

MINUTES OF THE HOUSTON COUNTY COMMISSION
AUGUST 9, 2010

PRESENT: Chairman Mark S. Culver, Commissioner Curtis Harvey, Commissioner Bobby R. Snellgrove, Commissioner Frances M. Cook, Commissioner Phillip L. Forrester, Gary Sherrer, Attorney, Mark Pool, Engineer, and William J. Dempsey, Chief Administrative Officer

ABSENT: None

Chairman Mark Culver called the 10:00 A.M. meeting order, declared a quorum was present, and welcomed everyone. Pastor Shawn Hackett, Eastside Freewill Baptist Church, gave the invocation. Commissioner Harvey 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 recognized and welcomed Mr. Tim Pitchford, Houston County School Superintendent, to the meeting. He reported the county schools started August 6th, the city schools started August 9th, and the private schools would be starting soon. He urged everyone to slow down and be cautious in all of the school zones.

Regular Agenda

1. Request from Dothan Downtown Redevelopment Authority to consider an exchange of Property with Media General – Jimmy Grant, Chairman, DDRA.

Commissioner Cook made a motion to approve the request from the Dothan Downtown Redevelopment Authority to consider an exchange of Property with Media General. Commissioner Forrester seconded the motion. The chairman reported Mr. Jimmy Grant, Chairman, DDRA, was present to answer any questions. Mr. Culver reported this was discussed in detail at Thursday's meeting. He pointed out the thought is to do an exchange of property. The chairman reported in one of the media sources he saw it stated the county was going to build the facility for Media General, and he reported that would not be the case. Chairman Culver reported Media General would build a storage facility on the property they gain, and the city would tear down the old building. He reported part of it would be parking for the county and part of it would be a park to be deeded to the DDRA. The chairman called for the question; and the motion carried unanimously.

2. Request from Dothan Area Botanical Gardens for dirt – Paul Angeloff, Board Member, DABG.

Commissioner Cook made a motion to approve the Dothan Area Botanical Garden's request for dirt for the pad only. Commissioner Harvey seconded the motion. The chairman stated the motion is for the dirt for the pad which is the project the county had started earlier but not the trail. Commissioner

Snellgrove asked how many yards of dirt it would take? Mr. Pool stated 400 yards. Chairman Culver called for the question; and the motion carried unanimously.

3. Request from EMA to approve 2010 Homeland Security Grant - \$121,767.00 – Clark Matthews, Director, EMA.

Commissioner Harvey made a motion to approve EMA's request for the 2010 Homeland Security Grant in the amount of \$121,767.00. Commissioner Cook seconded the motion. Chairman Culver reported this is the annual Homeland Security Grant distributed to several organizations, and it flows through the county. The chairman stated it was noted on Thursday that the amount received continues to decline. The chairman called for the question; and the motion carried unanimously. (Please see attached in Minute Book)

4. Request from EMA to approve 2010 Homeland Security Grant in the amount of \$956.50 – Clark Matthews, Director, EMA.

Commissioner Cook made a motion to approve EMA's request for the 2010 Homeland Security Grant in the amount of \$956.50.00. Commissioner Harvey seconded the motion. The chairman reported this was an additional grant that came up last week as additional money. He called for the question; and the motion carried unanimously. (Please see attached in Minute Book)

5. Request from Sheriff for 050 Retail Beer (Off Premises Only) and a 070 Retail Table Wine (Off Premises Only) License for JMRS Group, Inc. d/b/a Petrosouth 222, 14341 South U.S. 231, Cottonwood, AL

Commissioner Cook made a motion to approve the Sheriff's request for 050 Retail Beer (Off Premises Only) and 070 Retail Table Wine (Off Premises Only) license for JMRS Group, Inc. d/b/a Petrosouth 222, 14341 South U. S. 231, Cottonwood, Alabama. Commissioner Harvey seconded the motion. Chairman Culver asked if anyone present had any objections to the request? There were none. He called for the question; and the motion carried unanimously.

