

MINUTES OF THE HOUSTON COUNTY COMMISSION
SEPTEMBER 26, 2011

PRESENT: Chairman Mark Culver, Commissioner Curtis Harvey, Commissioner Doug Siquefield, Commissioner Jackie Battles, Gary Sherrer, County Attorney, Mark Pool, County Engineer, and William J. Dempsey, Chief Administrative Officer

ABSENT: Commissioner Phillip L. Forrester

Chairman Mark Culver called the 10:00 A.M. meeting to order, declared a quorum was present, and welcomed everyone. Rev. James Nance, Minister of Music, Mt. Enon 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 Battles seconded; and the motion carried unanimously.

Announcements and Public Comments from Chairman and Commissioners

Commissioner Siquefield reported on October 7th, Mr. Joe Phillips and his wife will be sponsoring "Fishing with the Angels Day." at Gordon . He pointed out a lot of special needs children from the county and city schools will be participating and he asked for any volunteers who might assist.

Chairman Culver reported prior to the Commission meeting, the Press Conference to kickoff the discount Prescription Drug Cards was held. He stated many of the cards have already been distributed and the commission looked for great things for both the citizens and the county.

Chairman Culver reported the City of Dothan's Swearing-In Ceremony would be held at 6:30 P.M. at the Dothan Civic Center.

Awards and Presentations

1. Recognition of two Police officers for acts of bravery – Chief Jim Smith, Cottonwood Police Department

Chairman Culver asked Commissioner Doug Siquefield to step down with him. He stated it is always a pleasure to recognize citizens in the community who go above and beyond the call of duty whether in their job or their volunteering or just in their everyday life.

He asked Chief Jim Smith, Cottonwood Police Department, and Clark Matthews, EMA Director. Chief Smith reported it is very unusual for law enforcement officers to save a life. At that time he asked Officer Bill Taylor to come forward. Chief Smith reported Officer Luke Grant, a reserve officer, could not attend due to starting a new job. The chief reported on September 9th, these officers received a call that a house was on fire. He stated upon their arrival they heard a lady inside calling for help and they forced the front door open and entered the burning structure and were able to remove the victim. He stated at that time, the house was involved in an explosion which actually blew off the porch and left the victim lying on the porch. Chief Smith reported with a neighbor's help the officers were able to retrieve the

victim and she was transported to the hospital, and after a few days she survived. The chief stated these type situations do not happen very often but these officers put themselves at great risk.

Commissioner Sinquefield stated it was a great honor to be able to recognize these officers for their valor and bravery. He reported these officers along with many citizens in Houston County who are always ready to make sacrifices forgetting their own needs. Commissioner Sinquefield stated the commission is thankful for all of the county's law enforcement personnel and first responders within the rescue units for the work they do. He then read the recognition and presented to Officer Bill Taylor and Chief Smith on behalf of Officer Luke Grant a framed Certificate of Appreciation.

Chairman Culver asked Mr. Matthews to recognize Mrs. Pickering, the victim that was pulled from the burning house. He thanked her for attending. Mr. Matthews thanked the commission for recognizing these officers. He reported he has heard great things about the county's first responders that went to north Alabama to assist with the tornado damage, and everywhere you go. Mr. Matthews reported it made his job much easier because of the wonderful job they do.

2. Proclamation – "Family Day – A Day to Eat Dinner with your Children" – Mrs. Susan Trawick, Executive Director, Dothan-Houston County Substance Abuse Partnership and Mrs. Beth Ford, Program Manager

Chairman Culver asked Mrs. Susan Trawick, Executive Director, Dothan-Houston County Substance Abuse Partnership, and Mrs. Beth Ford, Program Manager, to come forward. Commissioner Sinquefield made a motion to approve the proclamation declaring September 26th as "Family Day – A Day to eat Dinner with your Children." Commissioner Battles seconded the motion, and it carried unanimously.

Chairman Culver then read the Proclamation and presented it to Mrs. Trawick and thanked her for bringing it to the commission's attention. Chairman Culver reported there are so many fewer families sitting down to dinner these days as compared to when he was growing up because the family dinner time was used as good quality family time. He encouraged everyone to make the effort to sit down with their children.

Mrs. Trawick encouraged parents to spend time with their children. She stated they did understand that everyone's lives are busy. Mrs. Trawick stated if families could not sit down to a meal, to take the non-traditional method and parents ask their children how their day was either at a fast food place or in the car on the way to a ballgame. She pointed out no matter how many other people are involved in a child's life, parents are still the biggest influence over their children.

Mrs. Ford thanked the commission for allowing them to come and accept the proclamation. She stated Mrs. Trawick had done an excellent job regarding the proclamation. She stated parents need to talk to their children and keep an open communication line. Mrs. Ford reported family dinners are great because no one feels nervous and it is a comfortable place for parents to get to know what is going on with their children. She urged parents to take the time and make it a routine. She thanked the commission and Chairman Culver thanked them for attending.

