

MINUTES OF THE HOUSTON COUNTY COMMISSION

APRIL 24, 2012

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

ABSENT: None

Chairman Mark S. Culver called the 10:00 A. M. meeting to order, declared a quorum present, and welcomed everyone. Rev. Henry Morris, Assistant Pastor, First Presbyterian Church, gave the invocation. Chairman Culver led in the Pledge of Allegiance.

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

Announcements and Public Comments from Chairman and Commissioners

Chairman Culver reported since there was no Administrative meeting on Thursday, he had three items he would like to bring up at the end of the meeting. He pointed out it would take unanimous consent to place them on the agenda.

Chairman Culver reported the Elected Officials vs. The Media Softball Game would be held on Saturday, May 5th, at 10:30 A.M., at Colby Field. He reported it is a food/fundraiser for the Wiregrass Area Food Bank, and he invited everyone to come out and watch the game. He stated admission would be canned food or a donation. The chairman reported immediately after the game, they would be going to The Red Elephant for lunch. He stated The Red Elephant has agreed to give a portion of the proceeds that day to the Food Bank.

The chairman reported Cottonwood's Down Home Festival would be that day also, and events would be taking place all day with the Parade beginning at 9:00 A.M. He encouraged people to support the festival.

Awards and Presentations

1. Proclamation – "Small Business Week" – Steve Turkoski, Project Manager, Dothan Area Chamber of Commerce.

Chairman Culver asked Mr. Steve Turkoski, Dothan Area Chamber of Commerce, to come forward. Commissioner Battles made a motion to approve the Proclamation declaring May 7th-11th as "Small Business Week" in Houston County. Commissioner Siquefield seconded the motion; and it carried unanimously. Chairman Culver then read the Proclamation and presented it to Mr. Turkoski. He thanked Mr. Turkoski and the Chamber of Commerce for helping the commission to recognize this annually because small business is the backbone of the local community and most communities. Mr. Turkoski thanked the commission. He reported small business is usually considered a company with less than 500 employees. Mr. Turkoski stated within Houston County there are 5 companies that are large businesses, and the remainder are small businesses. He reported 16% of the income is derived from approximately 6,400 sole proprietorships, and 2,830 companies with employees. Mr. Turkoski stated the Chamber of Commerce does as much as it can to help foster the development of businesses. He pointed out on April 26th, a program will be held at the Mixson Business Center on Business Planning, a critical part of small business development. Mr. Turkoski reported for people who are interested in getting into business, there will be a series of programs to assist them. Chairman Culver thanked Mr. Turkoski.

Regular Agenda

1. Request to approve Memorandum of Understanding for 2012 Byrne Justice Assistance Grant in the amount of \$8,782.20 and the Interlocal Agreement between the City of Dothan and Houston County.

Chairman Culver reported this annual grant comes through the Sheriff's Office and the City of Dothan Police Department. He pointed out they submit various projects that may be considered, and the grant is either approved or not. Chairman Culver reported there is a match that comes through the Sheriff's budget. Commissioner Harvey made a motion to approve the request to approve the Memorandum of Understanding for the 2012 Byrne Justice Assistance Grant in the amount of \$8,782.20, and the Interlocal Agreement between the City of Dothan and Houston County. Commissioner Sinquefield seconded the motion. The chairman called for the question; and it carried unanimously.

