

MINUTES OF HOUSTON COUNTY COMMISSION
FEBRUARY 25, 2008

PRESENT: Chairman Mark S. Culver, Commissioner Curtis Harvey, Commissioner Bobby R. Snellgrove, Commissioner Frances M. Cook, Commissioner Phillip L. Forrester, Gary Sherrer, County Attorney, Mark Pool, Engineer, and William J. 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. Chairman Culver stated it was the biggest crowd the commission has had in the last four or five years, and he stated he appreciated everyone taking the time to attend, and those who signed up to comment on issues before the Commission. Rev. Stephen Russell, Pastor, Central Baptist Church, gave the invocation. Commissioner Forrester led in the Pledge of Allegiance.

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

Announcements and Public Comments from Chairman and Commissioners

Chairman Culver reported it was a distinct honor for the commission to have a special guest in attendance, at that time, he asked Mr. George Jones and his wife, Nancy to come forward. The chairman stated it was a great honor to have someone of Mr. Jones' caliber in the commission chambers and that it was also a pleasure to have him in Houston County. He stated Mr. Jones had been entertaining for 53 years and he has more songs on the Country music chart than any other country singer in history, and he has the most top 40 hits of any country singer. The chairman reported Mr. Jones has been referred to as the greatest living country singer, and has had a number one hit in five consecutive decades. Chairman Culver reported Mr. Jones and his wife currently live in Franklin, TN. The chairman then presented Mr. Jones with a paper weight with the county's emblem embossed in gold, and official lapel pins of Houston County. Mr. and Mrs. Jones thanked the commission.

Regular Agenda

Chairman Culver reported there were a lot of people in attendance and he reminded everyone because of the Open Meetings Law, and the commission having to adopt regulations, he wanted to be sure they understood the decorum. He asked everyone to keep it civil. He reported comments were to be addressed to the County Commission and would not include any personal or other comments addressed to any member of the commission or commission employee. The chairman stated each speaker's remarks would be limited to five

minutes, and no more than three speakers on each side of an issue would be heard on each subject unless authorized by members of the commission. Chairman Culver stated he did not believe it would be a problem. He pointed out no person could speak on the same subject twice.

1. Request to adopt Resolution updating rules regulating charitable bingo in Houston County.

Commissioner Snellgrove made a motion to approve the request to adopt the Resolution updating rules regulating charitable bingo in Houston County. Commissioner Cook seconded the motion. Chairman Culver stated there was some discussion, and then they would allow the people on the list to talk.

Chairman Culver reported in November, 1994, the citizens of Alabama approved via a referendum a constitutional amendment (No. 569), legalizing charitable bingo in Houston County. He stated the referendum passed 54% to 46% statewide and in Houston County it passed with a greater margin, 62% to 38%. Chairman Culver reported it only allows charitable bingo and today it is all that is legal in Houston County. The chairman reported the Sheriff issues permits to those who have charity bingo games and meet the requirements of the amendment such as the VFW, Elks, and Shriners. He stated the county has had no problem with these entities, and they do not plan on doing anything to impede their operations. The chairman pointed out what is being discussed will not change their ability to continue doing what they are doing. He reported that recent findings by the AG office and federal law have established that there are other forms of bingo than just the paper bingo that is currently played in Houston County. Chairman Culver quoted from an Attorney General's opinion that was issued in 2004, "bingo can be played on paper cards, laptop computers, or video consoles as long as it adheres to the traditional play and format of bingo." He stated also according to the Alabama Attorney General's office, the bingo must contain the following features: played on a 5 x 5 grid, numbers or symbols must be randomly selected, winners are determined by pre-ordained patterns, and players must compete against each other not the operator of a bingo hall. The chairman stated for bingo to be bingo the person must play against other individuals not against a house or something as typical gambling would be. The chairman reported additionally, federal law has determined that electronic or media bingo is still in fact bingo. Chairman Culver reported he had received several inquiries over the last 18 months regarding expanding charitable operations in Houston County to include electronic bingo. The chairman stated on February 19th, a gentleman from Arizona left a message on Ms. McGhee's phone, and he wanted a copy of the charitable bingo regulations. Mr. Culver stated he returned the call and he was interested in coming here and bringing electronic bingo. The chairman stated he told him he would give them to him after the commission meeting this week. Chairman Culver stated based on the extensive legal research that has been done on this issue since this interest has grown and since the commission has had other inquiries, the commission feels

that electronic bingo can be done if the county does absolutely nothing. The chairman stated he felt strongly and the commission did too that they needed to regulate electronic bingo so as not to allow for its uncontrolled growth in Houston County. The chairman reported he had spoken with other commissions around the state that have similar constitutional amendments, and there are 18 such counties and municipalities in the state that have constitutional amendments allowing charity bingo. The chairman reported in some cases without regulation, the expansion of electronic bingo has been rampant. Chairman Culver then showed a map of bingo halls in Walker County. The chairman stated Houston County does not want this to happen and they are trying to prevent it.

