

MINUTES OF THE HOUSTON COUNTY COMMISSION
JULY 13, 2015

PRESENT: Chairman Mark S. Culver, Commissioner Curtis Harvey, Commissioner Doug Siquefield, Commissioner Jackie Battles, Gary Sherrer, County Attorney, Barkley Kirkland, County Engineer, and Ms. Nancy Bristow, Acting Chief Administrative Officer

ABSENT: Commissioner Brandon Shoupe and W. 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. He reported Commissioner Shoupe and Mr. Dempsey had attended the NACO Conference and were on their way home. He thanked Ms. Bristow for sitting in for Mr. Dempsey. Rev. Clint McBroom, Pastor, Highland Park United Methodist Church, gave the invocation. Commissioner Harvey led in the Pledge of Allegiance.

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

Announcements and Comments from Chairman and Commissioners

Chairman Culver reported we were under a heat advisory and he encouraged everyone to check on the elderly and make sure if they did not have air conditioning to get them to a cool place.

Commissioner Battles reported that Ms. Alabama was in the top 11 in the Ms. USA Pageant.

Regular Agenda

1. Request to adopt Resolution to authorize the E-911 Communications District Board to issue bonds for the new E-911 Center, and authorize the Chairman to execute lease on behalf of the county.

Commissioner Harvey made a motion to adopt the Resolution to authorize the E-911 Communications District Board to issue bonds for the new E-911 Center, and authorize the Chairman to execute lease on behalf of the county. Commissioner Battles seconded the motion. Chairman Culver reported there were several guests present along with the consultant who was unable to attend Thursday. He stated they did have some questions on Thursday about progress, and actually on the lease itself although they are not voting on it at this time. Chairman Culver stated they had questions about should square footage change, the dates, etc. The chairman pointed out this is not a concrete document. He asked for an update on the project. Mr. Lee Moore, 911 Consults, a company who assists cities, counties and groups in the construction of facilities, purchase of E-911 systems, and general design around the southeast, addressed the commission. He reported he had been working with the chairman and the 911 Board for a reasonable period of time and he is in the early planning stages for the new combined center, and advising them during the financing and bid phase of it. He introduced Mr. Clint Graves, Bond Attorney, on behalf of the 911 Board, and stated he also had preparation on the Lease Agreement as well. Mr. Moore reported they are at the point of asking per Alabama State Law, permission from the granting authorities, which Houston County is one of the granting authorities, that created the 911

Board permission to borrow money. He pointed out according to Alabama Law, whichever agencies created the 911 Board, and they happen to be joint in Houston County between the Commission and the City of Dothan, the 911 Board has to come back and ask permission to do anything with real property. Mr. Moore reported if they want permission to purchase property to build a building or issue debt they have to come back and ask it if is okay. He stated what they are doing is the authorization, and he stated he felt sure it was discussed on Thursday that the commission was in no way responsible for this project. He reported it is a completely stand alone Board that has its own finances, is issuing its own debt, and there is no recourse whatsoever to either organization. He reported this is a formality and a check and balance that was put into the law to make sure that the originating agencies had a say and concurrence before a Board stepped off into a major purchase or financing. Mr. Moore reported they are at the 99% design phase on the facility and they have gone through with the architects and the agencies. He stated there is a meeting scheduled with the Advisory Board on July 15th to go back through one more time to make sure that each agency has what they need, and that they have thought through enough so that this facility is good for the growth they anticipate for the next 20-25 years for Houston County and the City of Dothan. He stated once this is approved at the county commission meeting, a reasonably identical document would be approved at the City. Mr. Moore pointed out they would not have a Lease Agreement but they would have the same authorizing Resolution. He stated the 911 Board would then seek a bond rating independent for itself through Standard and Poors, and upon approval, the bids would be let, and then bids would be received. Mr. Moore reported they anticipate the bids being presented to the 911 Board at its proposed September 8th meeting which would be the compromised new board members. He reported they anticipate if the bids come in within spec, the general contractor will have an award no later than October 1st, and construction would commence within a 30 day period after that. Mr. Moore pointed out they anticipate a 12 month construction cycle. Chairman Culver reported they would look at occupancy in October or November of 2016 instead of a summer occupancy. The chairman reported it impacts the county's budget and there are some purchases that the Sheriff 's Department is looking at that would go into that facility. Chairman Culver pointed out if they are talking about moving into that facility after October 1st of 2016, then those purchases will not need to be in this year's budget. Mr. Moore reported he has another facility that will finish in that time frame this fall and their plan is to have the building complete, go through the punch phase cycle, and they may not move the operating 911 facility people into it until after the first of the year because they do not like to do things in the 911 world between Thanksgiving and Christmas because there is too much uncertainty at the time. He stated Chairman Culver is correct that it would be sometime in October, 2016 before the facility is completed and will be used. The Chairman asked if there were any questions for Mr. Moore or Mr. Graves? There were no questions; and the chairman called for the question on the motion; and it carried unanimously. (Please see in Resolution Book)

