

## MINUTES OF THE HOUSTON COUNTY COMMISSION

JANUARY 12, 2015

PRESENT: Chairman Mark S. Culver, Commissioner Jackie Battles, Commissioner Brandon Shoupe, Gary Sherrer, County Attorney, Barkley Kirkland, County Engineer, and William J. Dempsey, Chief Administrative Officer

ABSENT: Commissioner Curtis Harvey and Commissioner Doug Sinquefield

Chairman Mark S. Culver called the 10:00 A.M. meeting to order, declared a quorum present, and welcomed everyone. He reported Commissioner Curtis Harvey was out sick with the flu, and he asked everyone to please keep him in their prayers. The chairman reported Commissioner Doug Sinquefield had to be out of town. Pastor Lyle Peluso, Dothan Vineyard Church, gave the invocation. Commissioner Jackie Battles led in the Pledge of Allegiance.

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

### Announcements and Comments from the Chairman and Commissioners

Chairman Culver reported this is the first commission meeting of 2015, and he welcomed everyone back. He stated he hoped everyone had a Merry Christmas and a Happy New Year. The chairman stated it was good to be back and he looked forward to a safe and prosperous new year for everyone in Houston County and southeast Alabama. He stated he looked forward to working with everyone in the coming year. Chairman Culver reported there is a lot of illness in the community, and he hoped everyone would get well soon. He encouraged everyone to take care of themselves and get through the flu season.

Commissioner Shoupe reported he was having a Town Hall meeting on February 11<sup>th</sup>, at 7:00 P.M., at the St. Peter Community Church, on Marshall Road. He invited everyone in that area who would be interested to attend. He pointed out there would be another meeting in conjunction with a City Commissioner probably after the election for the District 5 City Commissioner.

Commissioner Shoupe reported there had been some discharge issues caused by one of the City of Dothan's water towers out in Wicksburg, and he had spoken with the city and they will be resolving it at some point by late March.

### Awards and Presentations

1. Award – Recognition of Houston County Engineering Staff on receiving the 2014 AAPA's Outstanding Quality Pavement Award for the Design and Construction Administration of County Road 22 (two-lane category) – Barkley Kirkland, Engineer

Chairman Culver reported the commission has had several opportunities to recognize county employees and the great job they are doing. He asked Mr. Barkley Kirkland, County Engineer, to come forward and take part in receiving the 2014 AAPA's Outstanding Quality Pavement Award for the Design and Construction Administration of County Road 22 (two-lane category). He asked Mr. Kirkland to ask his staff to come forward and make comments. Mr. Kirkland reported there had been a lot of paving this year through ATRIP throughout the state. He stated the Alabama Asphalt Paving Association awarded Houston County on County Road #22 in their two lane resurfacing category. Mr. Kirkland pointed out this is a big deal because to his knowledge, no other counties have received the award. The engineer stated the staff did a good job on the project, and he wanted to recognize them. He reported a lot goes into these projects; and it is not just show up and pave. Mr. Kirkland pointed out there is preliminary design, carrying it through to the state, getting the project awarded, paperwork and inspections, shoulder work, and striping, etc. He introduced the Engineering staff: Myer Holloway and Brittney Clayton, two assistant engineers who handle the administration on the projects, Veronica Goins, who is responsible for the design work on all of the projects, Wade Peterson, Rusty Jones, Danny Peters, and Josh Jackson who do the inspection on all the projects. He reported Ashley Clements is over all of the outside work, and all of the shoulder work and grassing. Mr. Kirkland pointed out no other counties do

their own dirt work on their projects. He reported Houston County is able to put their money into asphalt, and they take their forces and equipment, and do their own shoulder work. The engineer stated Houston County has had an excellent staff for quite some time, and they deserve recognition for the outstanding job they do. He reported he would stack them up against anyone in the state as far as counties go. Mr. Kirkland thanked them. They received a round of applause. Mr. Kirkland reported APAC did a great job on the paving, and he commended them. Chairman Culver thanked Mr. Kirkland and the county staff and stated the commission appreciated their work as well as all of the road and bridge employees.

