

MINUTES OF THE HOUSTON COUNTY COMMISSION  
OCTOBER 15, 2013

PRESENT: Chairman Mark S. Culver, Commissioner Doug Sinquefield, Commissioner Melinda S. McClendon, Patrick Jones, Acting County Attorney, Barkley Kirkland, County Engineer, and Nancy Bristow, Acting Chief Administrative Officer

ABSENT: Commissioner Curtis Harvey, Commissioner Jackie Battles, Gary Sherrer, County Attorney, William J. Dempsey, Chief Administrative Officer

Chairman Mark S. Culver called the 10:00 A.M. meeting to order, declared a quorum present, and welcomed everyone. Rev. Jimmy Bolin, Pastor, Cottonwood First Baptist Church, gave the invocation. Commissioner Sinquefield led in the Pledge of Allegiance.

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

#### Announcements and Public Comments from Chairman and Commissioners

Chairman Culver reported at 2:00 P.M. the Dothan-Houston County Substance Abuse Partnership would be holding a Proclamation Ceremony for "Red Ribbon Week" on the steps of the Courthouse. He urged anyone who might be interested to attend.

Chairman Culver reported it continues to be "Breast Cancer Awareness Month", and he thanked everyone who was wearing pink in support.

Commissioner Sinquefield reported each year Mr. Joe Phillips hosts a special event, "Fishing with Angels", for children with special needs who attend the city and county schools. He stated the event will be October 18<sup>th</sup>, at 15 Greenhouse Road, in Gordon, beginning around 8:30 A.M., and the public is invited.

#### Awards and Presentations

1. Proclamation – "Pro Bono Week" – Ms. Tracy Melvin, President, Houston County Bar Association, Mr. William Lee, IV, President Elect, Houston County Bar Association, and Ms. Laura Peterman Wells, Co-President, Young Lawyers Division

Chairman Culver reported he did not see anyone present to receive the Proclamation for "Pro Bono Week." He reported this is done every year and he asked for a motion to approve the Proclamation. Commissioner Sinquefield made the motion to approve the proclamation declaring October 20<sup>th</sup>-26<sup>th</sup>, 2013, as "Pro Bono Week." Commissioner McClendon seconded the motion; and it carried unanimously. Chairman Culver reported each year the lawyers recognize the fact that everyone cannot afford legal services and they dedicate this week to those who need their services at no charge.

## Regular Agenda

1. Request to approve joint re-appointment of Hayne Hollis to the Dothan-Houston County Airport Authority.

Commissioner McClendon made a motion for the joint re-appointment of Hayne Hollis to the Dothan-Houston County Airport Authority. Commissioner Sinquefield seconded the motion. Chairman Culver reported this is joint because it is the one that is called the Chamber of Commerce's appointment, and the city and county make this one. The chairman called for the question; and the motion carried unanimously.

2. Request from Tri-Rivers Waterway Association to adopt Resolution for the removal of snags in the Apalachicola River Channel – Mr. Billy Houston, Executive Director, Tri-Rivers Waterway Association.

Commissioner Sinquefield made a motion to approve the request to adopt the Resolution for the removal of snags in the Apalachicola River Channel. Commissioner McClendon seconded the motion.

Chairman Culver asked Mr. Billy Houston, Executive Director, Tri-Rivers Waterway Association, to come forward. Mr. Houston thanked the commission for inviting him to the meeting, and he thanked the commission for their financial support over the years. Mr. Houston reported the main purpose of the request for the resolution was the connectivity for the ACF water system which was formed in 1945. He stated it starts in Gainesville, Georgia and goes to the Apalachicola Bay. He pointed out it also goes 28 miles up the Flint River. Mr. Houston reported the ACF water system was created for economic development along southwest Georgia, southeast Alabama, and northwest Florida. He pointed out they have a broken system because it is not complete, but it has been successful with the location of plants in the Phenix City/Russell County area, and the Farley Nuclear Plant and Georgia Pacific which are so important to Houston County and southwest Georgia. He also stated they received a tremendous reparation out of the system. Mr. Houston reported the system has been instrumental in economic development in the past and they hope it will be in the future. He stated they are working to try to get a seasonal channel designated in an effort to make sure they can get down to the Apalachicola Bay. Mr. Houston reported the last time the Apalachicola River was de-snagged was in 2005, and it has become a very dangerous waterway. He stated in February, 2012, the Corps of Engineers approached the Florida Environmental Protection Agency about a permit to do the de-snagging. Mr. Houston reported it was their position that the Corps of Engineers does not have to get the permit because they have the right to keep the system open. He stated because of politics and relationships, the Corps thought it would be a good idea to do this. They have been working with The Environmental Protection Agency for over a year to get together on this project, and they have brought in U.S. Fish and Wildlife, and they have all agreed this is a necessary component and should be done. He stated the Florida Environmental Protection Agency put out a petition stating they were going to issue the permit and asked if anyone had any objections. Mr. Houston reported the River Keepers' Association and the Florida Wildlife Federation did object. He stated the Corps of Engineers met with them and tried to work things out and they feel like they are in the right territory but they have not gotten things worked out. The River Keepers have

