

MINUTES OF HOUSTON COUNTY COMMISSION
APRIL 25, 2005

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. Rev. Myrice McNab, Pastor, Evangel Assembly of God Church, gave the invocation. Commissioner Snellgrove led in the Pledge of Allegiance.

Commissioner Harvey made a motion to approve the minutes of the last meeting. The motion was seconded by Commissioner Snellgrove, and it carried unanimously.

Announcements.

Chairman Culver extended sympathy to the family of Lt. Gary Lindsey, who passed away on Friday, and requested everyone to keep his family in their thoughts and prayers. He reported Lt. Lindsey was a Sheriff's Deputy, and was in charge of Courthouse security and did an outstanding job. The chairman reported the funeral will be April 26th, at 2:00 P.M. at Byrd Funeral Home. He stated that visitation would be April 25th, and he urged everyone who could to share their support with the family.

The chairman also extended thoughts and prayers to the family of Jeff Baker who was buried over the weekend. He pointed out Mr. Baker was the county's Personnel Director for several years, and he lost a fight with cancer.

Chairman Culver thanked everyone who participated in Spirit of Service Day on Saturday. He stated he felt all things went well and he saw good crowds everywhere as he went around to several of the projects. He thanked Mayor Bryan Alloway of Ashford, and City Commissioner Pat Thomas for providing leadership to this year's Spirit of Service and particularly to Ms. Linda Kelley at the Dothan Area Chamber of Commerce without whom Spirit of Service would never come together. He reported he appreciated the thousands of volunteers who showed that they take pride in their community.

He reported Walk America would be on Saturday, April 30th. He encouraged everyone to contact the March of Dimes and be supportive in their effort to fight birth defects.

The chairman reported he had given each commissioner a copy of an Attorney General's Opinion he had received recently as it deals with subdivision regulations. He stated several months ago, the county had a discussion with the City of Dothan regarding who was supposed to enforce the subdivision regulations and in what areas. The chairman pointed out the essence of the Attorney General's Opinion was that in fact that the Dothan City Commission was the only entity that can approve variations to the state mandated five mile subdivision regulations enforcement area. He reported that based on the Attorney General's Opinion, the county's continuing policy will be that any ongoing subdivisions that are submitted for approval within five miles of the city limits of Dothan will need to go through the City of Dothan. Chairman Culver reported that he would be sending the City of Dothan a follow-up letter and asking them to once again consider allowing the enforcement up to the city limits in an effort to get that issue back on the burner. He reported that the city had said they were going to have discussions in order to develop a major plan. Mr. Pool reported it has to go through both the city and the county. Chairman Culver reported Mr. Pool has to sign the subdivision regulations. He stated that the

county questioned who could give a variance on the five miles. He reported there was some discussion with the Planning Commission and this opinion states that the City Commission is the one that has to do it.

ITEM #1. Proclamation – Small Business Week” – Ms. Rona Miller.

Chairman Culver asked Ms. Rona Miller and her committee to come forward. He reported “Small Business Week” is important because it gives the county an opportunity to recognize the lifeblood of our community, the small businesses that get out and employ people and roll revenues in our county. Commissioner Cook made a motion to approve the Proclamation for “Small Business Week.” Commissioner Forrester seconded; and the motion carried unanimously. The chairman then read the Proclamation and presented it to Ms. Miller. Ms. Miller thanked Chairman Culver for the proclamation. She introduced Mrs. Debbie Pilcher, Pilcher’s Ambulance Service, and Mr. Stacy Brackin, Sign-Pro, both members of the Membership Events Committee. Ms. Miller recognized Mr. Matt Parker, President and CEO, Chamber of Commerce, Mrs. Valerie Barnes, Executive Director, Ms. Caroline Shippey, Membership Director, and Ms. M’Lea McKean, administrative assistant. Ms. Miller encouraged everyone to participate in “Small Business Week.” She covered the events for “Small Business Week.” Chairman Culver thanked everyone for attending.

