

MINUTES OF THE HOUSTON COUNTY COMMISSION  
MARCH 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, declared a quorum was present, and welcomed everyone. The invocation was given by Pastor Larry Adams, New Freedom Church, Webb, Alabama. Commissioner Harvey 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.

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

Chairman Culver reported a notice had been received from the Department of Transportation regarding the closing of a portion of Highway #95 East to Boat Landing Road for the replacement of a railroad crossing. He pointed out this is in Gordon and will be closed until further notice.

Chairman Culver reported he and Mr. Sean Curtis had met with the Historic Commission on March 8<sup>th</sup>, regarding the fence that the commission had approved to put on the west side of Oates across the street from the Courthouse to prevent jaywalking. He stated someone was injured there a couple of weeks ago. The chairman reported the Historic Commission would like to see the commission put up brick columns. He stated Mr. Curtis showed them pictures of the two foot strip of grass the commission is working with and showed them the county could not put up brick columns. Chairman Culver reported they agreed to the fence, and they expressed it would be better for the fence to be five foot instead of four foot to deter anyone from trying to climb over it. He pointed out Mr. Curtis is going to determine the difference in cost between the four and five foot fence. The chairman reported if it is in budget and reasonable, then the commission might go ahead and do the five foot fence. He stated the commission did get approval.

#### Awards and Presentations

1. Envision Update – Dr. Thomas Harrison, Executive Director, Dothan Area Chamber of Commerce

Chairman Culver asked Dr. Thomas Harrison and Mr. Charles Coggins to come forward. Dr. Harrison thanked the commission for their involvement in the Envision Program to bring about meaningful change in our community. Dr. Harrison reported there are things happening in our community, and he briefed the commission. Mr. Coggins then spoke about his work with the Regionalism Task Force. Chairman Culver thanked the gentlemen for their report. (Please see attached Envision 2<sup>nd</sup> Quarter Report in Minute Book)

## 2. Annual Report for Road and Bridge Department.

Mr. Pool reported this is a 7 year report and runs from January 1<sup>st</sup> to January 1<sup>st</sup>. He then gave the report. Chairman Culver reported in 2000, there were 86 projects in the municipalities. He pointed out since then the commission has targeted supporting the small towns within the county and there were 154 projects in the small towns this year. Chairman Culver stated he thought the commission's commitment to assisting the small towns and working with them continues and is important to the county as well as the small towns. The chairman stated the other thing he hoped they would reverse in the next year or so per the long range plan is the miles of resurfacing. He stated it was down some this year due to the cost of asphalt doubling. The chairman stated when you budget by dollars and not by miles and the asphalt goes up then certainly the miles go down. Chairman Culver reported they had talked about doing a project next year. He pointed out the county has the best roads in the state but if they are not taken care of then they will not remain that way. The chairman stated the miles of dirt roads paved is pretty much in line with where it has been. Chairman Culver commended Mr. Pool on a good report.

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

Mr. Pool asked Mr. Jerry Ingram to come forward and presented him with the "Employee of the Month" certificate. He reported Mr. Ingram started work with Houston County in 1980 as an Operator III, and he is currently a Foreman and does a really good job. Mr. Pool reported he also had perfect attendance for the past 2 years. Chairman Culver congratulated Mr. Ingram on behalf of the commission. Mr. Ingram thanked the commission.

## Consent Agenda

1. Appointment to the Houston County Water Authority.
2. Re-appointments to the SE Alabama Solid Waste Disposal Authority.
3. Re-appointment to Wiregrass Mental Health Board, Inc./Spectra Care - Dr. Stephen Chastain.
4. Request to award bid on vehicle for Information Technology – Mail Vehicle.

5. Request to award bid on vehicles for Sheriff's Department.
6. Request to award bid on portable radios for Sheriff's Department.
7. Request to take bids on one garbage truck for next year's budget.

Commissioner Cook made a motion to approve the consent agenda to include appointing Mr. Jim Hill to the Houston County Water Authority; re-appoint Mr. Tom Parks, Mr. Jimmy Kilgore, and Mr. Mark Pool to the SE Alabama Solid Waste Disposal Authority; re-appoint Dr. Stephen Chastain to the Wiregrass Mental Health Board, Inc./SpectraCare; award bid for mail vehicle to Solomon Motor Company, low bidder meetings specs, in the amount of \$14,991.00; award bid for vehicles for the Sheriff's Department to Bondy's Ford using the local 3% rule, low bidder meeting specs, in the amount of \$20,729.99 for each; award bid for portable radios for Sheriff's Department to CES/Team One Communications, low bidder meeting specs, in the amount of \$455.50 each; and to take bids on one garbage truck for next year's budget. Commissioner Forrester seconded; and the motion carried unanimously. (Please see attached Bid Summary Sheets in Minute Book)

#### Regular Agenda

1. Request to adopt Resolution for JLUS Program, and appoint Chairman Mark Culver and Isaac Mitchell to the JLUS Policy Committee.

