

MINUTES OF THE HOUSTON COUNTY COMMISSION
REGULAR SESSION
June 8, 2020

PRESENT: Chairman Mark Culver, Commissioner Curtis Harvey, Commissioner Doug Siquefield, Commissioner Ricky Herring, Commissioner Brandon Shoupe, County Attorney Pres Register, County Engineer Barkley Kirkland, and Chief Administrative Officer Peter Covert.

Chairman Culver welcomed everyone to the June 8, 2020, Houston County Commission Meeting and called the 10:00 a.m. meeting to order. He declared a quorum as all commissioners were in attendance.

Invocation was led by Commissioner Harvey and Commissioner Siquefield led in the pledge of allegiance.

The minutes of the previous meetings were approved on a motion by Commissioner Harvey and seconded by Commissioner Shoupe. The motion carried unanimously.

ANNOUNCEMENTS AND COMMENTS FROM THE CHAIRMAN AND COMMISSIONER

Commissioner Harvey requested that an item be added to the agenda. He requested to make an appointment to the Houston County Water Authority. This would be item number 16 on the agenda. With there being no objections, the item was approved to be added.

Chairman Culver began by stating that the meeting continues to operate under different conditions with it being a little more open than the last meeting. The meeting agenda was posted on social media and the county website and the commission asked for any comments or questions concerning agenda items, or any other comments with privileges of the floor, but none were submitted. He also added that there will be limited attendance at the meeting to include only those that have items on the agenda. The building continues to be closed to the general public, unless they have business to conduct. Chairman Culver is in hopes that at the end of this Governor's order, ending July 3, the normal meeting procedures should proceed as well as normal activity in the administration building with the exception of some CDC guidelines. The commission continues to encourage everyone to wear masks in public and continue to practice social distancing as required by the guidelines. Chairman Culver added that the hours of the building have been expanded and that the lines are moving more rapidly due to the great job of the probate department employees and the deputies at the front door.

Chairman Culver commended everyone that has been involved in the peaceful demonstrations at the Houston County Court House for the last two weeks and the Sheriff's Dept. for working with the demonstrators. The way in which the demonstrators protested is greatly appreciated as Chairman Culver stated that this is the way to present the message instead of losing it with negative actions, as is being done in other areas of the country.

Commissioner Sinquefield reminded everyone that the area farmer's markets are opening in various communities and he encouraged everyone to shop with the local farmers.

REGULAR AGENDA

1. Request to adopt resolution for Municipal Water Pollution Prevention (MWPP) Program

Chairman Culver stated that this is a normal and customary item that is required by ADEM for the wastewater plant at the distribution park. Commissioner Sinquefield made a motion to adopt the resolution and Commissioner Herring seconded. The motion carried unanimously.

2. Request to enter into a temporary change in the pricing arrangement with the jail meal provider – Peter Covert, Chief Administrative Officer

Mr. Covert explained that he was notified, by written letter, by the jail meal provider, Trinity Services, that due to the low population at the jail that they are not able to cover their "fixed" cost and Trinity Services was running a deficit on the program. Mr. Covert added that this was discussed with the county attorney and discovered that there is precedence under special circumstances for a temporary change order to be permitted under an awarded bid. This was discussed with Trinity Services and they have worked out an arrangement where, for a short period of time, they will be allowed to charge the county a slightly higher rate than the bid award. However, as the population in the jail gets back to a normal level, the pricing will reduce to a lesser amount than forecasted in the bid process.

Chairman Culver reiterated that this is a temporary amendment in response to the low population in the jail due to the excellent work of the Sheriff's Dept. and when the population level is reached again, the pricing will revert back to the original bid amount. Commissioner Shoupe made the motion to approve the temporary change in the pricing arrangement with the jail meal provider and Commissioner Harvey seconded. Commissioner Shoupe asked what the temporary price will be and Mr. Covert responded that it is a tiered structure and currently the county is paying just under \$0.91 per meal. The price will increase to \$1.00 a meal for a population of up to 250 inmates and the next tier is \$0.94 per meal for the next 100 inmates. At the 351 population mark, the price goes back to the original \$0.91 unless the population rises even further then the price continues to decrease. With there being no further questions or comments, the motion passed unanimously.

