

MINUTES OF HOUSTON COUNTY COMMISSION  
FEBRUARY 12, 2007

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 Roy Roberts, Administrator

ABSENT: None

Chairman Mark Culver called the 10:00 A.M. meeting to order, established that a quorum was present and welcomed everyone. Reverend Commissioner Curtis Harvey gave the invocation. Commissioner Cook led in the Pledge of Allegiance.

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

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

Chairman Culver reported beginning today, the meeting is being recorded and sometime this afternoon, citizens can go to the Houston County website, [www.houstoncounty.org](http://www.houstoncounty.org) and hear the archived copies of the commission meetings. He stated the commission felt it is an important step because one of the commission's objectives in the long range plan, is to be more accessible to the public and they feel this is one way to do it. Chairman Culver reported they are still working on the possibility of having the meetings live at some point. He thanked Mr. Andy Savelle, Information Technology, and Mr. John Keppey for his assistance in getting it on the internet. The chairman reported both the administrative and the commission meetings will be on the internet for two weeks.

#### Awards and Presentations

1. Proclamation – “Severe Weather Awareness Week” - Clark Matthews, EMA Director and Susan Holmes, Director, American Red Cross.

Commissioner Cook made a motion to approve the Proclamation declaring February 18<sup>th</sup>-23<sup>rd</sup> as “Severe Weather Awareness Week.” Commissioner Snellgrove seconded the motion, and it carried unanimously. Chairman Culver then read the Proclamation and presented it to Mrs. Holmes and Mr. Matthews. Mrs. Holmes reported she went to Lady Lake, Florida weekend before last and the amount of devastation was incredible. She pointed out they did not have any weather sirens. Mrs. Holmes urged everyone to stop and pick up information she

had placed on the table as they exit. She also stated a lot of information was on the Red Cross's website, [www.redcross.org](http://www.redcross.org).

Mr. Matthews reported the 2007 hurricane season is predicted to be above normal, and he asked everyone to use this year's theme, "In a matter of Seconds", to get their family prepared. He urged everyone to have an action plan. Mr. Matthews reported the outdoor warning sirens are just one step, and citizens might not always hear them in a building. He requested everyone buy a NOAA radio. Chairman Culver thanked Mr. Matthews and Mrs. Holmes.

## 2. Annual Financial Report – Roy Roberts, Administrator

Chairman Culver reported the commission is going to try out some new technology that has been implemented. Mr. Roberts thanked the Maintenance Department for the new equipment. He thanked Mrs. Joan Clark and Ms. Nancy Bristow for their work on this report. Mr. Roberts then gave the financial report. Some of the highlights include:

1. Revenue from sales tax increased \$954,680 which represented an increase of 6.35% over the prior year.
2. Total revenues exceeded budget by \$3.3 million for fiscal year ended September 30, 2006. Total expenditures were higher than budget by \$1.4 million with \$.5 million being the expenditure of Federal Grant proceeds and the balance of \$.9 million the purchase of Road and Bridge Capital equipment. The General Fund Reserve level ended \$2.5 million higher than Budget and the Debt Reserve fund was \$1 million over Budget.
3. The first Sales Tax Holiday for the first weekend in August was approved by the commission.
4. Houston County added 7 more weather sirens to compliment the 9 previously installed in Houston County.
5. The commission approved the formation of the Houston County Industrial Development Authority and funded the purchase of 22.008 acres on Taylor Road which, along with 57.1 acres donated to the Houston County Port Authority and transferred to the Industrial Development Authority, will be used for industrial development in the Taylor community.
6. A 4% cost of living increase for all classified employees effective October 2 2006 was approved by the commission.
7. Enhancements were made at the Chattahoochee State Park with the addition of electrical hookups and other improvements. The lake was also restocked with fish.

8. Houston County voters approved the sale of draft/keg beer within our county.
9. The commission adopted a resolution to participate in the Retirees Act 2006-510 which allows certain retirees to participate in the Drop Program.
10. The Road and Bridge Department completed the much needed new parking lot addition for the Administrative Building adding 19 new parking spaces for use by visitors to the building.

