

MINUTES OF THE HOUSTON COUNTY COMMISSION  
FEBRUARY 9, 2009

PRESENT: Chairman Mark S. Culver, Commissioner Curtis Harvey, Commissioner Bobby R. Snellgrove, Commissioner Frances M. Cook, Commissioner Phillip L. Forrester, Gary Sherrer, Attorney, Mark Pool, Engineer, and Bill Dempsey, Chief Administrative Officer

ABSENT: None

Chairman Mark S. Culver called the 10:00 A.M. meeting to order, established that a quorum was present and welcomed everyone. Rev. Lonnie Pitman, Associate Pastor, First United Methodist Church, gave the invocation. Commissioner Cook led in the Pledge of Allegiance.

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

#### Awards and Presentations

1. Quarterly Envision Update – Dr. Thomas Harrison, Envision Coordinator

Dr. Thomas Harrison, Envision Coordinator, gave the Quarterly Envision Update. Dr. Harrison stated they appreciated the commission's leadership and dedication to the community. He then referred the commission to the quarterly report covering the principles strengthening decision making. Dr. Harrison stated he felt as the commissioners do their work, they adhere to the principles as closely as they can when making decisions.

Dr. Harrison stated as was reported last time, the Grow the Economy Task Force is part of the Chamber of Commerce and he covered the following task forces: P-16+ Education, Effective Regionalism, and Quality of Life.

Dr. Harrison reported the task forces continue to meet and the leaders and volunteers come prepared to "create meaningful change in our community" in order "to grow the economy and grow the community." He stated he appreciated the commission's support, and everything they do for the community.

Chairman Culver thanked Dr. Harrison for his report, and stated he appreciated the good work the Envision leaders and volunteers continue to do. (Please see attached report in Minute Book)

2. Proclamation – "Severe Weather Awareness Week" – Clark Matthews, EMA Executive Director

Chairman Culver asked Mr. Matthews to come forward. Commissioner Snellgrove made a motion to approve the Proclamation as presented declaring February 23<sup>rd</sup>-27<sup>th</sup>, 2009 as "Severe

Weather Awareness Week” in Houston County. Commissioner Harvey seconded the motion. Chairman Culver called for the question; and the motion carried unanimously.

Chairman Culver thanked Mr. Matthews in advance for the efforts he and his staff and the many volunteers do in keeping the community well informed and well protected when it comes to severe weather.

Mr. Matthews reported the severe weather season begins in February and from 1950 through 2007 there have been 87 tornadoes in the State of Alabama. He reported in March there have been 225 tornadoes, in April, 245, and in May, 180 tornadoes. Mr. Matthews stated since that time, there have been 3 or 4 to come through Houston County. He pointed out there was no damage. Mr. Matthews reported this year’s focus is on weather warning radios. He stated they will save lives. Mr. Matthews reported the weather warning radios are just as important as the smoke detectors in your home. He stated if a person buys a radio and has difficulty getting it programmed they will come to someone’s place of business or the individual can bring it to the EMA office and they will fix them.

Chairman Culver stated he felt everyone needed to purchase a weather radio if they do not have one. He reported they are not expensive, and they could save lives. The chairman encouraged everyone to get a weather radio in order to be informed.

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

Chairman Culver asked for any comments from the commission.

Commissioner Forrester reported Harry Williams was a member of the community for a long time. He stated he was a World War II veteran. Commissioner Forrester pointed out years ago, Mr. Williams managed Pepsi Cola Bottling Company and was very active in supporting community projects with the Jaycees. He pointed out during his last 25 years, he served as manager of the Elks Club in Dothan. Mr. Forrester reported he passed away over the weekend, and he extended condolences to his family.

#### Regular Agenda

1. Re-appointment – SE Alabama Rural Planning Organization Policy Committee – Commissioner Bobby Snellgrove.

Commissioner Cook made a motion to re-appoint Commissioner Bobby Snellgrove to the SE Alabama Rural Planning Organization Policy Committee. Commissioner Forrester seconded the motion. The chairman called for the question; and the motion carried unanimously.

2. Request to adopt Resolution for Engineering Services for water project – Emily Waters, SE Alabama Regional Planning & Development Commission.

Commissioner Cook made a motion to adopt the Resolution for Engineering Services for the CDBG water project near Ashford. Commissioner Snellgrove seconded the motion.

Chairman Culver reported this project is being done in conjunction with the Town of Ashford. He reported CDBG funds have been approved, and this is another step in the commission's continued efforts to get water throughout the county. The chairman called for the question; and the motion carried unanimously.