Chairman Culver reported he had asked Attorney Sherrer, County Attorney, to investigate the county's legal opportunity to prohibit or control charitable bingo, and over the last month he has done exhaustive research on rulings and opinions. He stated additionally, Mr. Sherrer requested assistance from a third party lawyer who was with the Attorney General's office until December, 2007, and has expertise and experience in this arena. The chairman reported this opinion is very helpful and very clear in its guidance. Chairman Culver reported a local act was passed in 1995 designed to regulate bingo, but according to the legal opinion the county received, it did not define or provide a procedure to require a special permit. He reported the lack of a specific definition or procedure to require a special permit as referenced in the amendment creates a gap in the application of the act. The grant of the authority for the commission to provide rules and regulations gives the commission to fill that gap left by the act without disturbing the procedures established by the local legislation. Chairman Culver reported the rules and regulations the commissioners had before them were a culmination of the research and an attempt to fill that gap by regulating the expansion of electronic bingo in Houston County. Chairman Culver stated he wanted to make it perfectly clear that the commission was not in favor of legalizing type 3 gambling in Houston County. He reported he had received some calls about authorizing Indian casinos in Houston County, and he stated the commission was not in favor of that either. The chairman reported the commission is not in favor of allowing the broad spread of electronic bingo. He stated they wanted to restrict electronic bingo within the law in Houston County. Mr. Culver reported the commission could not make charitable bingo legal or illegal. He reported the citizens of the county made it legal in 1994. He stated the county could not refuse to issue a permit to qualified operations as stated by an Attorney General's opinion in 1997 as follows: "the city or county does not have the authority to decline to permit bingo operations by qualified organizations but that its power is limited to the authority to regulate bingo operations." He stated what the commission can do is to establish stringent regulations so as to limit the availability of electronic bingo. He reported these regulations would establish three classes of charitable bingo permits and would only allow electronic charitable bingo to take place in locations that had a significant economic impact in Houston County.

Chairman Culver then read the requirements for a Class 3 Bingo. He read the following to be a Class C Qualified location: He stated a Class C would be the permit authorized to do electronic bingo. Chairman Culver stated they require liability insurance in the amount of not less than \$2,000,000. On-site security as reasonably prescribed by the Sheriff of the county. No Class C Bingo permit may be issued with respect to a location which is not part of a mixed or multi-use development that incorporates a hotel, restaurants, dinner theatres, other entertainment and amusement related retail space, and an entertainment venue with a capacity of at least 3,144 persons to view live entertainment such as music. (3,144 is the civic center capacity). He reported in addition to the foregoing, in order for a location to qualify as a Class C Qualified location, the commission shall first have made a specific finding that said location in the overall development to be situated thereon aids, is beneficial to, or otherwise assists the county in its effort to promote industry and economic development, develop trade, and further the utilization of agricultural products as well as the natural and human resources of the State of Alabama.

The chairman then read the pre-conditions for a Class C Bingo Permit for the operation of charitable bingo at a Class C location: He stated the following conditions had to be met before anyone could begin playing bingo: At least 70% of the qualified separate elements of the agreed upon multi-use development shall be completed and operational as a condition precedent to the conducting of any charitable bingo operation. He reported a branded franchised hotel shall either be constructed or substantially constructed as a condition precedent to the conduct of charitable bingo operations. One member of the board of directors of a charity for these purposes of the special permit shall have been approved by the county commission. A Development Agreement between the commission and the developer describing in detail the scope, elements and planning of the master plan multi-use development with conditions and assurances reasonably required by the commission to assure the intent of rules and regulations is effectuated. The chairman reported there are very stringent regulations on who can do this. He emphasized the commission does not want to allow for the unregulated spread of electronic bingo in Houston County. Mr. Culver reported in addition to the application of the permit requirements for a Class C permit to be issued, the commission will have to make a finding as it contributes to the economic development and growth of the county's citizenry. He pointed out the finding is up to the present commission or any future commission that any projects may be presented to. Chairman Culver reported the regulations provide for the ability to revoke the permit of any permit holder should it be determined that the permit holder is not meeting all of the requirements of the rules and regulations.