Mr. Roberts reported Houston County is in sound financial condition, and the commission continues to do the work necessary to keep our county in the forefront of county government in the State.

Chairman Culver thanked Mr. Roberts for his report. The chairman stated the Sales Tax Holiday was very well received, and did not have a tremendously negative impact on the county revenues. He reported when it was approved less than a year ago the commission only approved it for one year. Chairman Culver stated a request to authorize the Sales Tax Holiday perpetually as the State did will be on the next agenda. The chairman stated it looks like the county has plenty of money and the county is in good shape but a lot of it is from grants and various earmarked funds. He commended the department heads for taking their budgets so seriously. The chairman stated revenues and expenditures are up in Sanitation and the county is looking at a net loss of \$262,943.00 that has to be addressed at some point during the coming months. He pointed out the Sanitation fund is an enterprise fund that needs to stand on it own and it is not at this point. Mr. Roberts reported \$200,000 was spent to buy capital equipment and we do not have sufficient revenues to cover the purchase of capital equipment. He pointed out we can cover the cost of operations other than capital equipment but the capital equipment has to be replaced.

### 3. Employee of the Month – Road and Bridge Department

Mr. Pool asked Mr. Chris Bowen to come forward and presented him with the “Employee of the Month” Certificate. He reported Mr. Bowen was hired in April, 2000 and has been promoted from Equipment Operator I to Equipment Operator II, has not taken any sick leave for the last three years. Mr. Pool stated he does a good job. Mr. Bowen received a round of applause.

### Consent Agenda

1. Request to take bids on radios for Sheriff’s Department on Homeland Security Grant.
2. Request from Sheriff to take bids on seven (7) vehicles.

3. Request from Alabama ABC Board to set county levies for alcoholic beverages.

Commissioner Cook made a motion to approve the consent agenda to include taking bids on radios for the Sheriff's Department on Homeland Security Grant, take bids on seven (7) vehicles for the Sheriff's Department, and to approve the request from the Alabama ABC Board to set county levies for alcoholic beverages at the same rate as last year. Commissioner Snellgrove seconded the motion. Chairman Culver reported the Homeland Security Grant is 100% funded and the seven vehicles are in budget. Chairman Culver called for the question; and the motion carried unanimously. (Please see attached in Minute Book)

#### Regular Agenda

1. Request to amend local legislation concerning recording fee.

Commissioner Harvey made a motion to approve the request to amend the local legislation concerning the recording fee. Commissioner Cook seconded the motion. Chairman Culver stated a bill as drafted would put a statement in at the bottom of Section 1. as follows:

"This special additional filing fee of three dollars does not extend to the filing and recording of instruments and papers used in the tag and license functions of the Houston County Probate Office."

The chairman stated this will have to go to Legislative Reference and they might word it a little different but he stated he thought this is the intent of the commission.

Commissioner Snellgrove stated since this surfaced he had received several phone calls and letters supporting the change, and asking the commission to do a resolution in order to change the bill where they will not have to pay the \$3.00 fee. He stated he did a little homework over the weekend and back in 1997 when they did this bill he felt it was justified by this commission because of a lack of funds. Commissioner Snellgrove reported Mr. Roberts just presented the financial report and stated the county is in great financial shape. He pointed out the county has grown from \$22 million a year to \$30 million in collections and he stated apparently in 1997 the Probate Judge needed that money in order to handle what they have going. Commissioner Snellgrove stated that he would like to ask the legislators to completely abolish Act #97-458. He stated he felt there would be enough money to generate the project in the Probate Office out of the General Fund. Commissioner Snellgrove stated the bill would be done away with completely and there would be no collection fee on any recorded instruments or papers involved. Commissioner Snellgrove then made a motion to ask Commissioner Harvey to amend his motion to ask the legislators to completely

