

MINUTES OF THE HOUSTON COUNTY COMMISSION  
JULY 26, 2010

Chairman Mark S. Culver called the 10:00 A.M. meeting to order, established that a quorum was present, and welcomed everyone. Rev. David Temples, Pastor, Westwood Presbyterian Church, gave the invocation. Commissioner Forrester led in the Pledge of Allegiance.

Commissioner Harvey made a motion to approve the minutes of the last meeting. Commissioner Cook seconded the motion; and it carried unanimously.

Announcements and Public Comments from Chairman and Commissioners

Chairman Culver extended congratulations on behalf of the Commission to the Dothan Team of Special Olympians on the numerous gold medals they won in the 2010 Special Olympics National Games in Lincoln, Nebraska. He stated these team members are to be commended not only for their achievements but for what they have done with their lives. The chairman reported the commission was so glad our community puts such a high caliber and status on the Olympic Program here primarily through the City of Dothan, and he commended them for their efforts.

The chairman also informed everyone of Night Out, a law enforcement event promoting awareness and safety scheduled for August 3<sup>rd</sup>, at the Dothan Civic Center from 4:00 P.M. to 8:00 P.M. He encouraged all who were interested to attend.

Regular Agenda

1. Request from the City of Ashford for the county to assist in administering and implementing the State of Alabama Industrial Access Road Project for the Ashford Industrial Park.

Commissioner Snellgrove made a motion to approve the City of Ashford's request for the county to assist in administering and implementing the State of Alabama Industrial Access Road Project for the Ashford Industrial Park. Commissioner Harvey seconded the motion. Chairman Culver reported this was discussed on Thursday. He pointed out Senator HarriAnne Smith came to a previous meeting and presented a check to the Mayor of Ashford for this project and now the county is partnering with them to do the work to create the jobs at the industrial park. Commissioner Snellgrove asked Mr. Pool if he planned to start the project in April? Mr. Pool stated it could be March; it just depended on the weather. Chairman Culver called for the question; and the motion carried unanimously.

2. Request from the Industrial Development Board of the City of Dothan for rough grading work for Pepi Food Service.

Commissioner Cook made a motion to approve the request from the Industrial Development Board of the City of Dothan for rough grading work for Pepi Food Service. Commissioner Harvey seconded the motion. Chairman Culver reported this is an opportunity for the commissions to be a part of creating jobs in the community. He pointed out it is a relocation of the headquarters of a company in the Southeast, and they will initially have 50 people working there with a potential of 100. He reported it

was discussed on Thursday that this request was for rough grading only, which is less than the county has usually done on these kind of projects. Chairman Culver stated he felt it was a good precedent for the county to start. He thanked Mr. Matt Parker and the Industrial Development Board for working on the project. The chairman called for the question; and the motion carried unanimously.

3. Request to adopt Resolution to accept and designate issuers for Recovery Zone Bonds.

Commissioner Cook made a motion to adopt the Resolution to accept and designate issuers for Recovery Zone Bonds. Commissioner Forrester seconded the motion. Chairman Culver reported these are several projects. He asked everyone to recall that Houston County was the first county in the state to declare it as a recovery zone. He pointed out since that time through the Industrial Development Authority, the county has authorized the use of low interest bonds for Cottonwood Corners and Westway. He reported this request would allow them to expand to include the Northside Development at the old Northside Mall, and for the Medical Clinic Board for Southern Bone & Joint, and also using the public funds for the work the Medical College will be doing through an entity. Chairman Culver reported this would create a lot of opportunity and jobs.

Chairman Culver asked Mr. Matt Parker to come forward. Mr. Parker stated he would like to reiterate that with the bonds and the allocations they receive for the projects that this will not be a debt to the county, but a debt to those entities involved in their financiers to do these projects. Mr. Parker stated he thought sometimes the public gets confused, and he wanted to re-state that all these projects would stand on their own. He reported this is a good opportunity and to see that investment take place. Mr. Parker reported when all of the projects are added up it represents well over \$100 million of investment because some of this will also use outside financing and anywhere from 800-1,000 jobs will be created. He thanked the commission for the county being the leader to be the first in the state to take an aggressive lead to position the county and community for an opportunity to create jobs. The chairman thanked Mr. Parker for creating the opportunities. He stated the bonds are out there but without someone in the community doing projects that can use them; they are no good. Chairman Culver pointed out Houston County was able to get the extra money because most counties in the state are not using their allocation. Chairman Culver called for the question; and the motion carried unanimously. (Please see in Resolution Book)

4. Request from Sheriff to approve budget amendment for new x-ray machine. (\$9,000.00)

Commissioner Harvey made a motion to grant the Sheriff's request to approve the budget amendment for a new x-ray machine. Commissioner Cook seconded the motion. Chairman Culver reported this involves transferring some monies in order to allow another x-ray machine at the entrance to the Courthouse. Commissioner Snellgrove stated the Sheriff commented on Thursday there was no new money involved. The chairman called for the question; and the motion carried unanimously. (Please see attached budget amendment in Minute Book)