6. Request to adopt Resolution for High Risk Rural Route Project consisting of installing guardrail and end anchors at the following locations: Taylor Road @ Limestone Creek, Bethel Road @ Long Branch, Bill Yance Road @ Thomas Creek, Bill Yance Road @ Beaver Creek, Bill Yance Road @ Smith Branch, Bill Yance @ Yance Branch, Nuclear Plant Road @ Meadows Creek, County Road #33 @ Breakfast Pond Branch, Trawick Road @ Pinhook Creek, and Battles Road @ Webb Creek.

Commissioner Cook made a motion to adopt the Resolution for High Risk Rural Route Project consisting of installing guardrail and end anchors at the following locations: Taylor Road @ Limestone Creek, Bethel Road @ Long Branch, Bill Yance Road @ Thomas Creek, Bill Yance Road @ Beaver Creek, Bill Yance Road @ Smith Branch, Bill Yance @ Yance Branch, Nuclear Plant Road @ Meadows Creek, County Road #33 @ Breakfast Pond Branch, Trawick Road @ Pinhook Creek, and Battles Road @ Webb Creek. Commissioner Harvey seconded the motion. The chairman asked Mr. Pool if this is safety money the county has acquired? Mr. Pool stated not exactly, and reported there is \$2 million the state

is going to give out and they are applying for it. He stated these are 90/10 funds, and the county wants to try and use that money before using the federal allocations. Chairman Culver called for the question; and the motion carried unanimously. (Please see in Resolution Book)

7. Request to extend gasoline and diesel contract with Total Petroleum for an additional year.

Commissioner Forrester made a motion to extend the gasoline and diesel contract with Total Petroleum for an additional year. Commissioner Cook seconded the motion. The chairman called for the question; and the motion carried unanimously. (Please see attached in Minute Book)

Staff Reports:

Chief Administrative Officer – there was no report.

County Engineer –

Mr. Pool reported there is one more layer of asphalt to be done on Fortner Street. He stated the county is doing some work on driveways and building shoulders up, and then they will put their final layer. Mr. Pool pointed out the county will be working there for about a month, but would not be working in the roadway stopping traffic.

Mr. Pool reported there seems to be some misinformation about permitting. He stated he needed to bring this up at several meetings. Mr. Pool reported if someone is building a house out in the county, not in any corporate city limits, the person needs to come to the Road & Bridge Department and get a permit. He stated the person needs to take care of the permit before they get started building. Mr. Pool pointed out the first thing anyone does when they build a house in the county is to run a perk test, and the next thing they need to do is contact the Road & Bridge Department to determine if they are in a flood zone, and then start considering building a house. He stated a person does not need to come to them after they have begun building because being in a flood zone can be expensive, and require the person to have flood insurance, etc. Mr. Pool reported the permit to build a house in the county is \$100.00, and if the person is in a flood zone it is an additional \$50.00. He stated if a person has a mobile home or RV there is no charge, but if it is located in the flood zone, the cost is \$50.00. Commissioner Forrester asked if was correct to say someone can build in a flood zone? Mr. Pool stated that was correct but that person will have to bring it up above the elevations of one foot above the 100 year flood mark. Mr. Forrester asked if flood insurance was required? Mr. Pool stated no, if the person builds the house up. Mr. Pool pointed out flood insurance can be obtained even though a person does not live in a flood zone. Mr. Pool reported FEMA does not want people building in the flood zone anymore because when there is a flood they have to keep paying out more money. He stated FEMA is requiring the county to do this in order to receive money from them during a flood event or a hurricane. Commissioner Snellgrove stated it is the responsibility of the home owner, not the builder or the person setting up the mobile home, to obtain the permit. Mr. Pool stated that was correct. He reported fines for non-compliance are extremely steep. Mr. Snellgrove stated he had received a phone call from a contractor who did not know, and he stated he had informed him. Commissioner Snellgrove stated for some reason, the county is not communicating well with them or the contractors are not doing their

homework. Mr. Snellgrove reported the contractors should know this and inform the homeowner. He asked if there was a penalty to the contractor for not complying? Mr. Pool reported it is not the contractor's responsibility. Mr. Snellgrove stated there is a communication problem apparently. Mr. Pool suggested maybe placing something about it on the garbage bill. Mr. Pool reported he planned to bring it up several times and maybe he could get it across to the public.