abolish Act #97-458. Commissioner Harvey seconded the motion. Commissioner Forrester asked how much money that would delete from the Probate Judge that she has received in the last few years? Mr. Roberts stated he had requested that information but it was not provided. Commissioner Snellgrove stated according to the information that was given to the commission, the expenditures were approximately \$54,000 per year on the program, and the collections are greater than that. Commissioner Forrester stated the collections are what will be eliminated. Commissioner Snellgrove stated the information he has shows collections over the last ten years have been approximately \$70,000 per year. Commissioner Forrester stated he did not think there were any members on the commission who do not feel that they have not cooperated fully with the spirit of cooperating with the Probate Judge and her department and will continue to do so. He stated the only issue in his mind is how to go about getting these additional funds. Commissioner Forrester stated it seems like the additional \$3.00 fee is not the way to do it at this time so the additional monies that we would get would have to provide in lieu of the \$3.00 fee on the fishing, hunting, and tags, and would also have to be supplemented by this amendment by another \$70,000.00. Chairman Culver stated it would be at least \$70,000.00. Mr. Forrester asked the amount of total monies the county would be talking about? He asked if it would be a total of what the \$3.00 fee would be projected to pull in plus the \$70,000.00 that would have to be made up? Chairman Culver asked the Probate Judge the total amount the fee generates annually? Judge Cooley stated approximately \$70,000.00. She stated that is not counting what they would generate. The judge pointed out the information the commission has of what they have spent is highlighted because there have been other expenditures and that is not a total audited budget. She reported the auditors have that information. Judge Cooley stated the commission is flush and they have not always been flush, and they might not always be flush. She reported this is not the same commission they dealt with when all of this was passed. The judge reported down through the years those of the commission who do not want to be re-elected and choose to move on there will be other officials to have to deal with, and they might not be as favorable to funding the Probate Office. She reported technology increases every year and Mr. Roberts had mentioned having to replace the hardware equipment in the Sanitation Department, and she stated the hardware equipment in Probate will also have to be replaced. Judge Cooley stated if the county is willing to make a motion and pass a law that they are willing to always fund the Probate Judge's needs rather than the Probate Judge doing what she had to do when she first came in office. Judge Cooley stated the commission has had a few phone calls and they will get phone calls when they go up on the garbage fee, but you are going to go up on your garbage fees. She asked the commission to look long range and not the shortfall.

Commissioner Cook commended the Probate Judge on what she has spent her money on since she collected the other fees and she felt the commission's concern was the additional fees on the tags, and driver's license areas. Commissioner Cook stated she felt if the commission went with the original

suggestion of taking off the fees that would hurt the citizens on the tags and driver's license functions and leave the other on, then the Probate Office would still be able to keep up with the ever changing technology. Commissioner Cook reported the items that the Probate Judge has spent the money on from the other fee has helped this county greatly. Chairman Culver stated the recording fee that has been on since 1997 has been used exactly for that; on documents that have been recorded in Probate, primarily on 2<sup>nd</sup> floor. He reported the calls he received over the weekend as well the calls that came into the commission office were all concerned about the \$3.00 additional on the license and tags. The chairman stated when you have a fee that is directly related to what it is going for such as recording, sanitation, etc. the citizens can justify that fee. Chairman Culver stated he would agree with Commissioner Cook to leave the recording fee that is currently on, and it is for recording and it goes directly into the Recording Department. Commissioner Snellgrove stated the commission is probably doing the first thing that has ever been done in the State of Alabama to roll back on a fee or tax. He stated he felt the money is in the General Fund and if it is needed in years to come, then that commission can draft the bill and do what was done in 1997. Commissioner Snellgrove stated he felt it is the commission's obligation to fund the Probate Judge in order to perform duties in that office. He reported he felt the commission needed to abolish the bill. Chairman Culver asked Mr. Snellgrove to bear in mind even though we are in sound financial condition, some of the numbers in the budget are overly inflated because of the grants. He reported the other thing to bear in mind is that repealing fees is unusual. He asked everyone to recall when they did the legislative program they are repealing the \$1.00 mail in fee on tags. Chairman Culver stated one of the things in the regular legislative program is to roll back the \$1.00 fee that it costs to mail in tags, in essence the commission is doing this twice in this particular year and that will be a cost to the general fund to cover the cost of the postage that the county is not mailing. Chairman Culver reported the vote will be on the motion to amend the bill to change the bill that has been presented to take the bill out completely. He then called for the question; and the vote was YEAS: Commissioners Snellgrove and Harvey. NAYS: Commissioners Cook and Forrester. Chairman Culver broke the tie by voting Nay. The chairman stated the commission was back to the original motion to approve the bill as presented. He called for the question; and the motion carried unanimously. (Please see attached in Minute Book)