requested an Administrative Hearing to oppose the de-snagging. Mr. Houston reported his organization feels like the Administrative Hearing will possibly go their way. He stated his group thought it was a great idea to go up the ACF Waterway from the navigable part from Columbus, Georgia and get resolutions all the way down through Apalachicola. Mr. Houston reported they will be doing the resolutions throughout the entire area in Columbus, Phenix City, Eufaula, Bainbridge along with Clay, Quitman and Seminole Counties in Georgia, Dothan, and down to Apalachicola. He stated the Corps of Engineers reviewed their resolution, and they have tried to make it user friendly. Mr. Houston reported it was extremely important for the locks and dams in the case of emergency situations. He pointed out the last major commercial use of the waterways was by Farley Nuclear Plant in 2003 when they hauled reactors. Mr. Houston reported this resolution is important to Houston County. He asked if anyone had any questions?

Commissioner McClendon asked why the River Keepers' Association was against it? Mr. Houston reported the River Keepers have had a long time opposition to the Corps in that they felt like the Corps had not been environmentally friendly in the past. He reported they have met with them and tried to work it out and they have some basic stuff they were requesting such as 100 foot channel and concerns about the integrity of the banks. Mr. Houston reported they feel like the Florida elected officials have been with Corps for over a year making sure the environmental issues were all being taken care of. He pointed out in the past, the River Keepers have been supportive of that organization. Mr. Houston reported they were not sure that the River Keepers have good scientific reasons for doing this. He stated it is not one particular thing but a distrust they have with the Corps of Engineers.

Commissioner Sinquefield asked if the de-snagging was limited to the Apalachicola river channel? Mr. Houston stated yes. He also asked if the Corps were looking into any future barge traffic, and why the barge traffic has stopped over the years? Mr. Houston reported that was another issue that he would be glad to come back for a work session sometime and give an update. He stated they were hoping to create a seasonal channel to work some limited dredging and have some flows generated to create a seasonal channel on this. He stated that channel would be during the rainy season from December through May. He stated if they can do that, then they felt by that time they can create some barge traffic. Mr. Houston pointed out in Apalachicola, they have a river boat they have plans for commercial cruises up and down the river. He stated it will be commercial traffic and it will run from Apalachicola to Columbus, Georgia. Mr. Houston reported their Program of Work details the opening of the channel. He pointed out they might be looking at a 7 foot channel instead of a 9 foot channel, and see if they can expand the season.

Chairman Culver thanked Mr. Houston. He called for the question on the motion; and it carried unanimously. (Please see in Resolution Book)

3. Request to adopt Resolution authorizing Notice of Public Hearing, Public Hearing and Meeting to Address the Vacating of IC Road.

Commissioner Sinquefield made a motion to adopt the Resolution authorizing a Notice of Public Hearing, Public Hearing and Meeting to Address the Vacating of IC Road. Commissioner McClendon

seconded the motion. Chairman Culver stated this is an agreed upon vacating of a road and the law requires the commission to have a public hearing and give a 30 day notice. He reported this will be held at the November 25<sup>th</sup> commission meeting. The chairman called for the question; and the motion carried unanimously. (Please see in Resolution Book)

4. Request to adopt Joint Resolution and Agreement related to the authority and duty to control, manage, supervise, regulate, repair, maintain and improve portions of Cowarts Road and Drew Road within the municipal limits of the City of Dothan.

Commissioner Sinquefield made a motion to adopt the joint Resolution and Agreement as substituted related to the authority and duty to control, manage, supervise, regulate, repair, maintain, and improve portions of Cowarts Road and Drew Road within the municipal limits of the City of Dothan.