The chairman then read a couple of excerpts from the regulations as follows: The Attorney General has concluded that as a matter of law, machines that operate in the manner described above in counties operate under a valid constitutional amendment. He stated whereas Alabama Attorney General

Opinion #97072 held that once a valid constitutional amendment makes charity bingo legal within the limits of a city or a county, the city or county does not have the authority to decline the permit to bingo operations by qualified organizations but that its power is limited to the authority to regulate. The chairman reported if someone came to the county today and wanted an electronic bingo permit, and if the commission did not pass the regulations and that person met all the requirements, then the county is required to issue that permit. He pointed out electronic bingo can be held in Houston County today unless the regulations are passed. Mr. Culver read that whereas it is the intent of the Houston County Commission that all forms of the game known as bingo including but not limited to media forms of bingo shall be subject to licensure and regulation in Houston County. One hundred percent of the net revenue derived from operating bingo games shall be designated and expended for charitable or educational purposes. Chairman Culver reported from reading parts of the bingo regulations that the commission's hands are somewhat limited. He stated the county's ability is in the regulating and that is what the commission is attempting to do. The chairman reported the bottom line is that charitable bingo in whatever form it may take is legal in Houston County; and there is nothing the commission can do about it. He stated the commission believes that electronic charitable bingo can be permitted today and this commission is against the widespread expansion of electronic bingo in Houston County. He reported the commission is against any type 3 gambling in Houston County, and would stand to approve it. He stated the electronic bingo can only be controlled by regulating it. The chairman stated the adoption of the bingo rules and regulations will control and make it more difficult for electronic charitable bingo halls to operate in Houston County. At that time, he asked for comments or questions from the commission. The chairman stated he felt what he considered a very good opinion from Mr. Kenneth Steely, an attorney in Mobile who used to be with the Attorney General's office. Chairman Culver stated when this process began, and some of the calls he has gotten over the last year and a half, he told them we could not do that. He reported until he spent the last month going over and over the regulations, he honestly thought that electronic bingo could not be done in Houston County. The chairman called for any questions from the commission. The commission did not have any questions or comments.

The chairman then called on the persons who signed up to speak.

1. Mrs. Libby Krietemeyer

She asked the commission if they approved the regulations would they actually be tightening the controls that are currently in place on charitable bingo? Chairman Culver stated that was correct.

2. Mr. Riley Seibenhener

He stated everything that the chairman has stated is absolutely true and he agreed with him. Mr. Seibenhener reported that the 1995 enabling act strictly said 5 hours one day a week. He stated it was the intent of the constitutional amendment and the enabling legislation for charitable bingo only. Mr. Seibenhener stated the 5 hours one day a week was mainly for the Elks Club and the VFW. He stated Mr. Culver was absolutely correct that electronic bingo is allowed but the county did not have to have it 24 hours seven days a week. Mr. Seibenhener referred to page 6 "Bingo Session" defining a session shall mean a consecutive period of time up to 24 consecutive hours during which bingo is played as many as seven days a week provided that however Sunday bingo shall not be played between the hours of 4:00 A.M. and 1:00 P.M. He stated 9 hours out of the week is the only time someone could not play bingo. Mr. Seibenhener stated the commission has tightened and made it more stringent and he stated that was called limiting competition. He reported the 3,144 seating capacity makes it one place that electronic bingo could be held. Mr. Seibenhener stated the probability of someone else coming into the county and constructing a building with a 3,144 seating capacity would be very remote. Mr. Seibenhener stated he thought the commission's legal advice was wrong to open it up 24/7 at one location, and he stated he thought they were violating the 1995 implementing law because it stated five hours a day one day a week. Mr. Seibenhener stated he had requested this information on Thursday and he did not get until 7:30 on the day of the meeting. Mr. Seibenhener stated if the commission could not vote it down, he urged them to postpone the item until the next meeting to give the people an opportunity to understand the regulations.

3. Rev. Tom Anderson

Rev. Anderson stated his thought would follow what Mr. Seibenhener said in that the people have not had enough time to digest this. He stated he thought it should be looked at and thought about. Rev. Anderson stated it looked as though the county is cleaning up the backside but opening up a front side. He reported he had always practiced the idea of where this is going, but he asked what is under the ground that the good citizens do not know about? He stated he felt it needed to be postponed and thought out because it is too quick.

4. Mr. John Downs

Mr. Downs stated the first he know of this was Friday morning when saw it in the newspaper. He reported he requested a copy of the resolution and received it about 8:30 A.M., and he stated he had not had an opportunity to digest this. Mr. Downs stated on behalf of his family and many citizens of Houston County that this has happened way too quick, and they do not understand what is going to happen to our city and county. He then requested this item be postponed until the next meeting.

5. Mrs. Betty Peters

Mrs. Peters stated she agreed with some of the other people who have spoken and stated it is moving too fast. She stated if Mr. Seibenhener had not noticed page 6 the public would not know about that part. She then requested that the commission give the public a chance to look at it. Mrs. Peters stated she was appalled that the commission would consider acting on something of this magnitude so quickly.

6. Mrs. Barbara Moore

Mrs. Moore voiced her concerns about the proposal and asked that the commission postpone their decision and allow the people to find out more about this item and have some discussion. She stated life is about more than economic development and we need to look at our community and decide what we want for our children and grandchildren. She stated she would like for our community to think about those things that would build our children's character and make it a better society.