3. Request from Revenue Commissioner to set the millage rate.

Commissioner Cook made a motion to approve the Revenue Commissioner's request to set the millage rate at 21.5 mills. Commissioner Harvey seconded the motion.

Chairman Culver reported this is done annually and there is no increase. Chairman Culver gave the breakdown on the millage rate as follows:

General Fund	7.00 Mills
Road and Bridge Fund	3.50 Mills
County Wide School Fund	4.50 Mills
Hospital	1.00 Mill
Special School Dist. Fund	3.50 Mills
Additional School Levy	2.00 Mills
Total Mills	21.50 Mills

The chairman reported the additional school levy went in place when the state passed the mandatory 10 mills legislation a couple of years ago.

The chairman called for the question; and the motion carried unanimously.

4. Request to adopt Tornado Warning Standard Operating Guideline #8 for Houston County Courthouse – Clark Matthews, EMA Executive Director.

Commissioner Cook made a motion to adopt the Tornado Warning Standard Operating Guideline #8 for the Houston County Courthouse. Commissioner Harvey seconded the motion. Chairman Culver called for the question; and the motion carried unanimously.

5. Request to adopt Tornado Warning Standard Operating Guideline #9 for Houston County Administrative Building – Clark Matthews, EMA Executive Director.

Commissioner Snellgrove made a motion to adopt Tornado Warning Standard Operating Guideline #9 for the Houston County Administrative Building as amended by correcting #4 and #5. Commissioner Cook seconded the motion. Chairman Culver called for the question; and the motion carried unanimously.

6. Request from EMA to adopt Fatality Management Plan – Clark Matthews, EMA Executive Director.

Commissioner Harvey made a motion to approve the request from EMA to adopt the Fatality Management Plan. Commissioner Snellgrove seconded the motion.

Mr. Matthews reported in the event the county had an incident and should there be a lot of fatalities, the plan outlines the manner in which the fatalities would be handled in a pandemic. He stated equipment has been purchased to use if the funeral homes should become overloaded. Mr. Matthews reported they have limited storage for bodies in Houston County. He pointed out this is not only from a county perspective but a regional also.

The chairman called for the question; and the motion carried unanimously.

7. Request from EMA to adopt Continuity of Operation Plan – Clark Matthews, EMA Executive Director.

Commissioner Cook made a motion to approve the request from EMA to adopt the Continuity of Operation Plan. Commissioner Snellgrove seconded the motion.

Mr. Matthews reported this is a basic plan should he become sick during a pandemic to have the person in place who would take over for him. He pointed out they have tried to go 4 or 5 deep as well as the county commission, city commission, administrator, etc. He reported it is in response to public health. Mr. Matthews stated he felt it was a good plan, and it will be in place if an epidemic or fatal event occurs. Commissioner Snellgrove asked if everyone named in the plan had been through some type training? Mr. Matthews stated yes, for the most part. Chairman Culver reported the commission had been through the NIMS training.

Chairman Culver called for the question; and the motion carried unanimously.

8. Request to approve budget amendment for the funding of one additional court reporter.

Chairman Culver reported this will be from January 1, 2009 through the remainder of the year. Commissioner Cook made a motion to approve the budget amendment for the funding of one additional court reporter from January 1<sup>st</sup> through the remainder of the year. Commissioner Forrester seconded the motion.

Chairman Culver reported this was created by the addition of the new judgeship. He stated when the judge was added they also added a new court reporter. The chairman reported there is legislation in place that provides local supplements up to \$7,000 per year for court reporters. He stated at this point, the commission does not have a choice on paying it. The chairman reported there had been some discussion regarding addressing the issue.

Commissioner Snellgrove stated he asked on Thursday if the court reporters also work in Henry County as well as Houston County? He reported Henry County supports the state employees by

\$1,200 per year in addition to what Houston County funds them. The chairman stated the local funded supplement is \$8,200 per year. Commissioner Snellgrove stated he felt it should be phased out.

Chairman Culver called for the question; and the motion carried unanimously. (Please see attached budget amendment in Minute Book)

9. Request to extend contract to Praeses for one year for jail phone system oversight.

Commissioner Cook made a motion to approve the request to extend the contract to Praeses for one year for jail phone system oversight. Commissioner Forrester seconded the motion. Chairman Culver called for the question and the motion carried unanimously.