County Attorney – there was no report.

Chairman Culver reported over the last several weeks, it became clear that the commission was going to have a very difficult budget process. He stated last week it became completely into focus where the county is not. He reported the revenues are down for the first time he could recall in the 24 years he had been on the commission and the projected ending fund balance will be lower than projected as opposed to higher. The chairman reported the commission has some significant issues to address. He stated the budget hearing process would begin that afternoon. He pointed out it is probable they are going to have to cut some positions. He stated the commission has always said that the last thing they wanted to do was to cut positions and especially if those positions had people. The chairman reported they did not want to pink slip anyone and to his knowledge through the budget process they have never done that. He stated to assist in that and have some ability not to have to pink slip anyone, he asked the commission to implement with a motion a hiring freeze effective immediately. He pointed out it would have to be unanimous for it to be considered. He reported out there are 15 vacancies that are budgeted but not filled currently according to the information Mrs. Sherri Thompson, Personnel Director, had given him. The chairman reported he had rather ask that those positions remain vacant while the commission goes through the budget process than to fill them and then the commission eliminate them if they have to terminate someone. Chairman Culver reported it makes more sense to him to keep them vacant now and then if they have to eliminate positions it would give the commission some area to start without costing someone their job. He then asked the commission if they would consider a hiring freeze on any unfilled positions effective immediately for the remainder of this budget year? Commissioner Snellgrove reported the reason the projected ending fund balance is down is not because the department heads overspent, it is simply because the revenue is not coming in. Chairman Culver reported the department heads expenditures are under budget as they always are. He stated because of revenue issues the commission has a difficult situation, and from his looking at it the county needed to be around \$3 million under current level funding. The chairman reported the commission had a difficult task over the next few days, and he felt implementing the hiring freeze would help this budget year a little but more importantly give the commission some leeway as far as decisions they need to make related to personnel going forward. Chairman Culver asked if there was any objection to considering the request to implement a hiring freeze? There were no objections. Commissioner Cook made a motion to implement the hiring freeze through the end of this budget year. Commissioner Forrester seconded the motion. The chairman called for the question; and the motion carried unanimously. He asked Mr. Dempsey to advise Personnel of the hiring freeze for the 15 positions or the number effective at this commission meeting that the commission would be withholding funding or filling any positions.

The chairman reported because of the situation, they wanted to change up the budget process. He

Stated he felt it would be irresponsible for the commission to sit for a day and a half and require the department heads to come and spend an hour when they could be working when they are bringing their budget requests that amount to roughly \$8 million more than the money the county has. He stated the commission will meet as scheduled at 1:00 P.M. He reported at 2:30 P.M., the commission will meet with all departments and go through everything so that the department heads can see where the county is, and what they are faced with. The chairman reported the commission will go through the budget and try to come up with something workable and give the department heads a chance to come back. The chairman reported the department heads will still have the opportunity to meet with the commission but a different time frame. Chairman Culver reported he wished the county was in the situation they were in 5 or 6 years ago and they could pick and choose what they wanted to do. He stated this year it is not a matter of picking and choosing new items that a department needs, but a matter of deciding what they have that they do not need anymore. The chairman reported last year was tough and they knew this year was going to be tough. He stated it is going to get better but the county only has a certain amount of money the taxpayers let them use and that is the amount the commission will use in this budget. The chairman asked for everyone's indulgence as they go through the budget process.

Mr. Dempsey re-iterated that this is not something that has just happened; it is not so much an issue of spending as much as it is with revenue. He stated he would explain it at the meeting scheduled that afternoon. Chairman Culver stated if the revenues had been what was projected it would not be quite as difficult a situation. He stated the commission has to approve a budget by law, and they would do that.

Adjourn.

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