Chairman Culver reported as one of the speakers stated it seems like it is opening up the front end. He reported the front end is already open and the commission is trying to close it. Mr. Culver stated as Mr. Seibenhener had pointed out the rules are more stringent and he stated Mr. Seibenhener is right and the commission is not setting it up for a monopoly but they were setting it up to be difficult for anyone to do this. He reported this process has gone through the same process as any of the other county regulations has. The chairman pointed out it has been discussed, reviewed, and looked at for at least 4 weeks if not longer by legal people. He reported it was on the Admin agenda as all items that the commission addresses are, and this is the next step. Chairman Culver stated if the commission tabled this item, the Sheriff is obligated to issue some permit to a bingo parlor at a convenience store or in Dothan and this commission does not want that. He stated the commission does not want type 3 gambling in Houston County; they want it illegal. Chairman Culver reported charitable bingo is legal today and there is nothing the commission can do about it. These regulations make it more stringent and more difficult and that is the county's intent. The chairman then called for the question; and the motion carried unanimously.

(Please see in Resolution Book)

2. Appointments to SARCOA Board – Chairman Mark Culver, Mayor Pat Thomas, Mayor Lomax Smith, Mr. Joe Carothers, and Mr. Sherman Rose.

Commissioner Cook made a motion to approve appointments to the SARCOA Board as follows: Chairman Mark Culver, Mayor Pat Thomas, Mayor Lomax

Smith, Mr. Joe Carothers, and Mr. Sherman Rose. Commissioner Harvey seconded; and the motion carried unanimously.

3. Request to award bid for quick deployable air tent.

Commissioner Harvey made a motion to award the bid for a quick deployable air tent to Maritime Solutions, only bidder, in the amount of \$\$6,685.00. Commissioner Cook seconded the motion. The chairman stated this is paid for 100% through FEMA. Chairman Culver called for the question; and it carried unanimously. (Please see Bid Summary Sheet in Minute Book)

4. Request from Probate Judge to change part-time Election Specialist position to full-time.

Commissioner Cook made a motion to approve the request from the Probate Judge to change part-time Election Specialist position to full-time. Commissioner Forrester seconded the motion. Judge Cooley reported this was discussed fully in the Administrative meeting and it is an extension of an employee the county has into a full-time position. She pointed out the monies are already in the budget for this year, and she was asking the commission to extend it in light they have had a lot of regulation changes in the election process. The Judge stated they need someone who is full-time and experienced to help in the future. Commissioner Cook asked Judge Cooley if she stated it would be covered in this budget? She stated yes, and next year it would have to be funded. Chairman Culver then called for the question; and the motion carried unanimously.

5. Request from EMA to approve budget amendment for overtime for APCO.

Commissioner Harvey made a motion to approve the request from EMA to approve the budget amendment for overtime for APCO. Commissioner Snellgrove seconded the motion. The chairman called for the question; and the motion carried unanimously. (Please see attached budget amendment in Minute Book)

6. Request to adopt Resolution approving Development Agreement concerning economic development project in Houston County.

Commissioner Cook made a motion to adopt a Resolution approving the Development Agreement concerning an economic development project in Houston County. Commissioner Forrester seconded the motion. Chairman Culver reported the commission had before them an agreement that would authorize and regulate an economic development project of significant proportions for Houston County. He stated the project could create a national destination for our county and region like other tourist attractions in the United States such as Disney, Branson, MO, and Six Flags. The chairman stated these

attractions continue to transform each year. He pointed out this project only the county's support and agreement to comply with all laws in Houston County and the State of Alabama. He reported it adds to the economic diversity of our economy and community by filling a market niche that is presently untapped; a national tourist attraction.

At that time, Chairman Culver called on Mr. George Jones to make comments followed by Mr. Matt Parker who introduced other team members and discussed the local impact of the project. The chairman reported after those presentations, the county's part in the project would be discussed.

Mr. Jones stated it was a pleasure to be in Houston County, Alabama, which he believed would soon be the site of Country Crossings, the most important new entertainment development resort in America. Mr. Jones reported he and many of his country music artist friends are excited about being a part of the very unique project. He thanked the commission for the warm welcome and he stated he hoped to meet others later in the day.

Mr. Parker stated it was an honor to have Mr. Jones and his wife, Nancy, in Houston County. Mr. Parker then introduced different members of the project team who gave an overview and insight on the economic development project which would create a destination and an opportunity to diversify the market area.

At that time, Mr. Parker introduced Mr. Joe Katz, who is considered the definitive leader in the entertainment industry from a legal standpoint. Mr. Parker stated Mr. Katz has a tremendous background representing all of the top names in the entertainment industry as well as his corporate representation such as Coca-Cola, Microsoft, Nokia, the Gospel Music Channel and Association, the National Academy of Recording Arts and Sciences, TouchTunes, Six Flags Theme Park as well as the legal counsel for the Grammy Awards.