10. Request to advance quarterly budgeted funds to SE Alabama Youth Services.

Commissioner Harvey made a motion to advance quarterly budgeted funds to SE Alabama Youth Services. Commissioner Cook seconded the motion. Chairman Culver reported the motion needed to include a quarterly dollar amount. He stated the request is for approximately \$200,000 and the commission talked about \$150,000. He reported Mr. Gerald Love, Executive Director of SE Alabama Youth Services, stated he would like to see \$175,000. He asked Commissioner Harvey to include an amount in his motion. Commissioner Harvey stated he so moved that the commission budget \$150,000. Chairman Culver stated the motion is to advance the quarterly budgeted funds to SE Alabama Youth Services of \$150,000.00. Commissioner Cook seconded the motion.

The chairman stated they talked on Thursday about settling up at the end of the year. He reported he and Mr. Dempsey had talked since Thursday and it could be done on a quarterly basis. He stated if it is over, the county will fund the overage quarterly, and if it is under, the county will adjust it quarterly instead of waiting until the end of the year.

Chairman Culver reported Mr. Love had mentioned to him on the way to the meeting that the number of children continues to go down for whatever reason. The chairman reported as it was pointed out on Thursday it is a good news/bad news thing. He stated it is great that there are not as many children being incarcerated, but as far as the budget for SE Alabama Youth Services it is not a good thing. Chairman Culver stated he thought the \$150,000 is a proper number because the average for the first four months quarterly is less than \$150,000. He stated he felt if the commission went with \$175,000 - \$200,000 they would end up with a big lump sum at the end if they were not careful. The chairman stated the commission does not have anything to do with the children except pay for them. He stated the reasons for the numbers going down were somewhere else.

Mr. Gerald Love, Executive Director, SE Alabama Youth Services, reported Chairman Culver, Commissioner Harvey, Mr. Powell Brewton, Chairman of the Board of the SE Alabama Youth Services and he had met with the Juvenile Judge a few days ago about this, and had expressed concerns. He reported after receiving the amounts for the month of January, they are in far more serious condition than they were two weeks ago. Mr. Love stated should the county continue not to place children at the group homes which they have not placed any in almost two years, and if they continue to place at a reduced amount at the Diversion Center it will not be will it close down; it will be when will it close down. He stated he appreciated the commission's action. He reported it is still not enough but they will do the best they can. Mr. Love reported he would go back and start laying off because he did not have a choice. He stated some of the employees have been with him 25 years. Mr. Love reported they are seasoned employees and have done a great job; however they have to be able to pay for what they do. He reported he did not want to get into a position they got into about 20 years ago when they were forced into a shutdown situation and the Sheriff's Department had to start moving kids to Baldwin County or wherever they could. He stated it increased deputy costs and gasoline costs, and he did not want to get into that situation again. Mr. Love reported they could not continue to operate in the current manner. He stated he knew it was not the county's responsibility to determine where the kids go. Mr. Love reported Barbour, Coffee, Dale, Geneva, Henry, and Pike placed kids at their Group Home but Houston County placed none. He stated he was confused because the other counties are happy placing their kids at the Group Home. Mr. Love reported if this continues over the next 3 or 4 months and is not corrected they will have to shut down. He thanked the commission for their support.

Chairman Culver asked Mr. Love if he had requested the other counties to do the quarterly funding? Mr. Love stated he was going to have to because he did not have a choice. He stated he felt some of the counties did not have it. Chairman Culver stated he would ask all of them, and it is not a question as to whether they have it or not because if they are sending children they will have to pay it. Mr. Love stated the assistance at this time is to see if they can get the situation corrected. He reported it will not solve what is going on. Mr. Love stated other counties are using them on a regular basis. Mr. Love stated the problem is due to the Houston County court system choosing not to send those kids to them and sending them to other places. Chairman Culver stated the county has to send kids to the Diversion Center but he did not know why those numbers were down. Mr. Love stated they do have a choice as to whether to send those to the center or send them somewhere else. He pointed out sometimes they send them somewhere and try them and if they get into trouble there they come back to the center. Chairman Culver stated there is no other detention center competing with the Diversion Center. Mr. Love stated they are still a quarter of a million dollars in debt to expand those rooms some years ago on a request from the Houston County and Dale County courts.

Mr. Powell Brewton, Chairman, SE Alabama Diversion Center Board, reminded the commission that the Girls' Group Home is located down the street and the county is utilizing a Girls' Group Home in Henry County. He pointed out that they have been open about a year, and the county's group home has been open for years. Mr. Brewton reported they do not understand. He stated they feel the fact that the county is funding it does bring some responsibility back to the board and that is why they are asking for some help. Chairman Culver stated what the commission is talking about advancing is strictly the Diversion Center. He reported he agreed with the premise that while the county is paying the bill they should have some input but he did not think the commission would be telling a judge or anyone in the juvenile system where they think the children need to go. He stated that is not the commission's job; they do not see the children. The chairman reported there is definitely an issue; but the issue is not with the commission it is down the street.