2. Request to adopt Resolution approving tax abatement for Nutcracker Brands, Inc. – Matt Parker, President, Dothan Area Chamber of Commerce.

Chairman Culver reported Mr. Matt Parker, President, Dothan Area Chamber of Commerce, was present and he asked him and his guest to come forward. Commissioner Sinquefield made a motion to adopt the Resolution approving tax abatement for Nutcracker Brands, Inc. Commissioner Battles

seconded the motion. Mr. Parker thanked the Chairman and commission and he introduced Mr. Jeremy Mayes , Plant Manager, Nutcracker Brands, Inc., owned by ConAgra. Mr. Parker asked Mr. Mayes to give an update on activities at the plant. Mr. Mayes reported they were investing in the plant to make things more efficient. He pointed out the food industry is very competitive and they are taking a 2 phase approach to get advantages from a cost standpoint. Mr. Mayes reported they are not looking to add a lot of new jobs, but they are trying to make sure that things are put in place to insure that the jobs will remain for a long time. Chairman Culver reported under Mr. Parker's leadership, he and the Mayor as well as the commissioners are always trying to secure new jobs. He pointed out retention of existing jobs is just as important, and he felt this is the case with Nutcracker Brands, Inc. with 200-300 jobs that will be maintained as opposed to them not being there. The chairman thanked Mr. Mayes for working with Mr. Parker. He also publicly thanked Mr. Parker for putting this together, and keeping the people employed in our community. Chairman Culver reported they say it all the time, but creating opportunities for our citizens is their number one objective, and he stated this is another good example. Chairman Culver reported before the commission is the request for statutory abatements. Mr. Parker stated that was correct in that it would abate the non-educational taxes which a lot of this will be manufacturing equipment which has a tax rate of 2.75 of which 2.4 percent of that will be abated. He reported Mr. Wally Hinesley, who is part of their team as well, works with them on many deals has been assisting. He stated he appreciated Mr. Hinesley's continuing help and support on everything they do here. Mr. Parker pointed out this is part of the new Incentive Law that Representative Paul Lee helped sponsor to really enhance competitiveness and help existing industry expand, retain jobs, and become more efficient. He reported the request is for those abatements on the capital investment. He stated this project will immediately add \$75,000 for education taxes because it is not abated, and then also roughly another \$441,000 in non-educational taxes in ad valorem over the next 10 years for the first phase as well. Mr. Parker reported it is a good capital investment. He stated right now Houston County is on a record pace with the continued investments that have been seen with Wayne Farms, Glass Stream, and Michelin. He reported currently they are just over \$150 million of capital investment including this one. Mr. Parker reported Chairman Culver and Barkley Kirkland and a couple of his team members know very well there are a couple out there they are hoping to finalize as well that might push them up to the \$300 million range for 2015, which would be a record year. Chairman Culver reported if a couple of dominoes fall in the right place, they could be looking at a \$300 million investment in our extended community over a 15 month period. He pointed out all of it would not be in Houston County but they call it our extended community, and that is tremendous. He stated that says a lot about the positive things going on as well as Mr. Parker and our team and the workforce. The chairman reported without our citizens to provide the labor, none of this would happen. He stated from an economic development standpoint, it is an exciting time. Chairman Culver asked if there were any questions for Mr. Parker? There being none, the chairman called for the question; and the motion carried unanimously. Mr. Parker thanked the commission for all they do to promote growth in the area. (Please see in Resolution Book)