Commissioner Cook made a motion to approve the request to adopt the Resolution for the JLUS Program and to appoint Chairman Mark Culver and Mr. Isaac Mitchell to the JLUS Policy Committee. Commissioner Snellgrove seconded the motion. Mrs. Emily Waters, SE Alabama Regional Planning and Development Commission, reported the JLUS Program will be looking at encroachment issues at Fort Rucker. She pointed out they wanted to look at ways to work together and have better communication. Mrs. Waters reported there are two stage fields in Houston County and training is also done at the Dothan Airport. Chairman Culver reported the JLUS Program is being done by other bases across the nation in an attempt to head-off any issues in the future or with BRAC's of the future. He stated this will keep people from building subdivisions at the end of runways and having those people call in and complain about the aircraft overhead. The chairman reported as mentioned in the administrative meeting, for the county to have any impact out in Wicksburg on the two stagefields, there will probably need to be some confined enabling legislation passed and they will be working with the group on that. Chairman Culver stated when this Policy Committee meets he will advise Commissioner Forrester since both of the stagefields are in his district, so that he can attend also. Commissioner Snellgrove reported it was mentioned at the Administrative meeting that the county's cost would be approximately \$1,000.00. He pointed out the county is involved with several entities and \$1,000 would be the matching

cost. Chairman Culver stated the entire cost of the project is not to exceed \$150,000 and 90% is covered by the federal government. He reported the regional would cover the 10% match and would not exceed \$1,000.00. The chairman called for the question; and the motion carried unanimously. (Please see in Resolution Book)

2. Request to change the official name of Animal Control to Rabies Control.

Commissioner Harvey made a motion to approve the request to change the official name of Animal Control to Rabies Control. Commissioner Snellgrove seconded the motion. The chairman reported the county is getting ready to put decals on all county vehicles with the new county logo. He stated in what has been Animal Control the county wanted to be sure not to send the wrong message to the public. He also stated that the commission wants the public to know that the rabies control program is being run in the identical manner it was run under by the Health Department. Chairman Culver reported the county responds to calls of rabies control, potential rabies, strays, etc. He stated they do not patrol the county looking for dogs. Chairman Culver reported the county does not have a leash law and they do not have a 20 person staff in order to do that. He stated he thought Rabies Control is a more appropriate name and it will be listed in all of the documents, budget, and particularly on the side of the vehicles as the proper name. Chairman Culver called for the motion; and it carried unanimously.

3. Request to adopt Disaster Distribution Plan.

Commissioner Snellgrove made a motion to approve the request to adopt the Disaster Distribution Plan. Commissioner Cook seconded the motion. Chairman Culver reported this was discussed at length at the Administrative meeting. He stated this is a part of the overall response plan. He pointed out this particular portion is aimed at having a procedure in place so that anyone would not have to think about it under stress, have a procedure in place to distribute needed items to the community. He reported it is a very comprehensive but simple plan to put in place. The chairman pointed out the state has these items ready to be distributed; they would bring them to the Farm Center and from there the county would distribute them out into the community.

Mr. Clark Matthews reported since Thursday they had received several questions. He then addressed some of the issues. Mr. Matthews pointed out everyone needed to realize this is labor intensive just to do the sites they have identified. He reported those sites are something they would like to do a worst case scenario, but Enterprise had an isolated event where it affected one end of the county. Mr. Matthews reported the distribution sites would be moved to that area to keep people from having to travel distances. He reported they partner with a lot of organizations that address the elderly, and they will contact those people to make sure no one would go without commodities needed in an event

like that. Chairman Culver reported the commissioners were contacted by some people in Wicksburg concerned about not having a distribution site out there. He pointed out Honeysuckle is the closest. Chairman Culver pointed out the distribution sites are not located in every community, and if something happened in Wicksburg then the county would go to them. The chairman stated he thought this plan was for a general purpose not a specific one. Mr. Matthews emphasized this is a plan and it can be changed or moved around as needed. Commissioner Forrester reported 84 West is one of the fastest growing areas of our county, and he wanted to be sure this plan is flexible enough to be changed to meet the needs of the areas as they grow and the population shifts. The chairman called for the question; and the motion carried unanimously.

4. Liquor License Request – Restaurant Retail Liquor License – Cleveland Carson Haddan, d/b/a 109 Bar & Grill, 4542 S. State Highway 109 (109 S. Graceville Cutoff) Houston County, Alabama.

Commissioner Cook made a motion to approve the restaurant retail liquor license for Cleveland Carson Haddan, d/b/a 109 Bar & Grill, 4542 S. State Highway 109 (109 S. Graceville Cutoff) Houston County, Alabama. Commissioner Forrester seconded; and the motion carried unanimously.