5. Request from Sheriff to approve budget amendment for vehicle repair using reimbursement check.

Commissioner Cook made a motion to grant the Sheriff's request to approve the budget amendment for vehicle repair using reimbursement check. Commissioner Harvey seconded the motion. Chairman Culver reported this budget amendment is in the amount of \$486.05, and is an insurance check. Chairman Culver called for the question; and the motion carried unanimously. (Please see attached budget amendment in Minute Book)

6. Request to approve Houston County Community Corrections Work Plan.

Commissioner Harvey made a motion to approve the Houston County Community Corrections Work Plan. Commissioner Cook seconded the motion. Chairman Culver reported this is a required document by the state. The chairman called for the question; and the motion carried unanimously.

7. Request to approve agreement with Alabama Department of Transportation for underwater bridge damage. (March, 2009 Flood)

Commissioner Cook made a motion to approve the agreement with the Alabama Department of Transportation for underwater bridge damage from the March, 2009 flood. Commissioner Forrester seconded the motion. Chairman Culver reported this is basically an effort to get all the money that is due the county for flood repair. He called for the question; and the motion carried unanimously. (Please see in Resolution Book)

8. Request to approve budget amendment transferring money for Madrid Tire cleanup. (\$30,009.00)

Commissioner Cook made a motion to approve the budget amendment transferring money for the Madrid Tire cleanup in the amount of \$30,009.00. Commissioner Harvey seconded the motion. The chairman reported this request involved placing the money in the right account for the budget. He called for the question; and the motion carried unanimously. (Please see attached budget amendment in Minute Book)

Staff Reports:

Chief Administrative Officer

Mr. Dempsey reported the quarterly meeting with the Solid Waste Authority was held last week and they will begin contacting all of the Solid Waster Authority members as the contract will expire in April, 2012. He reported at the current time, the authority is on solid footing financially.

Mr. Dempsey reported budget packets had been sent to department heads. He stated the budget hearings are scheduled for August 9<sup>th</sup> and 10<sup>th</sup>.

He reported the commission received a letter from the SE Alabama Regional Planning and Development Commission requesting some additional positions for next year for the Senior Employment Program. He stated normally, this would be brought up during the regular budget hearings but because of the timing from the SE Alabama Regional Planning and Development Commission, they need to make a decision on this before the county's budget is approved. Mr. Dempsey reported they are requesting 15 additional

people in the Senior Employment Program. He stated he had given each commissioner a summarization on the item. Mr. Dempsey reported there is a standard 32 positions that have been historically approved each year for a total of \$28,800.00. He pointed out earlier this year, there were 9 additional positions approved for \$6,075.00 for a total of 41 positions that would normally be expected to be funded in the new budget. Mr. Dempsey reported this request is for an additional 15 positions for a total cost of \$10,125.00, and would run through June of 2011. He stated the total request would be for 56 positions for a total of \$45,000.00.

Chairman Culver reported Mrs. Barbara Knight, Director of the Senior Employment Program, was present and could answer any questions. He reported these are positions that allow seniors to work at a cost to the county of \$900.00, and the county has funded some of these in the past. He reported he and Mrs. Knight had discussed that there needs to be a way for these positions to be used in the county for places where there are needs. Chairman Culver reported Mrs. Knight had been advised by the federal government that she has 15 slots available. He stated if the commission chooses, they can accept all of the slots. The chairman reported he had discussed with Mrs. Knight if the commission committed to 9, that would bring them up to 50, and the county would not have to expend any funds until October 1<sup>st</sup>. He pointed out it would only run through June, 2011, and it would only be for nine months of the county's budget next year. He stated these slots like the previous slots the county had approved would go away theoretically. He stated it is entirely up to the commission as to how many slots they want to fund or if they do not want to fund any. The chairman reported the county is very fortunate in that they have a lot of demand for the slots and a lot of seniors to occupy the slots. The chairman reported that is not the case in the other counties Mrs. Knight serves, and if Houston County does not take them they may go unused.

Commissioner Harvey made a motion to authorize all 15 positions in next year's budget. Commissioner Cook seconded the motion. Commissioner Snellgrove asked if this had to be acted on at this meeting? Chairman Culver reported Mrs. Knight came to him Thursday afternoon and she has to commit to the federal officials. He stated the workers can actually start as early as August 1<sup>st</sup>, and the county will not pay for them until October. Commissioner Cook stated it was an excellent program and there are so many people out there that need the help and this will allow the commission to do that.