Mr. Katz thanked the commission and stated it was an honor to be a part of Country Crossings. He reported he had lived his life and been in the entertainment law field for approximately 38 years, and he had been active in the country music genre for about the same period of time. He stated his law firm, Greenberg Traurig, is the fourth largest firm in the world. He reported they have over 80 entertainment lawyers in nine cities around the globe and they do represent many artists such as the Rolling Stones, Jimmy Buffet, Marc Anthony, James Taylor, and others. In addition, he stated they have worked with Willie Nelson for almost 35 years, Kris Kristoferson, Brooks & Dunn, Kenny Chesney, Big & Rich, George Strait, Alan Jackson, George Jones, and many others in the country music media. He stated they are also counsel to the Country Music Association, the Grammy's, the Latin Grammy's and the Gospel Music Association. Mr. Katz stated he personally thought that the proposed Country Crossings development is extremely original, and unique for the southern area of the United States. He pointed out he lives in Atlanta, Georgia. Mr. Katz reported

the only comparison to the project would be Branson, Missouri, a place several of their artists have worked over the years. He stated Branson's geographical location has created a real business throughout its fundamental metropolitan city area which truly does not belong there, but solely because of the great demand for such a family oriented venue Branson has flourished despite its very remote location. He reported Branson has been an unqualified success in every way—financial, social, tax-wise, and it has also spurred unparalleled economic development in its state of Missouri. He stated Country Crossings promises to be even more successful with artists such as George Jones fully committed to its long term success and there will be many other stars on board in the quite near future. Mr. Katz reported in the entertainment industry, like in many other businesses, confidentiality is extremely necessary to the closing of the transactions especially when recording artists' time is so competitive from so many venues. He personally thanked the commission for keeping all of the sensitive information it has received about Country Crossings confidential even in the face of the recent pressure to release these details. He stated it has been very helpful in the closing of the artists documentation for the project. Mr. Katz reported Mr. Ronnie Gilley will be announcing his anchor artists along with Mr. George Jones very soon. He stated the location of Country Crossings is critically important to this project. Mr. Katz reported Mr. Gilley has been a local and loyal supporter to the State of Alabama even though several trusted advisers around him have counseled him to move Country Crossings to the Florida panhandle as a much more suitable location because of preferable consumer traffic patterns. He stated Mr. Gilley has always supported the State of Alabama especially the Wiregrass region. Mr. Katz stated he had been truly blessed to work with some of the most talented singers and performers throughout the world. He stated he knew the country music community would truly support this project in every way possible because Country Crossing is the embodiment of the country music culture. He reported country music is uniquely American written by Americans, performed by Americans about American occurrences, everyday life, and produced by Americans. Mr. Katz reported the theatres, the cafes, the restaurants, and the venues at Country Crossing will provide an entertainment complex that will truly have no equal. He asked everyone to remember Branson is an amalgamation of many cultural interests scrambled together with little or no planning, and yet the entertainment and business community has absolutely flourished. Mr. Katz pointed out Country Crossing will be a planned development based on the artistry and based on the focus of American culture with a definite concentration on country music and just how that music has fundamentally affected and influenced our country and its heritage. Mr. Katz applauded the commission for its interest in having this project in Houston County. He stated as the Alabama license tag profoundly states, the "Stars Fall on Alabama." Mr. Katz stated he profoundly hoped the stars will perform and sing in Houston County at Country Crossing. He pointed out Country Crossing will bring added prosperity to the Houston County community, it will bring increased jobs, it will bring additional development, additional revenue both direct and ancillary, real growth and real publicity of a positive nature to the community. He stated he believed in

the success of the project and the value of it for Houston County and the United States and the preservation of a part of our rich American heritage and the value of it for everyone in the participation of economic benefits that should be derived from the building and operation of it. Mr. Katz stated he appreciated the opportunity to speak.