Mr. Dempsey stated if this is approved, he recommended they have a true up at the end of each quarter before the quarterly advance is issued and then at the end of the year they exchange money back and forth. He stated there would be no debt rolled over or held back for the following year. Mr. Dempsey reported he would like to see a clean end of the year and then they would start again. Mr. Love stated they agreed with the recommendation.

Chairman Culver called for the question; and the motion carried unanimously. The chairman stated they would get the funding to Mr. Love expeditiously.

#### 11. Request to approve keys for Probation and Parole.

Commissioner Cook made a motion to approve the keys for Probation and Parole.

Commissioner Harvey seconded the motion. Chairman Culver stated these are keys to the building the county is leasing to Probation and Parole so they can use it. The chairman called for the question; and the motion carried unanimously.

#### 12. Request to approve 2009 Holiday Schedule.

Commissioner Snellgrove made a motion to approve the 2009 Holiday Schedule as presented. Commissioner Cook seconded the motion.

Chairman Culver reported the Personnel Board establishes the holidays and the commission establishes any variations from that like they have done in the past. He stated because of the issue of the ten hour employees, this step needed to be taken. Chairman Culver reported the Personnel Board's position is to take all of the state holidays exclusive of Mardi Gras. He stated the Personnel Board adjusted their regulations last month to say that all employees will receive the same number of hours of holiday pay which is fair and reasonable as opposed to days.

Chairman Culver called for the question; and the motion carried unanimously. (Please see attached in Minute Book)

13. Request to approve site work at Shooting Range.

Commissioner Cook made a motion to approve the site work at the Shooting Range. Commissioner Snellgrove seconded the motion. The chairman called for the question; and the motion carried unanimously.

14. Request to approve Emergency Watershed Protection Grant in the amount of \$138,500 and the appropriate budget amendment.

Commissioner Cook made a motion to approve the Emergency Watershed Protection Grant in the amount of \$138,500 and the appropriate budget amendment. Commissioner Harvey seconded the motion. Chairman Culver called for the question; and the motion carried unanimously. (Please see attached budget amendment in Minute Book)

15. Request to approve items to be auctioned on GovDeals.

Commissioner Harvey made a motion to approve the items to be auctioned on GovDeals. Commissioner Snellgrove seconded the motion. The chairman called for the question; and the motion carried unanimously. (Please see attached list in Minute Book)

16. Request from the Town of Cottonwood to tear down building at 75 Granger Street and do site prep pad for new building. (Total Cost: \$8,204.80)

Commissioner Snellgrove made a motion to approve the request from the Town of Cottonwood to tear down the building at 75 Granger Street and do site prep pad for new building. (Total cost: \$8,204.80) Commissioner Harvey seconded the motion. Chairman Culver asked if the Town of Cottonwood owned the building? Mr. Pool stated the Town of Cottonwood told him they did. The chairman requested Mr. Pool to check on it. Chairman Culver called for the question; and the motion carried unanimously.

17. Request from Houston County Soil & Water conservation District for Houston County's assistance with the 2009 Land Career Development Event.

Commissioner Snellgrove made a motion to approve the request from the Houston County Soil & Water Conservation District for Houston County's assistance with the 2009 Land Career Development Event. Commissioner Cook seconded the motion. Chairman Culver reported this is the annual event that the county goes out and digs four holes and then goes back and fills them in after the event. The chairman called for the question; and the motion carried unanimously.

18. Request to adopt Resolution for Project HCP 35-345-09 – Resurface, G-Treatment, and paint stripe on Jordan Avenue. Approx. 2.23 miles in length from state R.O.W. of Highway #84 easterly to the change in the pavement East of the Glen Lawrence intersection.

Commissioner Snellgrove made a motion to adopt the Resolution for Project HCP 35-345-09 – Resurface, G-Treatment, and paint stripe on Jordan Avenue. Approx. 2.23 miles in length from

state R.O.W. of Highway #84 easterly to the change in the pavement East of the Glen Lawrence intersection. Commissioner Harvey seconded the motion.