3. Request from the Revenue Commissioner to approve the 2014 insolvents, errors, and taxes in litigation and uncollected insolvents and litigations from previous years.

Commissioner Sinquefield made a motion to grant the Revenue Commissioner's request to approve the 2014 insolvents, errors, and taxes in litigation and uncollected insolvents and litigations from previous years. Commissioner Harvey seconded the motion. Chairman Culver reported the commission is required to do this annually. He called for the question; and the motion carried unanimously. (Please see in Minute Book)

4. Request from the Personnel Board to approve amendment to the Flexible Spending Account.

Commissioner Battles made a motion to grant the Personnel Board's request to approve an amendment to the Flexible Spending Account. Commissioner Sinquefield seconded the motion. Chairman Culver reported this was discussed Thursday. He asked if anyone had questions or comments? There being none, he called for the question; and the motion carried unanimously.

5. Request to approve the emergency replacement of equipment from the Capital Replacement Fund.

Commissioner Sinquefield made a motion to approve the emergency replacement of equipment from the Capital Replacement Fund. Commissioner Harvey seconded the motion. Chairman Culver reported the old numbers are in the agenda packet. The chairman stated this morning, each of them received the additional cost for the extra duct work repairs at the Farm Center as discussed on Thursday. He stated Mr. Curtis thinks that the duct work is causing the problems. He pointed out to replace the duct work is an additional \$3,700.00 and it would raise the Farm Center cost up to \$6,574.00. The chairman reported if the commission wants to do this, the motion on the floor needs to be amended to include that amount. Commissioner Harvey made a motion to amend the motion to include the additional \$3,700.00 for the duct work at the Farm Center bringing the total cost to \$6,574.00. Commissioner Battles seconded the motion. The chairman called for the question on amending the motion, and it carried unanimously. Chairman Culver reported they were back on the original motion as amended. He called for the question; and it carried unanimously.

6. Request to adopt Resolution to remove various roads from the Alabama Department of Transportation Annual County Road Maintenance Inspection.

Commissioner Sinquefield made a motion to adopt the Resolution to remove various roads from the Alabama Department of Transportation Annual County Road Maintenance Inspection. Commissioner Harvey seconded the motion. Mr. Kirkland reported this completes the list of roads to take off for state grading. Chairman Culver called for the question; and the motion carried unanimously. (Please see in Resolution Book)

Staff Reports:

Chief Administrative Officer

Acting Chief Administrative Officer, Nancy Bristow, reported the budget forms are out to all the departments and have to be back in by July 23rd. Chairman Culver reported as stated on Thursday, the commission will have a budget by October 1st.

County Engineer –

Mr. Kirkland reported they will be finished picking up limbs out in the county this week. He stated they would have to put together a crew to go down the major highways, 231, 84, and 52, and should start next week. Mr. Kirkland reported County Road 33 between Faulk Road and Willie Varnum Road is closed for a couple of weeks. He stated they are finishing paving on the MPO projects on Omussee Road. He pointed out the shoulder work would begin today on Trawick Road , then Memphis Church, Old Webb Road, and Omussee. Commissioner Battles reported the crews did a good job on Memphis Church Road, and he had not been on Trawick Road.

County Attorney – there was no report

Adjourn

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