Mr. Parker introduced Mr. Ronnie Gilley, Ronnie Gilley Properties, the developer of Country Crossing. Mr. Gilley stated it was a pleasure and an honor to come before the Houston County Commission with the proposed project. Mr. Gilley reported there is a myth about Branson, Missouri in that people think when they go out there they will see Alan Jackson, Kenny Chesney, or Allen McGraw, and they might get to see George Jones once a year. He stated the reality of it is that you will never ever go to Branson, Missouri and see a modern day country music star. Mr. Gilley reported the chamber of commerce has created that myth for the most part. He stated Branson is a destination location because it is located in the middle of nowhere, and it is nowhere close to being comparable to Houston County. He reported there is no transient market in Branson because it is a destination specific location. Mr. Gilley stated in 2006, 7.8 million people visited Branson, Missouri, and the average stay per visit was 4.3 nights, 91% of the people shopped retail in Branson, and they generated in excess of 1.8 billion dollars in revenue. He pointed out it was pretty significant based on the entertainment they have which includes Wayne Newton, Donny Osmond, and the Japanese violinist. Mr. Gilley reported that entertainment is what creates the traffic flow and tourism dollars. He stated in his opinion, the tourism dollars are the cleanest dollars that can be brought into a community. Mr. Gilley reported when you look at Branson and you ask why Country Crossing would be successful in Houston County is because the southeastern United States is the strongest country music market on the planet bar none. He reported more record sales exist in the southeastern United States for country music artists than any where else in the country. Mr. Gilley reported they are in business with some of the biggest stars in the entertainment industry. He stated they are partners, and some are equity partners in the Country Crossing project. Mr. Gilley reported they have contractual agreements, and they will soon have final agreements with 20 plus artists that will come in and put in theme venues that will have their likeness associated with it; their name associated with it. He stated with the contractual agreements the entertainers will come in and frequent the venues a minimum of four times a year to include one performance and to include celebrity golf tournaments at the local golf clubs. Mr. Gilley reported within a 75 mile corridor there are 4.5 million people passing through on the way to the Florida panhandle, and that will generate a lot of tourism excitement for the Country Crossing project. Mr. Gilley stated he hoped Country Crossing comes to Houston County, Alabama and people will come and visit Houston County 4.3 nights and they make a day trip down to the beach to enjoy the coast. He stated there are 78 million baby boomers and they are the largest, wealthiest population of human beings in the history of mankind. Mr. Gilley reported the reality is over the next 10 years, 50% of that population is expected to retire and to move to the

southern region of the United States. He stated the vast majority of that population is expected to move to a more condensed sector which is the southeastern United States. Mr. Gilley stated they are trying to paint a map and show them how to get to Houston County. He pointed out when one retiree comes to a community, 3.7 jobs are created equivalent to an automobile industry. Mr. Gilley reported the tourism dollars associated with Country Crossing will be mind boggling. He stated their focus is on entertainment and it is not bingo and not casinos. He reported they are going to create an entertainment extravaganza destination; a vacation destination point, a retiree destination point. He reported it will be a fun filled family atmosphere, and will be differentiated from any other product type throughout the U.S. and will be unlike anything else. He stated if Branson is pulling in 7.8 million people a year with Wayne Newton and Donnie Osmond, then what can Houston County pull in with an Alan Jackson, George Jones, Tracy Lawrence, Laurie Morgan, Tanya Tucker and many others. Mr. Gilley then gave a power point presentation on Country Crossing. Mr. Gilley thanked the commission for their time, and stated they are excited about it and he hoped the citizens of Houston County were excited about it because with the alliances in the entertainment industry the project was guaranteed success.

Mr. Parker thanked Mr. Gilley for the overview and stated he shared the excitement they have had since they began working with him two and a half months ago on this project. Mr. Parker then presented some economic impact numbers. He reported over a 10 year period, there will be close to \$250,000,000 to \$300,000,000 of investment in this project, and with the direct, indirect, and induced jobs at year 10 there will be a total of 4,800 jobs tied to this project. He stated it is hard to comprehend what else is going to be stimulated from an investment of this type when a community is receiving that kind of national attention and notoriety in its marketplace. Mr. Parker reported it is tremendous for this whole area. Mr. Parker reported the 10 year projection on the tax revenue that will be generated for the State of Alabama and Houston County will be close to \$206,000,000 with this project activity. He stated from a property tax revenue standpoint, this project represents another Farley.

Mr. Parker called on Mr. Bob Hendrix, Executive Director, Dothan Area Convention and Visitors Bureau, to come forward. Mr. Hendrix reported this would totally transform the tourism market from a pass through market to a destination market. He pointed out there are currently 2,800 jobs in Houston County tied to tourism, and as pointed out by Mr. Parker there will be another 4,800 jobs by year 10 of this project. Mr. Hendrix stated this project will bring all types of economic development to the area. He pointed out over half of Atlanta travels through our area on the way to the beach, and there are more people in metro Atlanta than in the entire State of Alabama. Mr. Hendrix reported this project will be wonderful for Houston County and it has the tourism industry's total support.

Mr. Parker then gave some highlights contained in the Development Agreement. He stated with a development project of this type, the commission wanted to ensure they have a quality project, and they get the best project they can because they know it is a destination. He stated the Project Agreement that was set forth on this project ensures that this is a high quality project and they have high players involved that know the industry. Mr. Parker stated he felt all the bases on this project had been covered. He reported with all the stipulations they have in their project agreement that he can not think of a project agreement more specific and more exhaustive in covering the things the county wants to get with a high quality project than the project agreement that is before the commission.