3. Request budget amendment for 2020-A and 2020-B Bond payments scheduled to begin in August, 2020 – Peter Covert, Chief Administrative Officer

Mr. Covert began by stating that this is the 2020 bond refinance and the new monies from the Rebuild Alabama which was approved in February of this year. The issuances of the bonds were approved but this budget amendment is to approve the payments that will commence under those bonds now that

they have been executed, which will begin in August of this year. Chairman Culver asked if this is the actual approval to pay the company that bought the bonds and Mr. Covert responded yes.

Commissioner Herring made a motion to approve the budget amendment and Commissioner Sinuefield seconded. Commissioner Shoupe commented that with the Rebuild Alabama Law, we cannot spend over 50% of the monies for debt payments or analysis and with the COVID-19, people are driving less which generates less revenue and he asked how does it impact the bonds. Mr. Covert responded that this is an excellent question and that at this time there is not an update on the forecast on the Rebuild Alabama monies to be able to estimate that, but as of this morning, there was an email that came in that stated that they are expecting to be down 30% and that is a starting point to begin working through the estimate. Chairman Culver stated that when the bond was issued, there was allowance for the 50% and there is some room to work with. With there being no further discussion or question, the motion passed unanimously.

4. Request to award Inmate Transport Bid to Viking International Security – Maj. Bill Rafferty, Sheriff's Dept.

Major Bill Rafferty came forward and stated that this is a non-budgeted item for the Sheriff's Dept. He reported that the Sheriff's Dept. does the transporting of inmates from prisons which are located out-of-state and then back to Houston County. The funds are then reimbursed to the county commission. Major Rafferty continued by stating that they had trouble with the previous company and they proceeded with a rebid and only had one company to bid, which is Viking International Security. He stated that they have not had any issues with this company and charges vary by the case depending on the security needed for the inmate and their degree of charge. Chairman Culver reiterated that we have been using Viking in some cases and are happy with their services. Major Rafferty confirmed that and he added that the other companies had started to lose manpower so they did not issue bids.

Commissioner Shoupe made a motion to approve the transport bid to Viking International Security. Commissioner Herring seconded the motion and it carried unanimously.

5. Request insurance reimbursement check be transferred to the Sheriff's Dept. for vehicle replacement – Maj. Bill Rafferty, Sheriff's Dept.

Major Rafferty reported that this particular vehicle, which was totaled by the insurance company and a check was issued for \$10,344 to the commission, is a vehicle that was purchased by Sheriff Valenza and not a county purchased vehicle. They are asking that the check be transferred to the Sheriff's Dept. funds to help replace the vehicle. Commissioner Sinuefield made a motion to approve that the reimbursement check be transferred to the Sheriff's Dept. and Commissioner Harvey seconded. The motion carried unanimously.

6. Request from Sheriff Donald Valenza to discuss the hiring of (4) deputies needed for court security – Sheriff's Dept.

Major Rafferty stated that they had a presentation to show the commission and began by reporting that the Houston County Sheriff's Dept. not only covers 587 square miles in the county but they also handle felony cases and answer calls for every town that has a law enforcement agency in Houston County. He then began the presentation and a copy of the presentation is attached to the original minutes with statistics and figures that initiate the need for the hiring of (4) deputies. Major Rafferty stated that they do not have the population numbers in for Houston County, but he believes it will come in around 120,000 as the areas of Rehobeth, Wicksburg, Hodgesville and others are growing rapidly. With this growth, there continues to be issues that need the Sheriff's Dept.'s attention. He reported that they have two day shift patrols set up for nine deputies and as of right now on first squad there are seven deputies and second squad only has eight deputies. Major Rafferty stated that they are short handed and the hiring process is about five to eight months long due to training with uncertified officers but with a certified officer, it is about a six to twelve week process. With that being said, court is taking up a lot of time and Lt. Turner from the Sheriff's Dept. is present to discuss the day to day operations of the patrol squad. Lt. Turner then approached the podium and discussed their typical day on Monday – Friday schedule (see presentation print out attached to original minutes). He detailed each day of the week and the number of deputies that are required for court liaison, transporting juveniles, transporting mental health patients to other facilities or to the Probate Judge Court, deputies at the front entrance of the Administration Building and the Sheriff's Department now due to COVID-19 regulations, out of county warrant transports which can take as long as two to twelve hours depending on the transport area, and juvenile transports. Commissioner Sinquefield asked about the youth diversion center and the youths that were arrested in another municipality, are those Houston County's responsibility. Lt. Turner responded that we transport those going through our court system and Major Rafferty commented that the majority there are in our system. Sheriff Valenza added that they fall under the order of the court. Lt. Turner continued with the other days of the week and the responsibilities of the deputies for court, transporting, etc. (see attached presentation attached to original minutes). Commissioner Harvey asked about school resource officers and what is their role now that school is out of session. Lt. Turner answered that they are assisting at this time and that is what is saving the department and helping them to function. He added that in September the courts will start again and the resource officers will be going back into the schools in August. When this happens, five deputies out of the seven will have to be pulled from patrol for the court systems. Sheriff Valenza approached the podium and stated that at a recent meeting with the judges, they notified them that the Alabama Supreme Court will begin on September 14th with criminal jury trials every week for the rest of the year and this will impact the department especially when the deputies go back to the schools. He added that with high risk capital murder trials, two SRT officers have to be in the court room as long as it is open. Major Rafferty then commenced to report that in 2019 the HSCO dispatched 58,394 calls and 85,479 were the total calls through dispatch. They also had 6,134 reports with 5,210 being criminal charges and 3,366 arrests were made. He continued by stating that one of the biggest complaints they have is traffic on county roads and in 2016 the department issued 1,067 citations and in 2019 they issued 752 citations. He reported that the decrease in the citations is due to the deputies not having time to work the back roads due to them being utilized in court and various other capacities. He also pointed out that sex offender cases and domestic violence cases have increased in the last four years and they expect this year to be an