Regular Agenda

1. Request to adopt Resolution for Tax Shelter Plan.

Commissioner Harvey made a motion to adopt the Resolution for the Tax Shelter Plan. Commissioner Battles seconded the motion. The chairman reported this Resolution must be adopted and is required by the state to take the RSA contributions pre-taxed as opposed to the way they are currently being done. He asked for any questions or comments? There being none, the chairman called for the question; and the motion carried unanimously. (Please see in Resolution Book)

2. Request to adopt Policy regarding Excess Funds from the Sale of Property for Payment of Unpaid Taxes.

Commissioner Battles made a motion to adopt the Policy regarding Excess Funds from the Sale of Property for payment of Unpaid Taxes. Commissioner Sinuefield seconded the motion. Chairman Culver reported the policy is an effort to address an ongoing issue that is taking up a lot of the Chief Administrative Officer, the accounting staff, and the Revenue Commissioner's time. He pointed out it has to deal with tax sales and the excess funds that are created by the tax sales. The chairman reported they have been approached on several occasions by people trying to recover the excess funds, the amount you pay at a tax sale and the actual tax. He stated they have had various entities, groups, and individuals trying to recover that money. He reported it is acceptable for some of them to recover the money, and for some of them it is not. Chairman Culver reported over the last year or so, it has become a problem and rather than addressing each situation on an individual basis, it was felt a policy should be adopted in order to have guidance. The chairman reported Mr. Sherrer worked with Mr. Dempsey, who stated the policy addresses four things: who is eligible to receive excess funds, defines what is done in situations in which the funds are less than three years old, defines what is done in situations where the excess is greater than three years old, and it gives alternate procedures in the event there is still some issue involved, it allows a procedure on how to handle those. Mr. Dempsey reported they would basically be turned over to the court system if they ever had a question. He stated this policy should allow the county to move forward in a much clearer manner than in the past. The chairman reported there are several time frames in the law that are critical to the process and the three years is one of those. Chairman Culver called for the question; and the motion carried unanimously.

3. Request to enter into three year contract with GTL to provide the jail phone system for Houston County.

Commissioner Harvey made a motion to enter into a three year contract with GTL to provide the jail phone system for Houston County. Commissioner Sinuefield seconded the motion. Mr. Dempsey reported there were a total of seven different vendors who requested to be considered. He stated currently the vendor DSI is who the county originally did business with and they have been bought out by a company called GTL. Mr. Dempsey reported the contract was bid under three conditions: 1. Anyone that provides a service to the county will also have to provide or pay for the jail management system; the software that is currently being used by the jail to track inmates. He pointed out that value is around \$17,000 a year. 2. Requested two different considerations for the revenue to be received. He

said one consideration was the calculation of fees based on the commission to be received from the various rates. 3. Guaranteed three year revenue from the existing vendor, GTL who would give a total revenue of \$504,000. He stated although NCIC's Option #2 was a higher estimated revenue without a guarantee, it is based on higher local and interstate calling rates and does not factor fewer calls because of higher rates. He stated his recommendation was to award the contract to GTL, the existing vendor, due to the higher guaranteed rate of \$504,000.00. He pointed out they are already in place and the jail is using their software. Commissioner Siquefield asked if there is a reduction in the inmate population is there a set fee? Mr. Dempsey stated in the contract there is a stipulation if the inmate population should drop below a certain level then the rate schedule would change. He also stated it was reasonable to assume with NCIC, which is revenue based on call volume, if it goes down it would change also. He pointed out in the case with GTL, there is a guarantee regardless of the number the jail has, and there is upside potential. Mr. Dempsey stated if there were huge calls on a calculated basis that would cause the monthly revenues to go above what would be the \$504,000 three year rate, then the county would get the upside potential. The chairman called for the question; and the motion carried unanimously. (Please see attached in Minute Book)