Chairman Culver thanked Mr. Parker. He stated he thought everyone could see why they are excited about this project because it would change the face of the community from a tourism perspective. The chairman reported all the shots they saw in the power point presentation are being done by Apogee Attractions, Inc. who have done design, market feasibility studies, and designed numerous prestigious projects including Epcot Center, Disneyland Resort, Universal Studios, and many others. Mr. Culver reported this project will bring national recognition, diversified employment, and a significant financial impact to our county and more importantly to our citizens. He stated the developer, the chamber, and both legal teams have spent untold hours working on the details of this project to assure its quality and success. The chairman reported once they made sure all the aspects of the project were legal, their main concern with a project of this impact that would be tied to Houston County forever at a national level was assured to be a high quality project. Chairman Culver stated to that end, they have asked the developer to provide a phasing schedule for the project and he has done that. He reported they have established pre-conditions to the operations of the charitable bingo that will be at the site including:

Notwithstanding anything in this agreement that could be construed to the contrary of Houston County and Gilley Properties agree that any permit for the operation of charitable bingo is a part of the project in Houston County shall at a minimum require the following pre-conditions: Seven out of the ten phase one elements shall be completed and operational as a condition precedent as to the conduct of any charitable bingo. A branded franchised hotel shall either be constructed or substantially completed as a condition precedent, one member of the board of directors for the charity for purpose of the special permit shall have been appointed by the Houston County Commission.

The chairman stated the commission did not want a metal building and a fast food restaurant with a low end motel out in the middle of the field having a negative impact on Houston County. He reported they have worked through the process and have been assured by these guarantee that is not the case. He reported the project will have to be completely operational before any of the other takes place.

Chairman Culver reported three layers of protection for Houston County and its citizens have been established. He stated the agreement, the permit to operate charitable bingo, and a cooperative improvement district that will be established at a future commission meeting. He reported they also wanted to make sure that the Nashville connections that will make this project the next Branson, Missouri or better is in place. The chairman stated Mr. Gilley worked extremely hard to get written commitments from Nashville starts including Mr. Jones. The chairman then thanked both Mr. Gilley and Mr. Jones. Chairman Culver stated having in writing that Mr. James Stroud, Tracy Lawrence, Lorrie Morgan, John Anderson, Darryl Worley, and others who will be announced later are committed to support, promote, and invest in this project gives the county another level of quality assurance. He reported this project will have a tremendous impact on the private and public sectors of our area. The chairman stated revenues the county will receive will allow the county to continue to provide services to the citizens without having to even think about tax increases. He reported by expanding the tax base government revenue is increased without expanding the tax rate. The chairman stated in addition, both school systems revenues will grow as sales and property taxes paid to the county goes up significantly. Mr. Culver reported above and beyond tax and private sector revenue the economic impact includes the charity revenue that will be generated. He pointed out it is expected to exceed \$1 million a year, and grow from there. Chairman Culver reported the commission will have an appointment on the charity board that will be established to disburse those charity proceeds. He stated the proceeds will be used to fund educational initiatives in both systems, senior programs such as the senior resource center, medical needs in the community and many other charitable organizations that struggle each year to raise enough funds to meet the needs of the county citizenry. Chairman Culver stated more important than the revenue, is the opportunity the project may offer for the citizens of the Wiregrass – the opportunity to work and make a living in the entertainment industry; an opportunity that currently does not exist in our area. Chairman Culver stated he has often said that one of the most important jobs of the commission, if not the most important job, is to offer quality jobs for the citizens of Houston County. He reported this project does this in a big way. He stated the project is a \$250,000,000 to \$300,000,00 investment over 10 years, over 3,000 direct jobs with thousands more indirect, a place on the national tourism map with the ability to bring Nashville to Houston County, and an influx of charitable funds to be used to better our community. The chairman stated he hoped after the vote we could welcome Country Crossings to Houston County. Chairman Culver asked for any questions from the commission, and there were none. He stated there were two people who signed up to speak on this item.

At that time, he asked Mr. Tom Ziegenfelder to come forward.

Mr. Ziegenfelder stated he thought this project was absolutely wonderful. He stated he also saw it as a great development that would really benefit public

schools in both the county and the city, and he thought it was a great opportunity. Mr. Ziegenfelder stated he appreciated all of the hard work that went into the project.

Chairman Culver stated he appreciated Mr. Ziegenfelder's work on the Education Foundation. He pointed out there were several members of the group in attendance who will benefit from this project significantly.

Ms. Barbara Alford

Ms. Alford stated she was Chairperson of Dothan by Design but she was not at the meeting in that capacity. She reported she had been listening excitedly as a citizen, a small business owner in town, and as a mother in Houston County and the City of Dothan. Ms. Alford reported she was from Brooklyn, N.Y., and when she was a small girl her family went to Nashville to the Grand Ole Opry. She pointed out things have changed tremendously since she attended the Grand Ole Opry but country music is still very much the story of the American people. She stated she wanted to talk about the economic impact with the jobs this project will create, the spinoff opportunities, and the taxes that can come into our area, and the fact this will make us a destination location. Ms. Alford reported she was tired of driving around the circle and seeing cars from all across the United States passing through Houston County on their way to Florida. She stated she wanted them to come here first and then make the beaches their second choice.