even higher jump due to situations in our country today. In addition, civil papers that are required to be served have also increased and the state has put that responsibility on the department as well. Major Rafferty continued by commenting that since Sheriff Valenza has been in office, the budget has been very tight and in line without going over and since that time \$1,134,349 has been turned back in to the commission due to not being over budget. He added that Sheriff Valenza he has also purchased 59 vehicles out of the Sheriff's funds, not commission budgeted funds and the Houston County Commission has purchased 13 vehicles for the Sheriff's Dept. Major Rafferty reported that they have used all resources for manpower and all the SRO officers are being used currently to help with security needs. He stated that the department cannot continue to work without additional manpower and they had asked for 12 deputies at the beginning of this budget year and there is a need for that many. At this time, Major Rafferty is only asking for 4 additional deputies for this budget year and will ask for an additional 8 deputies for the 2021 budget year. Major Rafferty thanked the Commission for their time to listen to their presentation.

Chairman Culver asked for comments or questions from the Commission. Commissioner Shoupe asked if a deputy was required to take temperatures at the front door and Major Rafferty responded that they do not have other personnel to put at the entrances of the buildings and with other uncertainties going on at this time, it is more of a safe haven for employees and citizens. Commissioner Shoupe also stated that since this is directly caused by the COVID-19 that there could be some reimbursements from the federal government and this could possibly be a solution. He also commented that he feels that the commission is not against hiring deputies but the problem is figuring out where the funds will come from and other departments could be affected as cuts would probably have to be made. Commissioner Shoupe ended by asking if the hiring of a business management consultant had ever been considered to evaluate the staffing needs of the Sheriff's Department. Sheriff Valenza responded that he could justify everything going on in the Sheriff's Dept. and why more manpower is needed and he has tried to do everything he can to work with the commission on budgets. He stressed that the four deputies are very much needed at this time due to the demands of the COVID-19 and with criminal court beginning soon and the SRO's going back into the schools in August. Commissioner Sinquefield commended the Sheriff on how well they run the department and how they have saved the county money and he sees the need for deputies to serve the citizens. Sheriff Valenza responded by saying that he would like to continue the COVID-19 temperature checks until at least the month of January as the numbers continue to grow but the county has been blessed to not have more deaths.

Chairman Culver commented that the need for deputies has been there and the number is actually 15 and not 12 and they have discussed on occasions how to fund those. He stated that the issue is the money and some deputies have been added here and there through working with the schools but it has not gotten us to where we need to be and the only way to get there is to create revenue and now we are at a critical place in the need of deputies. Chairman Culver added that with the proposed 4 deputies, that would be approximately a half million dollar investment and about a quarter million dollars ongoing for salaries, etc. He stated that the COVID has created some significant issues as we are roughly one million dollars short in revenue according to budget and gas tax is going to be about 30% lower than it needs to be which means the general fund will have to help make up funds for Road and Bridge projects.