2. Request to approve and advertise local legislation regarding commission vacancy.

Chairman Culver reported as everyone is aware, the Probate Judge called a special election to fill the unfortunate vacancy on the commission. He stated the county's local law and everything relative to Houston County that is in place based on prior elections, and the local laws are such that it was felt the special election process was the proper process. The chairman reported there are questions relative to the election and he stated the commission wanted to clarify everything after the election takes place. He pointed out some members of the local legislative delegation were interested in seeing if the county could go ahead and get a bill passed clarifying everything in this legislative session. The chairman reported it was going to be a close effort because by the time the bill finishes being advertised, there will be 6 legislative days left in the session, and it takes 5 legislative days to pass a bill. Chairman Culver reported the commission wanted to get it cleared up so there is no question. He pointed out the commission felt that they have taken the proper path. The chairman reported the commission did not want to take away any right of citizens to elect their commissioner. He stated there are questions regarding this because of other counties and the commission wants it cleared up. Chairman Culver reported the legislation basically re-states the 1986 law that is already on the books. Commissioner Battles made a motion to approve and advertise the local legislation regarding the commission vacancy. Commissioner Sinquefield seconded the motion. The chairman called for the question; and the motion carried unanimously. (Please see attached legislation in Minute Book)

3. Request from EMA to authorize Clark Matthews to sign grant agreement for \$25,000 from Alabama Public Health for funding to support National SNS exercise to be conducted on local level at the Farm Center May 3, 2012 – Clark Matthews, EMA Director.

Chairman Culver asked Mr. Clark Matthews to come forward. Mr. Matthews reported the grant agreement is in the amount of \$25,000 for a National SNS exercise which EMA is participating in on a local level. He stated it would be held on May 3rd, at the Farm Center.

Mr. Matthews asked if he could go into Item #4 because they are related? The chairman stated he could discuss it and then the commission would not need to. Mr. Matthews reported the money will be paid to a contractor who would be conducting the exercise. He pointed out the stuff will be coming into Montgomery, and they will break it down and ship it to Houston County. Mr. Matthews reported then Houston County will do a practice shipment to the eight counties. He stated the exercise will consist of assimilating antibiotics to the populous. Mr. Matthews reported he had been asked to pass the exercise through to Mr. Lee Helms, Lee Helms and Associates, who has conducted these exercises throughout the state. Chairman Culver stated Item #3 is requesting to authorize Mr. Matthews to sign the agreement and Item #4 is actually entering into the agreement with Lee Helms and Associates for the exercise. Mr. Matthews stated that was correct. Chairman Culver pointed out Houston County is the regional distribution point for Homeland Security as far as medications and those type things in case of a pandemic. Mr. Matthews reported they are going to do a pod (point of distribution) there and run approximately 50-75 Wallace College students to give Public Health and EMA the experience to do it. Chairman Culver reported as with Farley exercises, this exercise is about being prepared and we just hope that it is something we never have to use.

Chairman Culver then called for a motion to approve Item #3 to authorize Clark Matthews to sign the agreement with Alabama Public Health. Commissioner Sinquefield made the motion seconded by Commissioner Battles. Chairman Culver called for the question; and the motion carried unanimously.

4. Request from EMA to authorize Clark Matthews to enter into agreement with Lee Helms and Associates for \$25,000. Funding provided by Alabama Public Health, and they entered into

agreement with Lee Helms to conduct exercise and furnish logistics for exercise in Dothan and Montgomery (100% pass through) – Clark Matthews – EMA Director.

Commissioner Battles made a motion to approve the request from EMA to authorize Clark Matthews to enter into agreement with Lee Helms and Associates for \$25,000. Commissioner Siquefield seconded the motion. Chairman Culver called for the question; and the motion carried unanimously.

5. Liquor License Request – 050 Retail Beer (Off Premises Only) 070 Retail Table Wine (Off Premises Only) – DOLGENCORP, LLC d/b/a Dollar General Store 13013 – 41 N. Bay Springs Road – Dothan, AL 36303.

Commissioner Battles made a motion to approve the request for a 050 Retail Beer (Off Premises Only) and a 070 Retail Table Wine (Off Premises Only) license for DOLGENCORP, LLC d/b/a Dollar General Store 13013, 41 N. Bay Springs Road, Dothan, AL 36303. Commissioner Siquefield seconded the motion. Chairman Culver asked if anyone present was in opposition to the request? There being no opposition, the chairman called for the question; and the motion carried unanimously.