## 2. Presentation – 2013/14 Annual Financial Report – Bill Dempsey, Chief Administrative Officer

Chairman Culver called on Bill Dempsey, Chief Administrative Officer for the 2013/14 Annual Financial Report. Mr. Dempsey covered the highlights of the last year. Some of the significant highlights include the County's one cent sales tax had increased by 2.0%, resulting in a record high. He stated the commission approved the purchase of garbage cans and garbage trucks equipped with automated can retrieval devices. The Chief Administrative Officer stated a wage study for employees was completed and implemented with FY2014/2015. He reported the county issued a 2014A Warrant for \$7,855,000 to be used for an energy savings project (ESCO) and road improvement projects (ATRIP). The county completed the bond rating process with both Standard and Poor's and Moody's rating agencies resulting in a bond rating of AA2 from Moody's and AA- from Standard and Poor's. Donald Valenza was appointed the new Houston County Sheriff. He reported the county went through a major renovation, and for eight months between December 2013 and August 2014, the employees in the Administration Building moved to the old Mayer Building, and during that time there was no negative impact to customer service. Mr. Dempsey pointed out through HVAC replacement, lighting changes and/or water saving energy projects, almost all county buildings were involved in the energy savings program known as ESCO. The county's maintenance offices were relocated to Crawford Street, and the move included the R&B assisted relocation of a building and the paving of a parking lot. He reported Phase 1 of the in-kind work provided to the new Dothan Public Libraries was completed. Mr. Dempsey reported \$1.3 million was spent for roadway and cross drain damage repair on 12 cross drains due to flooding. He pointed out as part of the ATRIP project, 34.15 miles of roadway was repaved. A total of 68.3 miles of shoulder work was completed. The Chief Administrative Officer reported the county constructed and paved the parking lots at the Town Hall in Webb, and at the Senior Center in Kinsey. He reported they built a pad for the Lucy Fire Department's new fire station and the new Senior Center in Gordon, and they built a pad as part of in-kind work provided to the Glass Stream Boat Company.

Mr. Dempsey reported they ended the year with \$9,676,000, approximately \$1.3 million more than projected. He pointed out a big portion of it is in the general fund, almost \$8.2 million which is always good. Mr. Dempsey reported as far as revenues, 35% came from property taxes, but there were 4% of other incomes in the Revenue Commissioner's office which means a total of 39% of all of the money coming into the county is from the Revenue Commissioner's office. He pointed out the county sales tax made up 15% of the budget, the Probate Office made up 10% of the budget, Sanitation fees are 5%, state gasoline tax made up 6%, Work Release and Pre-Trial made up 3%, and other miscellaneous revenue made up 22% of the total. He pointed out last year was unusual in that the county was able to repay itself back the money that was taken from the General Fund two years ago to put up front for the ATRIP project, and there was a sale of some assets. Mr. Dempsey reported the county's total labor cost is 51%. He stated 48% is operating cost and 1% is capital.

Mr. Dempsey covered the breakdown on how the county's money is spent: approximately 33% goes to Law Enforcement, the Sheriff, Jail, Community Corrections, and Juvenile Services, 22% goes to Road and Bridge, 9% goes to Agencies, 9% goes to the Bond Debt Service, 4% goes to Probate, Revenue and Re-appraisal is 3%, Sanitation is 5%, Maintenance is 3.2%, and Other is 10%.

Mr. Dempsey reported the county's long term debt as ended last year on September 30, 2014, there was a total debt on bonds including the 2008, 2013A, and 2014A of \$31,059,000. He stated this spreads through 2033-34, and he stated the bond payments for 2014-15 are \$3.5 million, and are flat until 2018-19, and it begins to drop. Mr. Dempsey reported as of the end of last year, the county had \$1.3million in leases and he pointed out it does not show the garbage trucks and garbage cans that were put in this

year's budget. He reported the county is at approximately 37% of its legal debt limit. Mr. Dempsey stated they began the year with \$84.7 million and ended the year with \$84.8 million, and it includes the purchase of new equipment and the sale of assets.