He reported that we should be getting reimbursed for COVID-19 items but these items have to be COVID related and cannot be used to fund deputies. Sheriff Valenza asked for the commission to stay opened minded concerning this issue. Chairman Culver asked Sheriff Valenza about all the transports and if there is any way that could be contracted out. Sheriff Valenza responded that these are orders of the court and most are criminal charges and have to be transported by armed deputies. Chairman Culver asked if overtime is being used and Major Rafferty responded yes they are using overtime and they will be over budget on overtime by almost double due to recent situations. He added that it is challenging and almost impossible to find deputies that are certified so that is where the extra funds come in to pay for training uncertified deputies. Chairman Culver did state that some of this is COVID related and that could last a while. He suggested that the Commission have a work session before the next meeting and try to figure out a solution and they would hope to have this on the agenda by the next meeting as this is a time sensitive matter. Chairman Culver also stated that the Sheriff has done an excellent job with his budget and with his discretionary money and the Sheriff and his entire department are very much appreciated.

7. Request to award bid for in place guardrail to lowest bidder meeting specs – Road & Bridge

Commissioner Shoupe made a motion to approve the request to award the bid. Commissioner Herring seconded the motion and it passed unanimously.

8. Request to enter into a Construction Agreement with the Alabama Department of Transportation for the resurfacing of N. Broad Street and Omussee Road from US-84 to SR-52 (Columbia Hwy) – Road & Bridge

Commissioner Siquefield made a motion to approve the agreement and Commissioner Harvey seconded. Commissioner Siquefield questioned the relocation of any utilities the county would be responsible for and Engineer Barkley responded that is in every agreement but that would not be the case in this project as this is just resurfacing the road. The motion passed unanimously.

9. Request to enter into a Construction Agreement with the Alabama Department of Transportation for the resurfacing of South Park Avenue from Taylor Road to Ross Clark Circle – Road & Bridge

Commissioner Herring made a motion to approve the request and Commissioner Siquefield seconded. Chairman Culver clarified that this would not be done until the roundabout is completed. Engineer Kirkland concurred and stated this is MPO funds. When called for the question, the motion carried unanimously.

10. Request to adopt resolution for the resurfacing of Jordan Avenue from Ruth Circle to Enon Road using MPO funds – Road & Bridge

Commissioner Siquefield made a motion to approve the request to adopt the resolution and Commissioner Shoupe seconded. The motion carried unanimously.

11. Request to adopt resolution for the resurfacing of Ashford Road from Enon Road to Ben Ivey Road using MPO funds – Road & Bridge

Commissioner Sinquefield made a motion to approve the request to adopt the resolution and Commissioner Herring seconded. The motion carried unanimously.

12. Request to approve final plat for Park Ridge Subdivision, Phase 4 – Road & Bridge

Commissioner Herring made a motion to approve the request to approve the final plat and Commissioner Sinquefield seconded. Chairman Culver commented that this subdivision is located on S. Park Ave. Asst. County Engineer Brittney Clayton commented that this group of developers will be doing overlay in two years so the asphalt they are putting down now is not final. With no further questions, the motion carried unanimously.

13. Request to approve final plat for Bear Creek Subdivision – Road & Bridge

Commissioner Shoupe made a motion to approve the request and Commissioner Sinquefield seconded the motion. With no comments or discussion, the motion carried unanimously.

14. Request to approve budget amendment for Wicksburg Road resurfacing project – Road & Bridge

Engineer Kirkland commented that this is the military project and what the county has to do is pay 100% and then be reimbursed 90% after completion. The county is only responsible for 10% of the project. Commissioner Shoupe made a motion to approve the budget amendment and Commissioner Herring seconded. The motion carried unanimously.

15. Request to approve budget amendment for Rebuild Alabama road work – Road & Bridge

Engineer Kirkland reported that this is the bond for resurfacing and two roads have already been paved and this budget amendment had to be created for the Rebuild Alabama project. Commissioner Shoupe made a motion to approve the budget amendment and Commissioner Sinquefield seconded. The motion passed unanimously.

16. Request to approve appointment to Houston County Water Authority

Commissioner Harvey made a motion to appoint Mr. Ronnie Davis to fill a vacancy on the Houston County Water Authority. Commissioner Herring seconded the motion and it carried unanimously.

STAFF REPORTS:

Chief Administrative Officer – No report

County Engineer – Paved roads; Old 431, Broad St., Cumbie Rd., Willie Varnum, and the next rebuild roads are Day Rd., Peacock Rd., Otis Buie Rd., Fuller Rd., Johnny Murphy, and Littlefield. This should begin next Monday. Cross drains have been completed on these roads. There are two closed roads; County Rd. 81 and Wind Mill. County Rd 81 should reopen in a few days.

County Attorney – No report

Meeting adjourned