone's civil rights in what this policy states. Commissioner Herring continued by saying that he thinks that there is just clarification needed for some of the other ones like Commissioner Harvey said about the altercation and his son recording and Commissioner Herring stated that of course, if you are harassing, shoving someone, hitting somebody, that is a crime and is harassment or could be assault; you would be recording something that law enforcement or the judicial system could use to prove your case that you have been violated in some way or your rights have been violated. He also stated that there are certain exceptions to what is

being talked about and this just gives the ability to say who are you and why you are here and why are you recording, what you are doing, what is your purpose here. Commissioner Herring did say that if someone is here to do legitimate business in the building such as paying taxes, get tags, whatever else within the building that he can understand that but the problem is those recording understanding that they can come in and record what they want to record of what is going on but there is some expectation of privacy even though this is a public building and, for example, the restroom is paid by the county taxpayers but you just can't go into a restroom and record what is going on. He feels that some are confused thinking that does anyone have expectations of privacy inside this building or is it because you are a Commissioner or an employee, do you not have expectations of privacy at all just because you are inside the county building and it seems like clarifications need to be made to make sure that no one's civil rights are being violated or constitutional rights.

Chairman Culver then commented that this building is no different than the court house as it is a public building but is assured that you cannot just go walking around recording as Judge Anderson would love it if you walked into his court room with a camera without him giving you permission. Secondly, he does not believe this policy violates anybody's civil rights and if there are parts of this that the commission is uncomfortable with that need to be talked about and he does not understand what delaying this will do if that makes some of the commission more comfortable just to delay it then he does not have a problem with that as long as at some point there is something that the deputies can do but if there is something in the policy that the commission knows now is the issue, is it possible to discuss that as he is trying to understand what the concern is because it is vague. Commissioner Shoupe stated this his biggest concern is that there needs to be a big deference in being able to record what goes on when the Commission is in the Chambers and being able to document what elected officials say as he does not think that as elected officials they have that expectation of privacy as a county employee that just comes to work and does their job and he just thinks that there needs to be a big deference and he is not sure how to put it into legal terms and if that could be done Commissioner Shoupe said he could vote for that. He added that the problem that he has is that there could be a quorum in the room and, according to the policy, they cannot be recorded until they gavel in the meeting and gavel out the meeting and Commissioner Shoupe has a problem with that. Chairman Culver asked Commissioner Shoupe if he wanted to be recorded before the meeting and he responded that he does not think that it should be disallowed if the commission is sitting and talking before a meeting starts or after a meeting and that there needs to be a big deference towards a delivered body what is being said and that is his biggest concern. Chairman Culver then stated that it either needs to be voted up or vote it down or table it and at this point there is a motion on the table. At this time Commissioner Herring made a motion to table the request until the next meeting and Commissioner Shoupe seconded. The motion carried to table three to one with Commissioner Sinquefield voting not to table.

Chairman Culver thanked Mr. Register and told him that he did not know what to tell him to do other than read over the policy and see if he can delineate and then Chairman Culver asked if Commissioner's Shoupe position on this meeting is the position of the rest of the Commission because that is a pretty significant difference and asked Mr. Register to check with the Commission. Chairman Culver stated that other than that he is not sure what else needs to be changed as he has heard a lot of discussion of

concerns but Pres needs to put something on paper so he needs some help by telling him what in the document needs to be changed.

12. Request to approve amendments to the Rules of Procedure for Houston County Commission

Chairman Culver reported that he had some comments emailed in and he wanted to read for the record (attached to original minutes) that are from Des Ray and Chairman Culver then read the email as quoted below:

“This communication is in reference to the commission meeting agenda on 12/14/2020.