ITEM #2. Request to adopt Joint Resolution regarding Commercial Development Policy.

Chairman Culver called on Mr. Matt Parker, Dothan Area Chamber of Commerce, who stated they had been looking at the trend nationwide with public- private partnerships for commercial related developments. He reported they have seen a lot of activity around the country and also in the state of Alabama. He pointed out there are a number of communities delving into that arena for commercial development projects that generate retail sales tax dollars. Mr. Parker reported they had researched and investigated how communities are implementing this program and they have discovered these communities have tailored them to their specific needs. He stated that when they worked on the policy for our community they did the same thing. Mr. Parker reported a threshold of \$50 million was set for public participation. He pointed out that seems to be a threshold that will allow them to do some pretty significant projects in the area, and send a signal to some of the big development organizations across the country that Dothan-Houston County wants to try to make some things happen. He reported it is based off sales tax generated projects and new revenue growth. Mr. Parker reported that passing this Resolution sets up a new threshold to pursue developing these type projects. He pointed out before they do anything from a public stand point, they want to make sure there is an economic return for any participation they put in there. He also stated they want to make sure that thresholds are established along with accountability standards on any public dollars that are put into a project to insure that they do get that return. Mr. Parker stated that he thought it could create some good opportunities out there. Chairman Culver reported this policy authorizes the county to jointly work with the city and the chamber on projects, but it does not keep the county from doing the projects they have been doing. He stated that it was reported at the administrative meeting that the county has already some small type projects with our towns. He pointed out the commission is committed and dedicated in helping grow our rural economy outside of Dothan. He reported the county has worked with Columbia on a project and is currently with Ashford on a project. He stated that he thought there would be one coming from Taylor in the near future that is commercial related. Chairman Culver commended the commission for being out in front of the curve and realizing how important these type projects are. Commissioner Cook made a motion to adopt the Resolution regarding the commercial development policy. Commissioner Forrester seconded; and the motion carried unanimously. (Please see in Resolution Book)

ITEM #3. Request to approve and publish semi-annual financial statement.

Mr. Roberts reported twice a year the county has to post the financial statement in the paper. He stated that this is an interim statement that does not call for a full reconciliation but is required by law. Commissioner Cook made a motion to approve and publish the semi-annual financial statement. Commissioner Snellgrove seconded; and the motion carried unanimously.

ITEM #4. Request to increase compensation for state retirees employed by the County.

Chairman Culver reported this would impact two individuals that work with the county, and they are both in a supervisory capacity and both are retired from the State. He pointed out the maximum allowable salary was \$18,000 per year and that has been changed to \$19,000. Chairman Culver reported there are some parameters in the future that this does not have to be approved every year. He asked Mr. Roberts for any comments. Mr. Roberts reported that according to the Employees' Retirement System Postretirement Employment Options, compensation during the 2005 calendar year cannot exceed \$19,000. The earnings limit in calendar year 2005 and each calendar year thereafter shall be increased by the same percentage increase in the Consumer Price Index. He stated that they will automatically get the equivalent to a cost of living raise until such time that the law might be changed to increase the compensation again. Chairman Culver reported the Retirement System has taken this out of an annual evaluation they are having to do and tied it to a consumer price index. He stated this is the last time this will have to be done and then it would be taken care of by the state. Commissioner Snellgrove made a motion to approve the request to increase compensation for state retirees employed by the county. Commissioner Harvey seconded; and the motion carried unanimously.

ITEM #5. Request from Farm Center – approve budget amendment for equipment in the amount of \$3,506.00.

Chairman Culver reported this request has been amended by Mr. Segó. He pointed out Mr. Segó is doing some checking on the lawnmower request and wants that taken off. The chairman stated the county is only looking at a sprayer in the amount of \$700.00. Commissioner Snellgrove made a motion to approve the request from the Farm Center for the proper budget amendment for a sprayer not to exceed \$700.00. Commissioner Cook seconded; and the motion carried unanimously. (Please see attached budget amendment in Minute Book)

ITEM #6. Request to increase entrance fees to Chattahoochee State Park.