He reported the county's two biggest insurance pieces are Worker's Comp and Liability. Mr. Dempsey reported on Worker's Comp back in 2010, the county was paying upwards of \$660,000, and this year, the county is paying \$475,000. He stated it is a direct reflection of the activity of all of the departments, especially the Sheriff, the Jail, Road and Bridge and Sanitation. He pointed out in 2009-2010, the county went from paying \$550,000 in Liability Insurance premiums to paying \$420,000 in 2014. He reported the county has saved enough money in Liability and Worker's Comp insurance premiums to pay the annual increase for all employees in the county.

Chairman Culver stated he had a couple of comments for clarification. He reported regarding the sales tax collection amount of \$17,000,000 he wanted to make sure everyone understands that the county gets 30% for road and bridge road building and the other 70% goes to the 2 education systems. He stated based on student population the 70% is split 60-40. He stated in the expenditures, it showed 9% in the agencies, and he pointed out a lot of it is mandated by the Tobacco Tax which is included, and that goes to Volunteer Fire Departments and Senior Citizens, etc. The chairman reported he wanted to clarify those two items. He reported all in all, the county is in a very sound financial condition. He stated the value of the county's roads are included in this report, and they have a significant value on the total assets. He stated they have talked about the need to do resurfacing on the county's roads, and they have to figure it out because it is an asset and they have to take care of the roads. The chairman reported there were other needs that the county has to address. He thanked Mr. Dempsey and his assistants for their work in the preparation of the report. Mr. Dempsey stated he wanted to mention one other thing regarding the worker's comp and liability insurance. He stated once an accident occurs it stays on the county's record and impacts the yearly premium for 4-5 years. He stated that is why they have to push that everyone be as safe as they can. Chairman Culver reported he appreciated Sheriff Valenza and former Sheriff, Andy Hughes, for working closely with the county on this. He stated this is one of the highest areas. Chairman Culver reported he felt changing sanitation will go a long way in getting the rates down, and he pointed out Road and Bridge has made a lot of changes. He stated Kelly Crowell, Safety Coordinator, has done a great job on Safety and has had a direct co-relation to the work she has done too. The chairman thanked the Sheriff, the Engineer, Mrs. Crowell, and all of the other department heads for the work they have done.

#### Regular Agenda

1. Re-appointment to the SE Alabama Regional Planning and Development Commission's Revolving Loan Fund Board – Mr. Harry Grier.

Commissioner Battles made a motion to re-appoint Mr. Harry Grier to the SE Alabama Regional Planning and Development Commission's Revolving Loan Fund Board. Commissioner Shoupe seconded the motion. Chairman Culver reported Mr. Grier's current term on the board is up. He stated he is happy to be on that board, and the Planning Commission requested he be re-appointed. Chairman Culver called for the question; and the motion carried unanimously.

2. Request to adopt Resolution to remove sections of various roads from the ALDOT Annual County Road Maintenance Inspection.

Commissioner Shoupe made a motion to adopt the Resolution removing sections of various roads from the ALDOT Annual County Road Maintenance Inspection. Commissioner Battles seconded the motion. Chairman Culver stated the media did a good job of covering this. He stated hopefully this will help the county in their ratings. The chairman called for the question; and the motion carried unanimously. (Please see in Resolution Book)

3. Request to approve the repair of pot holes in the parking lot of the Wicksburg Volunteer Fire Department per policy.

Commissioner Shoupe made a motion to approve the repair of pot holes in the parking lot of the Wicksburg Volunteer Fire Department per policy. Commissioner Battles seconded the motion.

Chairman Culver asked when the work might be done? Mr. Kirkland stated it would be added to the list. The chairman called for the question on the motion; and it carried unanimously.