5. Request to approve budget amendment and authorize to pay invoice for elevator inspection by Alabama Department of Labor - \$1,300.00.

Commissioner Cook made a motion to approve the budget amendment and authorize to pay the invoice for the elevator inspection by the Alabama Department of Labor in the amount of \$1,300.00. Commissioner Harvey seconded the motion.

Chairman Culver reported each commissioner had been given a copy of the act and attached to it is a fee schedule that the act authorizes the department to set up. The chairman stated the commission's concern is the way it was handled. Commissioner Cook stated she really did not think the commission had a choice. He pointed out the commission has to abide by the law. Chairman Culver stated the commission wanted elevators to be safe throughout the state but it needs to be handled in a proper manner. Commissioner Snellgrove stated that he felt this bill needed amending, and if possible, the changes should be made during this session. He reported with the current wording, there is no timeframe as to when the elevator inspector can make the inspections. The chairman reported he had a question about the section that states "it shall be the responsibility of the owners of all new and existing conveyances located in any building or structures to have the conveyances inspected annually by a licensed elevator inspector." Chairman Culver questioned if they are talking about the state inspection or the annual maintenance that is done? He reported he did not know and was going to give the information to Attorney Sherrer to look into it. The chairman reported that is the only place in the bill he could find a timeframe as far as when the

inspections were to occur. Chairman Culver pointed out the permit is for one year. Commissioner Snellgrove asked if the county could not use the contractor to do the annual inspection? Mr. Roberts reported they do annual maintenance but this inspector is employed by the State Department of Labor, so the county does not have any say on who they hire. Commissioner Forrester asked if the county had to pay the inspector to check the inspector? Mr. Roberts stated you could say that. Chairman Culver reported it is similar to the USDA or the Health Department inspecting things and they now charge a fee. Mr. Roberts pointed out the county hires a maintenance company, and they are qualified to do inspections of our system as far as they are operational and safe but they do not necessarily meet the qualifications for the state inspection that is done. He reported the state law deals with a lot of things over and above the equipment the county does not have. Commissioner Cook asked how often the county's contractor inspects the elevators? Mr. Roberts reported they are in and out of the building checking on maintenance problems all the time. He stated once a year they do an overall inspection. Chairman Culver reported he was going to give Attorney Sherrer a copy of the act and ask him to make sure the county is abiding by what the law requires. He reported at the same time, he wanted Mr. Sherrer to give the commission something in writing about what it means and the state's obligations. The chairman called for the question; and the motion carried unanimously. (Please see attached budget amendment in Minute Book)

6. Request to approve management contract with Praeses Corporation.

Commissioner Harvey made a motion to approve the management contract with Praeses Corporation. Commissioner Snellgrove seconded the motion. Mr. Roberts reported the contract over the past two years has been good for the county. He pointed out additional revenue had been created and they have held accountable the company that provides the service to the reporting requirements on the functionality of the equipment. Chairman Culver reported these are the people who audit and collect funds on the phone system at the jail. He stated they charge the county a fee but they recovered much more than the fee. Mr. Roberts reported the county's revenues have increased by 50% in the last year. The chairman called for the question; and the motion carried unanimously.

7. Request to reject bids on fire alarm system and re-bid.

Commissioner Snellgrove made a motion to reject bids on the fire alarm system and re-bid. Commissioner Harvey seconded the motion. The chairman reported there were some issues in the specs and it was felt the best way to be fair to everyone was to reject the bids and re-bid. Chairman Culver called for the question; and the motion carried unanimously.