Commissioner Snellgrove asked Mrs. Knight to come forward and explain these positions. Mrs. Knight reported these positions are used in the community and help the person to gain skills so that they can go back out to the workforce while at the same time they are helping the Library, HRDC, RSVP, Senior Citizens Centers, the Spay & Neuter Clinic and other government and non-profit agencies to provide their services. Chairman Culver reported there are requirements as to how long an individual can work in one place, and the hope is that when one of these individuals takes the job and at the end of the time period, the organization will hire them and they become willfully employed. He stated this is a good program; it just depends on how far the county can go with it. Mrs. Knight pointed out these people are at the poverty level, and they have to qualify based on income, and this is the only income a lot of them have. Commissioner Snellgrove asked how many hours they work? Mrs. Knight reported they work 19.75 hours per week, and are paid minimum wage. She stated throughout the course of a year a person is paid around \$8,000.00 in federal funds. Chairman Culver reported this is a program that has

been funded in the 24 years he has been on the commission. He pointed out it seems in the last few years it has really grown, and he stated he thought part of that is due to the 7 county region Mrs. Knight covers because some of the counties do not have either people wanting to work, positions for them, or the monies to fund them. Commissioner Forrester asked if the funds in the amount of \$10,125.00 would be factored into next year's budget? Chairman Culver stated that was correct. Commissioner Forrester stated if the commission does it now they will have an opportunity to reflect on what other monies the commission commits to next year. Chairman Culver stated that was correct. He stated if the commission approved the motion in place, it is to make a \$10,125.00 allocation in next year's budget because Mrs. Knight has to commit and the people will begin working before next year. Commissioner Cook asked Mrs. Knight if she would have a problem filling the 15 positions or could she fill 9 positions easier? Mrs. Knight stated they have agencies calling all the time to get workers and she felt it would not be a problem filling the 15 positions. Chairman Culver reported the commission has been filling these positions for years and to his knowledge the county has not taken advantage of the opportunity to use these people and employ directly at the county. He stated there might have been a couple of times but he thought there should be some areas of the county that by using the seniors it would help the commission. Chairman Culver asked Mr. Dempsey to get with Mrs. Knight and look into it. The chairman reported there was a motion on the floor to authorize the funding in next year's budget for all 15 available positions. He called for the question; and the motion carried unanimously.

#### County Engineer

Mr. Pool reported the county is working on Fortner Street on the wearing surface, the leveling course, and then they will do the shoulder work. He stated S. Brannon Stand Road is waiting on striping. He stated the Ardilla intersection project has been stopped while they work on the industrial project. Mr. Pool reported Guy Branch Road is under construction, and when they complete it they will begin Miller Street.

Chairman Culver reported after Thursday's meeting, he had received a call about some confusion between the county's Fortner Street project and the city's Fortner Street/Honeysuckle Road intersection project. He stated the county's resurfacing project should be completed within a couple of weeks. Mr. Pool stated that was correct. The chairman reported the city/state's Fortner Street/Honeysuckle Road intersection project would be extended beyond that time. Mr. Pool stated they have a pretty big project going on. Mr. Pool reported the Fortner Street intersection project is a city project and Fortner Street Extension is a city/state project using MPO funds. Chairman Culver stated he wanted to clarify that.

Commissioner Snellgrove stated he had seen some equipment at the Ardilla intersection and he wanted to know who the equipment belonged to? Mr. Pool stated he did not know, but he felt it was probably the city's equipment because there had been a waterline issue out there.

#### County Attorney

Mr. Sherrer requested that the commission go into executive session to discuss a legal matter with legal counsel. He handed copies of the letter of Opinion on Applicability of Executive Session and he stated in the back there was a form of the motion that they take to go into executive session. Commissioner

Cook made a motion that, pursuant to and in compliance with the provisions of the Alabama Open Meetings Act, this Commission convene an executive session for the following limited purposes: To discuss with legal counsel a legal matter. Commissioner Forrester seconded; and the motion carried unanimously. At 10:29 A.M., the commission went into executive session.

Commissioner Harvey made a motion to reconvene the meeting at 11:20 A.M. Commissioner Cook seconded the motion; and it carried unanimously.

Chairman Culver reported the recommendation of the county's counsel was to adopt a Resolution to authorize the county attorney on behalf of the county to enter into a court ordered Consent Judgment between the county and Houston Economic Development Association. Commissioner Cook then made a motion to adopt a Resolution to authorize the county attorney on behalf of the county to enter into a court ordered Consent Judgment between the county and Houston Economic Development Association. Commissioner Harvey seconded the motion. The chairman reported both the Resolution and the Consent Judgment would be available for the media after the meeting. The chairman then called for the question; and the vote was: YEAS: Commissioners Cook, Harvey, and Forrester. NAYS: Commissioner Snellgrove. The motion carried. (Please see in Resolution Book)

Adjourn.

Commissioner Harvey made a motion to adjourn. Commissioner Cook seconded; and the motion carried unanimously.