4. Request to award Pharmaceutical Formulary Supplies for the jail.

Commissioner Siquefield made a motion to award the bid for Pharmaceutical Formulary Supplies for the jail to Winn Dixie, low bidder meeting specs, as recommended by the jail staff. Commissioner Battles seconded the motion. Mr. Dempsey reported there is a contract to provide pharmaceutical drugs to the jail. He pointed out there were 11 no bids and there were 3 other bidders. Mr. Dempsey reported considering local preference, there is a \$4.00 difference between Winn Dixie and J and A. He pointed out Winn Dixie is a local provider and J and A is out of North Carolina. Mr. Dempsey reported it is recommended that Winn Dixie be awarded the bid. Mr. Jason Smoak reported there are certain meds that are not carried in the pharmacy. He stated if an inmate has to have a medication they do not carry, they go directly to Winn Dixie and get them and begin treatment within 30 minutes rather than having to wait 24 hours for an overnight delivery. Mr. Smoak reported at the current time, they pay retail prices for the medications and if Winn Dixie is chosen, they will give the county a wholesale price on the individual medications they buy. Chairman Culver reported the recommendation and the motion is that the county contract with Winn Dixie for the Pharmaceutical Formulary Supplies for the jail. Commissioner Siquefield asked about inmates who come into the jail who are able to pay for their medication? Mr. Smoak stated on those inmates that their family can provide their medications for them they let them have those medications at no cost to the county. He stated when inmates come into jail and they are on Medicare or Medicaid, those benefits stop and they become solely the responsibility of Houston County to pay for their medications. He stated if the family continues to use Medicaid on the outside to bring the medications in they will be billed for those medications later and might have to actually end up having to stop. He pointed out another reason if they stay in jail for any period of time, refills on the prescription may end as well, and the county becomes the provider for them at that time. The chairman called for the question; and the motion carried unanimously. (Please see attached in Minute Book)

5. Request for 010 – Lounge Retail Liquor License – Class 1 – for James Allen Norsworthy and Mark Snyder d/b/a Wild Horse Saloon and Grill, 14805 Highway #84 West, Wicksburg, AL

Commissioner Battles made a motion to approve the request for a 010 – Lounge Retail Liquor License – Class 1 - for James Allen Norsworthy and Mark Snyder d/b/a Wild Horse Saloon and Grill, 14805 Highway #84 West, Wicksburg, AL. Commissioner Harvey seconded. Chairman Culver asked if there was anyone present that was in opposition? Commissioner Siquefield stated he was not in opposition but he asked if there were any other violations with the owners? Chairman Culver reported that is the Sheriff's task and duty to check out before he sends it to the commission. Mr. Culver reported basically all the commission does is approve the Sheriff's approval. He reported the Sheriff had stated he found no reason that the license should not be issued. The chairman reported this has been discussed before, and he stated he did not know why the commission is involved in the process. He pointed out if the commission denies the request, and they go to court and they meet the legal requirements, the license will be approved. There being no opposition, he called for the question; and the motion carried unanimously.

6. Request from Lucy Volunteer Fire Department for Road & Bridge Department to remove debris.

Chairman Culver reported the request is to remove debris from their new department site. Commissioner Harvey made a motion to approve the request from the Lucy Volunteer Fire Department for the Road and Bridge Department to remove the debris from their new department site. Commissioner Siquefield seconded the motion. The chairman called for the question; and the motion carried unanimously.

7. Request to award bids on crushed limestone, bulk cement, hot plant mix 416, fiber mesh concrete, fertilizer, and cement mortar flowable backfill.

Commissioner Harvey made a motion to award the bids on crushed limestone, bulk cement, hot plant mix 416, fiber mesh concrete, fertilizer, and cement mortar flowable backfill to the low bidders meeting specs. Commissioner Siquefield seconded the motion. The chairman called for the question; and the motion carried unanimously. (Please see attached in Minute Book)

8. Request to increase the cost of dirt from \$1.00 to \$1.25 per cubic yard.

Commissioner Harvey made a motion to approve the request to increase the cost of dirt from \$1.00 to \$1.25 per cubic yard. Commissioner Siquefield seconded the motion. Chairman Culver called for the question ; and the motion carried unanimously.

Staff Reports:

Chief Administrative Officer – there was no report

County Engineer

Mr. Pool reported it had been very dry and were working on bridges. He pointed out the lake is low at Chattahoochee Park.

County Attorney – there was no report

Commissioner Sinquefield asked Mr. Pool to comment on the debris clean-up? Mr. Pool reported on Wednesday there was a storm near Cottonwood and he needed the commission to approve the Road and Bridge picking up the storm debris. Chairman Culver stated there was no doubt that was an unusual storm. The chairman encouraged everyone in that area to bring the limbs out to the road, and the county would pick them up at no charge. Mr. Pool stated they would take a look at it and map it out and report back at the next meeting. The chairman reported the county would pick up the debris for at least the next two weeks. It was pointed out no structures that were damaged would be picked up by the county; only the storm debris. The chairman asked the media to help get the word out regarding the storm debris pick up.

Mr. Pool reported they were actually working on a proposed stimulus bill if there is one. He pointed out it is 100% money, and they can get some projects done. He pointed out the utility relocation at the intersection of Fortner Street and Brannon Stand Road is over \$1 million, and they had originally thought it would be between \$200,000-\$300,000. Mr. Pool stated it has blown the MPO budget. Chairman Culver reported that project is important enough that it has to be done, and some other MPO projects will have to be moved back in order to fund it.

Adjourn

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