Chairman Culver reported that Commissioner Cook had asked that this be placed on the agenda. Commissioner Cook reported that it had been brought to her attention that the commission had not addressed anything for the elderly who would probably frequent the park. Commissioner Cook made a motion that age 65 and older be allowed in the park for one-half price effective immediately. Chairman Culver stated that would be \$1.00 and it is the same rate for those 12 and under. Commissioner Harvey seconded the motion. Commissioner Snellgrove reported there was discussion on Thursday about group rates for buses. Chairman Culver stated at this point, he felt the \$1.00 or \$2.00 charge is relatively inexpensive. He stated if there are large groups and the commission sees it is going to come up then they might want to establish a policy. Chairman Culver stated he understood they had another good weekend at the park. He reported they were going to try to keep Omussee Park and the Chattahoochee Park before the public and encourage them to use them. The chairman called for the question; and the motion carried unanimously.

ITEM #7. Request to approve budget amendment for additional 2004-2005 resurfacing.

Chairman Culver reported they talked about this at the previous meeting and again on Thursday. He stated everyone knows the price of fuel and what continues to transpire. He reported the asphalt used in paving the roads is a petroleum based product and the commission envisions in June when the bid runs out there will be a pretty significant increase. He pointed out there is no way to know what that increase will be because no distributor can tell you what their price will be in June. Chairman Culver reported the county currently has a good price and they are considering moving resurfacing that would be done in next year's budget to this budget in order to do it at the low price rather than having to do it at a future higher price. He stated they hope to be able to do more miles for less dollars or either save money on this project if they chose to do these same miles. Chairman Culver asked Mr. Pool how many miles these total? It was reported it was 8.89 miles at an estimated price of \$594,925.00 with almost 11,000 tons of asphalt. The chairman reported all of the roads are based on need. He pointed out the county does not do resurfacing based on commission districts, but looks at the whole county and bases it on need.

Mr. Jimmy Kennedy, requested that the engineer buy the best asphalt that can be bought because he did not feel the roads they are currently repaving are being done very well. He stated the asphalt is not up to what it should be.

Commissioner Snellgrove made a motion to approve a budget amendment for additional 2004-05 resurfacing on the following roads:

Gene Terry Road	0.72 miles	\$ 34,398.00
County Road #55	2.65 miles	134,400.00
Hickory Grove Road	1.71 miles	79,200.00
Bazemore Mill Road	3.81 miles	241,393.00

Commissioner Forrester seconded; and the motion carried unanimously.

ITEM #8. Request to establish driveway policy.

Chairman Culver reported the county used to have a policy that when a road was being paved they would pave the turnout on driveways on the right of way. He pointed out the state discontinued that policy on projects they provide federal funding on. The chairman stated rather than being faced with doing some of the roads with driveway turnouts and some without it, the road and bridge policy became that the county does not do any turnouts. Chairman Culver reported there has been discussion about the county going back to doing that. He stated that he had contacted one of the legislators and an individual in Montgomery and they are going to try to find out why the state paves turnouts on state roads that they handle but they will not allow our county to do ours. The chairman reported they hope to get the policy amended at the state so that the county will be equal in our policy. He stated that the issue becomes whether or not the county wants to do some roads with the turnouts and some without. The chairman reported they did look at some other counties and the list of counties that our county was given no one does turnouts. Chairman Culver reported that if the county can do it and the state will do it on a consistent basis and it would be the county's consistent policy, he felt it would be a good service. Mr. Pool reported this is strictly on resurfacing of paved roads. He stated that he would like to hear the explanation from the Highway Department because they do not allow our county to use federal funds to do this as they used to, but they still use their funds to pave driveways. Mr. Pool reported he had a problem with how some people were going to get their driveway paved and other people are not. He stated on most common roads you are not, and on the least traveled roads you are. Mr. Pool pointed out when the county is using its own funds on paving dirt roads, they pave the driveways. He reported other counties our size do not. Chairman Culver wanted everyone to understand they were talking about the driveway turnout on the right of way. Mr. Pool stated that he had done a study on the roads the county voted on in Item #7 and it would cost approximately \$167.00 per driveway and that does not include the equipment, just the asphalt for a total