4. Request to approve the preliminary plat for the second addition to Liberty Park Subdivision.

Commissioner Battles made a motion to approve the preliminary plat for the second addition to Liberty Park Subdivision. Commissioner Shoupe seconded the motion.

Chairman Culver asked for any comments or if anyone wanted to address the commission? Ms. Shelly Brown, homeowner, 206 Paul Revere Run came forward, and stated they have a couple of concerns— one being they paid for a premium lot, and they were told that their lot would always be a tree lined property, have a little more of privacy setting versus being backed up from fence to fence or house to house. She stated they feel with the new development that will be taken away from them. She asked if they could impose a 50 foot barrier or buffer with some trees to maintain their view as well as their privacy for everyone on the back row back line area? Ms. Brown reported they were also concerned about the road that was going to go back to the 2<sup>nd</sup> phase. She pointed out it was going to go between two homes, 204 Paul Revere and 138 Paul Revere Run. Ms. Brown reported the way the existing road is on Ameris Avenue it is quite wide and if it continues to be the same width it is going to be very close to both sides of each home. She pointed out in one of those homes, there are small children and there is no fence, and that presents a safety issue. She reported their other concern is the HOA guidelines that are in place be maintained with the same minimum square footage, brick on the homes, and they would like also try to enforce which floor plans are actually going to be built back there. She pointed out a couple of new plans have surfaced or been brought to their attention that may or may not come to fruition, and the amount of traffic that is going to be increased in their neighborhood. Ms. Brown reported there are approximately 85 homes at present and the new addition will take it up to around 115 homes. She stated right now there is only one stop sign at the location, and they wanted to suggest it be made a two stop or a four way stop with traffic coming from all four directions. Ms. Brown reported she had a petition from other homeowners on the road who have signed and are in agreement. Chairman Culver thanked Ms. Brown for her comments.

Chairman Culver stated he did not want to get into going back and forth. He asked if the developer was present, and he asked him to come forward. The chairman stated he would let him make comments, and then he was going to call on Engineer Kirkland for comments. The chairman stated the commission was present to approve a preliminary plat, and all they can do is what the county's subdivision regulations allow them to do. He stated traffic does not fall under the subdivision regulations. He stated Mr. Kirkland would be able to tell them what options fall under the county's subdivision regulations because they do not have planning and zoning, and the only action the commission can take is what is included in the subdivision regulations.

Mr. Ryan Kriser, President of Kriser Homes South, reported the Liberty Park community has always had a throughway set aside for future development there and these individuals on that street have always been aware of that. He stated they have always had free reign of the "back forty" so to speak and now it is going to encumber their lots. Mr. Kriser reported he could understand some frustration. He stated he has agreed to add trees and additional things to create a buffer there and the buffer is the only thing that was ever agreed to in the previous sale. He stated all of the other properties on the side of those parties lots butted up to their neighbors behind them as well, and in all fairness those people do not have any designated 50 feet or whatever on the back side of their lot.

Chairman Culver stated whatever action the commission does take if there was some discussion about trees when their lots were sold he asked Mr. Kriser to get with them, and also maybe look at the intersection they are talking about and sit down and try to work something out.

Mr. Kirkland reported the county is there to make sure it is built to the county's standards and design and drainage. He stated as far as fences on the back of the homeowners' property, the county does not look at that kind of stuff. Chairman Culver reported those are planning commission functions that they are bringing to the commission. He pointed out if they were in the City of Dothan or Town of Cowarts or any other town with a planning commission, those issues would be discussed with them. The chairman reported the county does not have any planning or zoning in the unincorporated parts of the