Chairman Culver reported this item and the following 3 items are steps in the process to get these projects ready to be done. He stated they had moved these up to this timeframe hoping to have some Obama money at some point to spend on these if they get it worked out. Mr. Pool stated they have a couple of other projects that are ready and they had decided when they got those ready they would begin trying to get some more projects ready. Chairman Culver stated the county did not need to miss any opportunity to get extra money.

The chairman called for the question; and the motion carried unanimously. (Please see in Resolution Book)

19. Request to adopt Resolution for Project HCP 35-346-09 – Resurface, G-Treatment, and paint stripe on Broad Street in Kinsey. Approx. 0.77 miles in length from County Road Old 431 easterly to West of the Walden Drive intersection.

Commissioner Harvey made a motion to adopt the Resolution for Project HCP 35-346-09 – Resurface, G-Treatment, and paint stripe on Broad Street in Kinsey. Approx. 0.77 miles in length from County Road Old 431 easterly to West of the Walden Drive intersection. Commissioner Snellgrove seconded the motion. Chairman Culver called for the question; and the motion carried unanimously. (Please see in Resolution Book)

20. Request to adopt Resolution for Project HCP 35-347-09 – Resurface, G-Treatment, and paint stripe on County Road Old 431. Approx. 0.76 miles in length from the R.O.W. of U. S. Highway 431, northeasterly to the R.O.W. of U.S. Highway 431.

Commissioner Harvey made a motion to adopt the Resolution for Project HCP 35-347-09 – Resurface, G-Treatment, and paint stripe on County Road Old 431. Approx. 0.76 miles in length from the R.O.W. of U.S. Highway 431, northeasterly to the R.O.W. of U.S. Highway 431. Commissioner Snellgrove seconded the motion. Chairman Culver called for the question; and the motion carried unanimously. (Please see in Resolution Book)

21. Request to adopt Resolution for Project HCP 35-348-09 – Resurface, G-Treatment, and paint stripe on Johnny Murphy Road. Approx. 2.36 miles from the R.O.W. of State Highway 109, northwesterly to County Road 203.

Commissioner Cook made a motion to adopt the Resolution for Project HCP 35-348-09 – Resurface, G-Treatment, and paint stripe on Johnny Murphy Road. Approx. 2.36 miles from the R.O.W. of State Highway 109, northwesterly to County Road 203. Commissioner Snellgrove seconded the motion. Chairman Culver called for the question; and the motion carried unanimously. (Please see in Resolution Book)

Staff Reports:

Chief Administrative Officer – there was no report  
County Engineer – there was no report  
County Attorney – there was no report

Chairman Culver reported there had been several calls about the red light that the county put in at the intersection of Brannon Stand Road and Murphy Mill Road. He asked Mr. Pool for an update on the repair. Mr. Pool reported a loop wire was cut, and they reset the timing back to manual on the area where the loop was cut. He stated the wires were being hooked back as he was speaking. Chairman Culver asked if it should be repaired that day? Mr. Pool stated it should be unless they ran into a problem and had to cut another loop. Chairman Culver reported it is a very busy intersection and if the light is going to help the county it has to get the proper timing.

The chairman reported before this light, there was one stop light that was a county light. He reported this gives the county two and they are looking at Fortner and Brannon Stand which would be three. He stated there might be a light at Trawick Road and Brannon Stand Road which would be four. Chairman Culver stated the county has not been in the maintenance of stop light business. He reported he served on a state committee that met regularly with the Alabama Department of Transportation, and the maintenance of red lights is one of the issues they continually discuss. Chairman Culver reported he had asked Mr. Pool to look at the potential for the county to either contract with a contractor, the City of Dothan, or someone other than the county to maintain the four stop lights or bring back to the commission that the county can properly maintain them. Mr. Pool stated he should have the information by the next meeting.

Chairman Culver reported Mr. Buddy Sharpless, Executive Director of the ACCA, Association of County Commissions of Alabama, for 37 year is retiring at the end of the month. He stated he wanted to go on record thanking him for his efforts in bringing the ACCA from operations in a two room little building in downtown Montgomery to where the Association is currently located. He also thanked him for having a good bit of influence around the Legislature and the state. Chairman Culver reported Mr. Sonny Brasfield will be taking his place as the Executive Director effective March 1<sup>st</sup>. Chairman Culver extended congratulations and thanks to Mr. Sharpless on behalf of the Commission.

Commissioner Snellgrove congratulated Mr. Mark Pool on being the undefeated “Chili Champion” of the Ashford First Baptist Church. Commissioner Cook stated it was her understanding that he has been the champion for several years.

Adjourn.

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