6. Liquor License Request – 050 Retail Beer (Off Premises Only) 070 Retail Table Wine (Off Premises Only) – DOLGENCORP, LLC d/b/a Dollar General Store 12949, 30 Eddins Road, Cowarts, AL 36321.

Commissioner Battles made a motion to approve the request for a 050 Retail Beer (Off Premises Only) and a 070 Retail Table Wine (Off Premises Only) license for DOLGENCORP, LLC d/b/a Dollar General Store 12949, 30 Eddins Road, Cowarts, AL 36321. Commissioner Siquefield seconded the motion. Chairman Culver asked if anyone present was in opposition to the request? There being no opposition, he called for the question; and the motion carried unanimously.

7. Liquor License Request – 160 – Special Retail – More Than 30 Days – Olympia Hotel & Golf Course, LLC – 7410 S. U. S. Highway #231 – Dothan, AL 36301.

Commissioner Battles made a motion to approve the request for a 160 Special Retail for more than 30 days liquor license for the Olympia Hotel & Golf Course, LLC, 7410 S. U. S. Highway #231, Dothan, AL 36301 and to authorize the chairman to enter into agreement at the appropriate time. Commissioner Siquefield seconded the motion. The chairman asked if anyone present was in opposition to the request? There being no opposition, he called for the question; and the motion carried unanimously.

8. Request to award bid for the food service contract at the Jail to ABL Management, low bidder meeting specs.

Commissioner Siquefield made a motion to award the bid for the food service contract to the Jail to ABL Management, low bidder meeting specs, in the amount of \$0.72470 per meal. Commissioner Harvey seconded the motion. Chairman Culver called for the question; and the motion carried unanimously. (Please see attached in Minute Book)

9. Request to adopt Resolution for federally funded railroad signal on Wallace Buie Road.

Commissioner Harvey made a motion to adopt the Resolution for a federally funded railroad signal on Wallace Buie Road. Commissioner Siquefield seconded the motion. Mr. Pool reported this project is 100% federally funded. He pointed out there was an accident there on January 12, 1997 with injuries and the Highway Department selects these projects and they pay for them. Mr. Pool reported the project will not cost the county anything. Chairman Culver called for the question; and the motion carried unanimously. (Please see in Resolution Book)

Chairman Culver reported as mentioned earlier, he had 3 items to be considered. He reported it would take unanimous consent on each one.

Chairman Culver reported the first item is a request from the Choctawhatchee, Pea, and Yellow River Watershed Management Authority. He stated the county had been working with them for quite a sometime on installing a river level gauge at the bridge on North Brannon Stand Road which would be on the Little Choctawhatchee River. Chairman Culver reported the commission would be approving a Right-of-Way Permit Agreement that states that the county has no cost and no responsibility other than

them working on this project on the county's right-of-way. The chairman asked if there was any objection to adding the request to the agenda? There being none, he asked if there were any questions relative to the request or if there was a motion to approve? Commissioner Battles made a motion to approve the request from the Choctawhatchee, Pea, and Yellow River Watershed Management Authority to approve the Right-of-Way Permit Agreement to install the river level gauge at the bridge on North Brannon Stand Road on the Little Choctawhatchee River. Commissioner Harvey seconded the motion. Mr. Pool stated he had read the agreement and there is no obligation to the county. Chairman Culver reported that he thought it was good and it expands the Choctawhatchee Pea, and Yellow Rivers Watershed Management Authority's ability to monitor stream elevations and levels and develop better historical data. Chairman Culver called for the question; and the motion carried unanimously.