8. Request to approve one (1) credit card for county use.

Commissioner Harvey made a motion to approve one credit card for county use. Commissioner Cook seconded the motion. Commissioner Cook stated she thought when Mr. Pool first came on board, the county had some type of credit card. Mr. Pool reported in the Road and Bridge Department there were multiple credit cards for gas use. He stated the first day he came he collected them, cut up them up, and turned them back into Mr. Steve Hicks, former administrator. Mr. Pool pointed out over the past 12 years things have changed, and some companies will not sell them anything unless they have a credit card. He reported his department would probably buy one item a month, and would be able to save the county some money on certain items. Mr. Pool stated he would like for someone in the accounting department to have the card and someone from his department would call and give the numbers on what they want ordered. He stated the Road and Bridge Department did not want any cards. Mr. Pool reported Mr. Roberts' proposal to him was to send the money and hope they send the product back. The engineer stated he did not have any leverage with someone out of state. He pointed out if you order something with a credit card and the product is not received, then you can contact the credit card company and they will take care of it. Commissioner Snellgrove asked what department would have the credit card? Chairman Culver stated his personal opinion about the motion that is on the floor is that he would like to see it amended to include pending the commission adopting a policy on the credit card. He stated the policy would be submitted by the accounting department. The chairman stated the current motion is way too broad for him. He reported he would like to see a policy that the card could not be used for travel only with one person in charge of it, and it would not be checked out to anyone. He stated he felt the procedure should be as Mr. Pool had stated earlier, that the numbers be forwarded to the person in charge of the card, and then that person would order the item. He stated in his personal opinion, the motion needed to be limited much more than where the commission is and ask someone to adopt a policy or ask the commission to adopt the policy and come back within two weeks as part of this approval. Mr. Roberts stated the reward of having the card is certainly outweighed by the risk of the card being misused. He reported he knew a number of businesses as well as other governmental entities that have had problems with this, and the few times they have used the once a month deal, the potential savings of buying off the internet using a credit card are not enough to justify the risk of having the credit card. Commissioner Forrester asked if it has been established that the credit card is the only route you can go when buying off the internet? Mr. Pool stated there are just a few companies that they have contacted and that is the only way that they will do it on certain items. Commissioner Cook stated she agreed with the chairman there needed to be some restrictions in order to have checks and balances. She stated if Commissioner Harvey would amend his motion she would second it. Chairman Culver stated the commission has not been doing it right. He then reported the proper way to amend a motion is for someone to make a motion to amend the motion; and then you vote on that motion, and then you go back to the original motion. Commissioner Cook then made a motion to amend the motion pending

a policy is put in place. Commissioner Forrester seconded the motion. Commissioner Snellgrove asked if the commission did not want the policy in place before they vote to approve the credit card? Chairman Culver stated assuming the commission passes both motions currently on the floor that is what they will be doing. The chairman stated the motion on the floor is a motion to amend the original motion to add that the issuance of the credit card will be pending a policy being submitted by accounting and approved by the commission. He reported should that pass that will then be a part of the initial motion at which point the commission will vote on the initial motion. Commissioner Snellgrove stated in two weeks the commission will have a policy to vote on. The chairman asked if there was any further discussion on the motion to amend the original motion? There being none, the chairman called for the question; and the motion carried unanimously. Chairman Culver reported the commission was back on the original motion as amended, and he asked for any discussion? There being none, the chairman called for the question; and the original motion carried unanimously. Chairman Culver asked Mr. Roberts to adopt something for the next administrative meeting's agenda?

#### Reports from Staff:

##### a. County Administrator

Mr. Roberts reported the sales tax report had come in and there had been a 1.2% increase over the prior year's figures for January. He reported there had been a 2.1% year to date increase. Mr. Roberts reported it had slowed down.

##### b. County Engineer

Mr. Pool reported the commission needed to concur with the low bidder on the project on the two bridges the county has on Hopkins Road and Baxter Road. He stated the county has to send a check for the matching funds to the Department of Transportation, and it is due the same date of the next meeting. Chairman Culver asked if there were any objections to considering this item at this meeting? Hearing no objections, he asked if there was a motion? Commissioner Snellgrove made a motion to concur with the low bidder on the two bridges on Hopkins Road and Baxter Road. Commissioner Cook seconded; and the motion carried unanimously.

Mr. Pool reported a resurfacing project on Hodgesville Road and New Hope Road was let last year and after it was let, the contractor took a new policy to the Highway Department that allows them to delay construction for 90 days. He pointed out this is over and above the 45 days they have. Mr. Pool pointed out in that time period, the asphalt index went up and it cost the county \$68,000 in federal funds. The chairman asked who they could bill on the project? Mr. Pool stated they could send it to the Alabama Department of Transportation, and see what might happen.

Mr. Pool reported the Omussee Park project where they are going to resurface the road and re-build the parking lot has gotten bogged down with the Corps of Engineers. He stated they are going to bring an archeologist out there and the project may have to be put off until next year.

He reported March 13<sup>th</sup> will be their last day working in Enterprise. He pointed out they have let a contractor and he begins work on March 14<sup>th</sup>. Chairman Culver commended all of the people in Enterprise for trying to pull their lives back together, and all of the county employees for the work they have done to assist in Enterprise. He asked Mr. Pool to express the Commission's gratitude to the employees.

The chairman stated he had received some calls about the litter van working Highway #84 East sometime in the last two weeks. He reported no one came to pick up the bags and they were strewn. He asked Mr. Pool to check on it and be sure we pick it up. Mr. Pool reported the litter van had been hauling employees back and forth to Enterprise. Mr. Pool stated the garbage truck would have had to have skipped it.

c. County Attorney – there was none.

Mr. Matthews reported the first siren on the Phase 2 project will be put up March 13th at 10:00 A.M., at the water well on Hodgesville Road. He invited everyone to attend.

Adjourn.

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