## 2. Request from Revenue Commissioner to set millage rate.

Chairman Culver reported the reason it is not under the consent agenda is due to a change that was discussed at the Administrative meeting. He stated because of the statewide vote the millage rate will be two mills higher that it was at this time last year. The chairman pointed out the citizens will not feel this until October, 2007. Chairman Culver reported both of the mills will go to the educational system. Commissioner Snellgrove made a motion to approve the request from the Revenue Commissioner to set the millage rate. Commissioner

Cook seconded; and the motion carried unanimously. (Please see attached in Minute Book)

3. Request from EMA to approve grants and emergency purchase.

Commissioner Harvey made a motion to approve EMA's request for grants and emergency purchase. Commissioner Forrester seconded the motion. Chairman Culver reported this was discussed at the administrative meeting and it involves money that the EMA was notified had to be spent by the end of the month on three grants for Homeland Security items. He pointed out some of the items were for the region and some were for our area. Chairman Culver reported the other item was again money that had to be spent by the end of the month declaring an emergency purchase on it. The chairman called for the question and it carried unanimously. Chairman Culver reported after the meeting is adjourned, the EMA staff has all of the names who have applied for storm shelters, and they are going to let the commission draw the names out of a bucket. (Please see attached in Minute Book)

4. Request from Sheriff to fund position of Investigative Services Technician.

Commissioner Harvey made a motion to approve the request from the Sheriff to fund the position of Investigative Services Technician. Commissioner Snellgrove seconded the motion. Chairman Culver reported the money for the position is in the budget because of the non-hiring of a budgeted position and the transfer over of the money already in a part-time paid position. Commissioner Cook asked the part-time person retired? Chairman Culver stated Mr. Hickey did retire. Mr. Roberts stated Mr. Hickey was part-time paid but he was not part-time in work. Mr. Roberts reported he worked for a much reduced salary which was considered part-time but he worked a lot of hours. The chairman called for the question; and the motion carried unanimously.

Reports from Staff:

a. County Administrator

Mr. Roberts reported the sales tax report came in right before he left coming to the meeting and it contains the Christmas period. He pointed out they were up but only 1.6%. Mr. Roberts pointed out for the first four months of the fiscal year the county is up 2.27% which is lower than the increase over the past few years. Chairman Culver stated he wanted Mr. Roberts to let him know what April's collections are because that will include the March expenditures after the store opens on the north side of town.

b. County Engineer

Mr. Pool showed everyone the telephone number at the Road and Bridge Department and he urged them to call in work orders or drainage problems. He stated if someone did not have a phone to use the computer.

Mr. Justin Barfield showed the annual revenues at Omussee Park and the revenues at the Chattahoochee State Park. It was pointed out the revenues for Chattahoochee State Park are \$14,000.00. Chairman Culver stated he and Mr. Pool had agreed if the revenue reached \$25,000 they would be pleased. The chairman stated they are fast approaching \$25,000.00.

Chairman Culver asked Mr. Pool to report on how many deer were killed this season in the disabled citizens' hunting area at the park? Mr. Pool reported they killed 11 deer and it had been a record year. He pointed out there were 57 man days which the season is normally around 40-46, and therefore there was more hunting. The chairman reported a Disabled Citizens' Hunting Trail has been implemented across the State with 12 or 13 sites that are designed for disabled persons to hunt. He stated the area is one of those sites and the county is really proud that the hunting is good. He commended the guys at Road and Bridge who have worked on this project.

Mr. Pool reported the county is looking for base dirt to be put down under asphalt. He stated they are looking for the red dirt to buy or the possibility of buying the property.

c. County Attorney

There was no report.

Adjourn.

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