On 12/10/2020 there was a request to “approve amendments to the Rules of Procedure for Houston County Commission” this communication is to inform the Commission members that a vote on this request should not even be considered, and if it is voted on the vote for all commissioners should be a “NO”, due to the following reasons listed”

Chairman Culver stated that he is concerned about the rights of the people and that the constitution authorizes people to have access to the commission to express grievances. She also quotes the open meetings Act and guaranteeing that Alabama citizens have open access to governmental meetings and that the governmental body may be openly recorded, which was just talked about. Chairman Culver continued by stating that the Commission is, by no means, trying to limit access to the meetings and the only limits that are currently in place are created by COVID-19 and the commission hopes to get back to a comfortable point and allowing the general public to attend meetings and the way things are going with the spike in COVID cases, it may not happen in January but as soon as possible. Their intent is to get things back to normal while protecting the citizens and employees. He stated that regardless of that, this that is being voted on would have implications after the COVID restrictions are gone. There are two changes that were read on Thursday with an ordinance that is being adopted for the setting of the agenda and in essence would create an administrative meeting on Monday morning should there not be a Thursday’s administrative meeting which would give opportunity for commissioners to have input for what goes on the agenda beyond the call they receive and beyond the Chairman authorizes on the agenda. Chairman Culver reported that the other change would be the privileges of the floor and how the citizens will sign up for that and we are by no means limiting anybody’s access to the meetings and we are not limiting privileges of the floor as it is still there for citizens to come and express their thoughts to the commission regarding items dealing with the county. He continued by stating that the commission feels that it is very important to give citizens the ability to express their concerns regarding the county, but they do, however, based on the work session, feel strongly that it not be something that is abused and that people try to use just to gain access to media outlets. Chairman Culver then said that he, as Chairman, and the Commissioners are very cognizant of decorum and that this is the business meeting of Houston County and not just a gathering to talk about things going on in the community and it needs to be treated as a business meeting and with the dignity that it deserves. He added that there were some changes made grammatically on Thursday and just wanted to clarify that.

Commissioner Harvey made the motion to approve the amendments to the Rules of Procedure for Houston County Commission and Commissioner Siquefield seconded the motion. Commissioner Shoupe commented that he feels that they have gone through this process the right way and it is a good example of how when they put their heads together they can come up with an ideal solution. Chairman Culver stated that is a very good point and he commends the commission and Mr. Register, as it has been a process that has been ongoing and that this is a very positive move. Commissioner Siquefield commented that when looking at the Rules of Procedures that he is concerned about the public input and the privilege of the floor is not something that he is too keen about and he liked the wording of "Public Input". He continued that the reason he says that is that the Commission must afford the citizens the opportunity to influence decisions that affects their lives and public participation will result in better government and public input and participation can help resolve issues and benefits interested parties when done correctly. He stated that the time and efforts invested in public input pays dividends by resulting in a more acceptable, implementable and sustainable decisions and while looking at this and studying and hearing from the many constituents, he feels that they need to look at, sooner than later, opening the commission meetings to the public come the first of the year and he would like to consider using the Rules of Procedures that were adopted by Houston County Commission in November, 2014 as they seem to have worked well. Commissioner Siquefield reported that this was required by Alabama Open Meeting Law Act and that the two changes, with the first being that if an Administration Meeting was not held on the Thursday then the meeting will be held one hour prior to the Commission Meeting. Chairman Culver then asked Commissioner Siquefield if he was trying to make a motion as there is already a motion on the floor and if so he would need to make a substitute motion and Commissioner Siquefield replied yes. Chairman Culver then asked Commissioner Siquefield if was making a substitute motion stating that the Commission continue with their Rules of Procedures as they currently are and Commissioner Siquefield replied "Exactly". Chairman asked for a second to the motion and there was no second to the substitute motion. Chairman Culver then stated that they would go back to the original motion that is currently on the floor. When called for the vote, the motion passed 3 to 1, with Commissioner Siquefield voting Nae.

13. Request to sell chiller on GovDeals

Commissioner Shoupe made a motion to approve the request and Commissioner Herring seconded. The motion carried unanimously.

Staff Reports:

Chief Administrative Officer – No Report

County Engineer – Closed roads; S. Park, Silcox, Middleton, Gilmore, Coot Adams, and Cecil Varnum. He stated that these are the last six sites from the damage from Hurricane Sally and they are currently working on S. Park and Silcox but they will not be complete until the end of January and the four remaining sites are all large sites and will be closed for a while.

County Attorney – No Report

Chairman Culver followed up on action that was taken by asking the County Attorney to email the commissioners the current copy of the proposed recording policy and ask them for their comments via

email by January 4th and that would give everyone plenty of time to look over it and they will have an opportunity to comment and then he asked Mr. Register to put something together for the first meeting in January. He then wished everyone a very Merry Christmas and a Happy Holiday and Happy New Years and expects to see everyone back after the first of the year.

Adjourned