Chairman Culver reported the commission has contracted with the state to do some work so that their rest area can be tied into the county's solid waste disposal facility at the Houston County Distribution Park. He stated the agreement calls for the state to reimburse the county for any costs to the county's facility that are needed and they are paying for the lines, etc. The chairman pointed out the county is to the point of advertising and taking bids on the rest area project. He stated the county will be reimbursed, but the county will have to pay the money upfront. Chairman Culver reported this is considered a county contract and the commission needs to approve taking the bids and advertising the septic facility at the Houston County Distribution Park where the Alabama Rest Area will be put into. The question was asked if this was part of the expansion that the commission approved earlier? Chairman Culver stated it had been approved and the county had a contract with the state in place. Chairman Culver stated this project will benefit the county because it will expand the facility, and they will be paying a fee for usage. Chairman Culver reported the county is paying upfront for the impact on the county's facility and then the state will reimburse the county for the costs. The chairman asked if there were any questions or motions relative to taking bids and advertising the Rest Area Project? Commissioner Battles made a motion to take bids and advertise the Rest Area Project. Commissioner Sinquefield seconded the motion. Chairman Culver reported he thought the bids were to be opened sometime between May 15th-17th. Mr. Pool asked if the inspection was being handled by the consultant? Chairman Culver stated they would contract with PolyEngineering to do all the work. The chairman then called for the question; and the motion carried unanimously.

Chairman Culver asked if there was any additional information on the pauper burial issue?

Chairman Culver reported there was a request for a pauper's burial. He reported normally those are not brought before the commission, but it is an unusual situation. The chairman reported with a pauper's burial there is a body in place and the commission did not want to wait two weeks to address it. He stated this is an instance where the individual is under the guardianship of the Houston County Sheriff but passed away in Dale County. Chairman Culver reported they are working to determine who should be responsible for the burial. He pointed out it is not a big issue but they need to determine who is responsible. Chairman Culver asked for the commission's approval to authorize the Chairman and Chief Administrative Officer jointly to take the necessary steps to get the body buried. He asked if anyone objected to adding this item to the agenda? There being no objections, the chairman asked for a motion to take the necessary steps to get the body buried. Commissioner Sinquefield made a motion to authorize the Chairman and Chief Administrative Officer jointly to take the necessary steps, whatever they are, to get the body buried. Commissioner Battles 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 the County Road #81 project was going well. He stated on the Brannon Stand Road and Fortner Street Intersection project, all of the right-of-ways have been acquired, signs are now being moved, the utility work will start, and the utility relocation cost is over \$1 million. Chairman Culver stated he gets more calls about that project than other projects. He stated the county looks for that to begin the first of the summer, 2013. Mr. Pool stated he was going to try to get it set up to begin the

next day after school is out. Chairman Culver reported they are trying to schedule the project when school is not in session. Mr. Pool stated this intersection is designed for the future, and it will be very nice.

County Attorney – there was no report

Chairman Culver reported the county had submitted \$10 million in projects for ATRIP. He stated they were hoping to fund \$300 million in the first phase and they received requests for approximately \$400 million. He stated this will be a competitive process, and the county is hoping for the best in the first phase. Mr. Pool stated the county will know about the projects that were approved on May 16th. Mr. Pool reported they had \$10 million, and the state charges 13% administrative costs on every project. He pointed out the state has waived administrative costs on ATRIP and it makes the \$10 million project a little over \$9 million. Mr. Pool reported all of their plans would be ready by the first of June. Chairman Culver reported if all of the projects are approved in the first phase, a second list will be ready for the second phase and a third list ready for the third phase. He stated if all of the projects are not approved, then the county will re-submit the ones that did not get approved in the first round. Mr. Pool stated if it becomes a mixed up mess, then they will have to have a meeting to discuss it. Chairman Culver stated as long as the county submits all that they can submit.

Chairman Culver announced that FEMA had notified the county that they denied the initial appeal of the four environmental projects that they had originally denied the county. He stated the county has the opportunity to re-appeal it, and he stated they were going to do that as well as get some more people involved in an effort to do everything they can possibly do to get the money that they feel is owed to the citizens of Houston County.

Adjourn.

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