Ms. Alford reported she had a personal interest because as a mom, her son did not live in this community and she stated she wished he did, and would come home more often and bring his friends with him to visit. Ms. Alford stated she wanted her son to come home because Houston County is a fun place to come.

Ms. Alford reported there are organizations in our community that cannot get sustainable dollars that need between \$20,000 - \$50,000 per year that they can depend upon on a regular basis such as senior citizens' centers, the Red Cross, rescue units, and education entities. She stated the prospects of taxes coming in with the Country Crossing project and the charitable bingo opportunities will give these organizations those kinds of dollars so they do not have to beg and go out and do fund raisers and coming to the commission for more funding.

Ms. Alford reported this project will be a big change for Houston County, and change is going to happen whether or not we want to sit here and pretend it is just going to go by us. She encouraged the commission to let this happen, develop it, work with it, and see what can happen for Houston County. Chairman Culver thanked Ms. Alford.

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

Chairman thanked the commission for their diligence for working on this project. He thanked Gary Sherrer, County Attorney, and stated he had worked diligently for the past 4 weeks in putting this project together and helping to protect the citizens of Houston County as the commission has moved forward. Chairman Culver thanked Matt Parker on this project and stated they still have some other work to do. The chairman thanked his wife, Tami, for putting up with him over the last month.

Chairman Culver reported last Friday morning the commission almost lost this project. He stated there are reasons that those in economic development ask for confidentiality. The chairman reported there are reasons that projects such as Country Crossing and the Sony's of the world cannot be discussed. He stated when someone starts speculating over the air waves about what things can happen the people that spend money and invest often do not like the controversy and can walk away. He reported that almost happened Friday morning to the project. Mr. Culver asked members of the media to think about being community partners at times and think about what impact their reports would have on our community. He asked Mr. Parker to have a meeting at the chamber with the media including management and talk about economic development and how imperative it is sometimes to have confidentiality and not have speculation. Chairman Culver stated he would have been and he hoped everyone would have been if the report on WDHN last week would have caused the commission to lose this project. He asked all of the media to be community partners and hold hands together and work together for the good of all of our community. The chairman stated everyone needed to move forward together and not in conflict together. He asked Mr. Parker to set up a meeting with the media for a discussion.

Chairman Culver recognized City Commissioners Paul Lee, John Craig, and Larry Matthews. He stated Mayor Pat Thomas was also in attendance as well as Mayor Lomax Smith of Cottonwood. He thanked them for taking time out of their busy schedules to attend.

7. Request to approve extension of low bid for hot asphalt plant mix with APAC for six months.

Commissioner Snellgrove made a motion to approve the request to approve the extension of the low bid for hot asphalt plant mix with APAC for six months. Commissioner Forrester seconded the motion and it carried unanimously. (Please see attached in Minute Book)

8. Request to approve agreement for High Risk Road (HRRR) Project between Houston County and Alabama Department of Transportation.

Commissioner Cook made a motion to approve the agreement for High Risk Road (HRRR) Project between Houston County and the Alabama Department of Transportation. Commissioner Snellgrove seconded the motion.

The chairman stated Mr. Tom Steely had signed up to comment on this item. He asked Mr. Steely to come forward. Mr. Steely stated he did not realize the magnitude of this meeting, and he did not choose to try to steal any thunder from this meeting talking about dump trucks. The chairman stated for those who do not know Mr. Steely is a regular at the commission meeting and they are always glad to have him. He pointed out he has not been to the meetings lately because of some illness in his family, the chairman stated they were glad to see him back. Chairman Culver called for the question; and the motion carried unanimously.

9. Request to retract authorization and contract to sell 6 dump trucks.

Commissioner Harvey made a motion to approve the request to retract authorization and contract to sell 6 dump trucks. Commissioner Snellgrove seconded the motion. Chairman Culver reported the market on dump trucks has softened a little and the county is going to hold them until the market hardens some. The chairman called for the question; and the motion carried unanimously.

Staff Reports:

a. Chief Administrative Officer

Mr. Dempsey reported funds had been deposited from the 2008 warrants into the local Regions Bank, and are expecting draw downs to begin in March. Mr. Dempsey also welcomed Ms. Amanda Adams as the new Staff Accountant as of last week.

b. County Engineer

Mr. Pool reported the lake at Chattahoochee State Park is now full of water, and he asked for the Commission's approval to open up fishing Saturday, March 1st. He stated he would like to make the following changes on the amount of fish caught:

At the present time, there is a limit of three bass, and he wanted to take the limit off, and the limit on bream is 10 per person and he wanted to change it to five.

Chairman Culver asked if there was any objection to opening the pond to fishing on Saturday, March 1st? There were no objections, and the chairman stated that it would be done.

Mr. Pool reported there was 8-12 inches of rain last week and there is damage in one to two places, and there were a lot of pipes with debris in them, but other than that he thought the road system held up well.

c. County Attorney – There was no report.

Adjourn.

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