county. He stated the subdivision regulations are there to make sure the subdivisions are built to the proper standards, and it is really not to dictate the design of a subdivision as long as it is built to the proper standards. Chairman Culver encouraged Mr. Kriser to sit down with them, and try to address their concerns. Mr. Kriser stated absolutely. Commissioner Battles asked if the driveway Ms. Brown was referring to was always in the plans as the way to get to the back part of the subdivision? Mr. Kriser reported there was a designated 60 foot lot, and 30 feet would be the road, and the setbacks would be down through there. He pointed out there are two houses on the other side of the 60 foot zone. He said if they felt those two houses needed a privacy fence, those are the kind things they would entertain helping with. Commissioner Shoupe stated he looked at the plat at the Admin meeting and he saw where the designated area was set aside, and as far as he could tell it always was there. He asked for informational purposes that if the primary focus of the county's subdivision regulations is on the quality of the road? Mr. Kirkland stated yes, and they wanted to make sure the base is compacted, the sub-grade is compacted, the right amount of asphalt is put out there, proper curb and gutter, drainage, width of road. He pointed out after the timeframe, two years, it is the county's to maintain. Mr. Kirkland reported the regulations are not to govern the subdivision itself.

Mr. Charles Reiner, homeowner, who lives on the opening also addressed the commission. He stated they have not seen any plans or how the new phase is going to look. He pointed out currently, there is no peace and quiet due to the traffic going back there and dumping concrete and people putting dumpsters there. He stated his wife is very ill and they needed some peace and quiet. Mr. Reiner reported the opening was supposed to be for a home, but Mr. Kriser decided to leave it open so he could go in the back and do work but it was primarily used as a dump, and he burned all of his wood there. He stated it is Mr. Kriser's property and he can build back there but he promised them there would be a buffer of 70 feet between the property line and the new place. He stated the people on the back lot paid \$3,000 extra at the closing for a premier lot, and they never got a premier lot. Mr. Reiner reported they were told that there would be walking trails and other things back there. He stated they were not being treated right, and there is a safety issue with people who will be coming in and out of there. Mr. Reiner reported if Mr. Kriser builds it right and does it right it will be acceptable. He stated he could not understand why Brannon Stand Road could not be used as an entrance and an exit. Mr. Reiner reported he wants to use the opening because it is cheaper. He stated there will also be a population problem with all the new homes he is going to add, and with the vehicles coming in and out the safety of the kids is going to be in peril. Mr. Reiner reported when they purchased their house they were under the impression it was going to be a family oriented subdivision where children could play, the traffic would be slow, and everybody would be happy. He pointed out people do not stop for the stop signs; they fly through them. He stated he has called the Sheriff numerous times to see what they could do about enforcing the traffic, and this is going to add more problems. Mr. Reiner stated he wanted Mr. Kriser to do it right, put in the buffer, a little fence does not mean it is buffer, and a little tree is not a buffer. He stated the footage is needed as promised. He stated it is frustrating, but if he does it right it will be acceptable. Chairman Culver thanked Mr. Reiner for his comments, and he stated Mr. Kriser has in public and on tape agreed to get with them and work with them on it. He reported the commission was going to hold him to that and hopefully get it worked out. He stated if there are people out there speeding and running stop signs he was sure the Sheriff would take care of it. Chairman Culver reported Brittney Clayton, Assistant Engineer, has the plat and if any of them wanted to look at it after the meeting they were welcome to do so. He reported the original plat is available somewhere. The chairman called for the question on the motion; and it carried unanimously.

5. Request to award bids on herbicide, hot plant mix 424, concrete road drainage pipe, motorgrader blades, signs, sign faces and sign making materials.

Commissioner Battles made a motion to award bids on herbicide, hot plant mix 424, concrete road drainage pipe, motorgrader blades, signs, sign faces, and sign making materials to the low bidder meeting specs in each category. Commissioner Shoupe seconded the motion. The chairman called for the question; and the motion carried unanimously. (Please see attached Bid Summary Sheets in Minute Book)

Staff Reports:

Chief Administrative Officer – there was no report

County Engineer

Mr. Kirkland reported they have three roads closed – Old U. S. Road, Roy Williams Road, and Leslie Road in Gordon for pipe replacements. Chairman Culver reported Brittney Clayton does a good job of letting the commission and the media know about the road closings.

County Attorney - there was no report

Adjourn

Commissioner Battles made a motion to adjourn. Commissioner Shoupe second; and the motion carried unanimously.