Commissioner McClendon seconded the motion. Chairman Culver reported the change involved the descriptive change in the road. He pointed out the City Engineer had some concern the description was a little complicated and in the future when none of the current commissioners are around then someone could go back and understand what the county and city were doing. The chairman reported the City Engineer, the County Engineer, and County Attorney met and agreed on the language in the resolution. Mr. Kirkland reported it was some terminology that needed to be changed because some of the road names have changed and in 10 years someone might not know where Drew Road and Cowarts Road started and stopped, and the change cleared it up. Chairman Culver reported this is the agreement between the city and the county to exchange the roads that are surrounding and related to ACOM. He stated that the road in front, Old Cowarts Road, was a county road and will now become a city road and they are abandoning a portion of that road. The chairman pointed out a cul-de-sac is there now off of Highway 84 next to the Dothan Survival Paintball location. He stated Drew Road from Cowarts Road to Highway 84 is now a continuation of Cowarts Road, and it used to be a city road and it will become the county's road. The chairman called for the question; and the motion carried unanimously. (Please see in Resolution Book)

5. Request to adopt Resolution for resurfacing Memphis Church Road, approximately 2.09 miles in length from Eddins Road to the change in pavement just south of Saunders Road. (MPO Project)

Commissioner Sinquefield made a motion to adopt the Resolution for resurfacing Memphis Church Road, approximately 2.09 miles in length from Eddins Road to the change in pavement just south of Saunders Road. Commissioner McClendon seconded the motion. Chairman Culver reported it is an MPO Project. He stated the paving will go to the Ardilla Intersection. The chairman called for the question; and the motion carried unanimously. (Please see in Resolution Book)

6. Request to adopt revised Resolution for resurfacing Omussee Road, approximately 1.56 miles in length from Webb Road to Kinsey Road/Watson Bridge Road. (MPO Project)

Commissioner Sinquefield made a motion to adopt the revised Resolution for resurfacing Omussee Road, approximately 1.56 miles in length from Webb Road to Kinsey Road/Watson Bridge Road. Commissioner McClendon seconded the motion. Chairman Culver reported this is also an MPO Project. He called for the question; and the motion carried unanimously. (Please see in Resolution Book)

7. Request to award bid on Hot Plant Mix.

Commissioner McClendon made a motion to award the bid on Hot Plant Mix to the lowest bidder meeting specs, APAC-Southeast, Inc., in each category. Commissioner Sinquefield seconded the motion. Chairman Culver reported this bid was done differently this year in an effort to get a better price. He called for the question; and the motion carried unanimously. (Please see in attached Minute Book)

8. Request to approve items to be sold on GovDeals.

Commissioner McClendon made a motion to approve the items to be sold on GovDeals. Commissioner Sinquefield seconded the motion. Chairman Culver called for the question; and the motion carried unanimously. (Please see attached list in Minute Book)

Chairman Culver reported Ms. Melvin was present and he would like to present the "Pro Bono Week" Proclamation.

He asked Ms. Melvin, President, Houston County Bar Association, to come forward. He stated the Proclamation was approved earlier. She apologized for being late stating she had her child at the doctor's office. The chairman then read the Proclamation and presented it to Ms. Melvin.

Ms. Melvin reported they were excited as lawyers to proclaim "Pro Bono Week," even though they do pro bono work year round. She stated this week highlights work that lawyers do for free for the indigent. Ms. Melvin reported this year's project is a fund raiser for the Exchange Center. She stated everyone remembers the story earlier this year about little Ethan. She pointed out because of that situation, the grant for the Exchange Center went to Ethan and his family leaving the organization with no funding. Ms. Melvin reported the Exchange Center does work for over 600 families. She stated they are having a raffle to raise money for the organization, and she encouraged everyone to buy a ticket for \$10.00 each. Ms. Melvin pointed out the drawing would held on October 23<sup>rd</sup>, and you did not have to be present to win. She reported they are hoping to make at least \$2,300.00 or more to help them replace the funding that was used for little Ethan and his family. Ms. Melvin stated the Exchange Center provides assistance to victims of child abuse and their families. She reported they also do counseling, and provide housing and meals in an effort to help these victims. Chairman Culver thanked Ms. Melvin for bringing this to the commission's attention.

Staff Reports:

Chief Administrative Officer –

Acting Chief Administrative Officer, Nancy Bristow, stated there was no report.

County Engineer -

Mr. Kirkland reported they had completed the paving on Judge Logue Road and were working on the shoulders. He stated paving had begun on Fortner Street and it would last probably another week or

week and a half, and they would start the shoulder work. He reported sometime during the week of October 21<sup>st</sup>, they would begin work on Nuclear Plant Road and County Road 33.

County Attorney -

Acting County Attorney, Pat Jones, stated there was no report.

Adjourn

Commissioner Sinquefield made a motion to adjourn. The motion was seconded by Commissioner McClendon and carried unanimously.