of \$7,555.00 on the four roads. Commissioner Snellgrove stated that the reason he brought this up Thursday was because it costs the county about half as much to do a driveway when it is asphalted. He reported it would be more costly if the county goes back several times over a 10-20 year period to fix a particular driveway. Mr. Snellgrove stated the county cannot do every driveway in Houston County at one time, but if they are done at the time of resurfacing, and as roads are paved he thought it would save a lot of money in the long run.

Mr. Jimmy Kennedy reported that the county crews spent over a day to make two driveways at 2881 Eddins Road. He stated he was under the impression as long as there is a pipe regardless of the length, the county will cover it to make a driveway. Chairman Culver reported the county will do a driveway but the maximum is 60 feet. Mr. Kennedy asked what materials are used to put in a driveway? Chairman Culver reported the county's policy on building new driveways is that the landowner or whoever needs the driveway will buy the pipe after the county has sized it for them. He stated after the pipe has been purchased by the homeowner or whoever needs the driveway, then the county will go down and install it. Mr. Kennedy asked how long it takes the county to install the pipe? He stated that he had seen them take a whole day to do it. Mr. Kennedy reported that he had seen the crews put a little gravel on the driveway and spend a lot of money on it when all they had to do was just pave the driveway.

Chairman Culver suggested that the commission give this a little time to see if the county hears back from the legislator who is checking on the state issue. He stated if somehow the county could get the state to agree to go back to the old policy, and establish this as a county wide policy he thought it would be very well received by the public. The chairman pointed out it costs the county some money but felt like it is a good service. Chairman Culver reported his concern is not doing it across the board and treating everyone the same. Chairman Culver asked Mr. Pool when the crews would start on the four roads that were just approved? Mr. Pool stated it would be soon because they had to be done by June 22nd. The chairman asked if they would begin before the next commission meeting? Mr. Pool stated probably not. Chairman Culver asked if this could be delayed until the next admin meeting in order to give the legislator time to get an answer from the highway department? Commissioner Snellgrove stated he thought a better job would be done if the driveway is done at the time of resurfacing. He asked if the state's answer is going to determine what the county is going to do with its money? Commissioner Snellgrove stated he did not want to leave it out at \$167.00 per driveway because he felt the county would spend 5 or 6 times that amount per driveway over a 20 year period. Chairman Culver reported that if the state would agree to allow the county to pave turnouts on state projects, then he would be favorable of a county wide policy stating that the county did turnouts because that way they could all be done. He pointed out currently it is just on the projects the county has the funding for. Mr. Pool stated another factor is if the contractor is having to do the driveways it will reflect in the asphalt price. He stated that he did not know how much but the contractor does take that factor in. Mr. Pool reported it will take the contractor a day or two to do driveways if there are a lot of them because they have to come back and do the turnouts. Commissioner Forrester made a motion to table the driveway policy until the next administrative meeting. Commissioner Snellgrove seconded; and the motion carried unanimously.

ITEM #9. Request to add to dirt road paving list in District 2.

Commissioner Snellgrove made a motion to add Greenhouse Road, Walter Road, Drinkwater Road and Fred Miller Road to the dirt road paving list in District 2. Commissioner Cook seconded; and the motion carried unanimously.

ITEM #10. Request to award bid on Radio System for Sheriff's Department Homeland Security Grant.

Commissioner Snellgrove made a motion to award the bid on the radio system for the Sheriff's Department Homeland Security Grant to Ward Bell Communications, low bidder meeting specs, in the amount of \$55,968.85. Commissioner Cook seconded; and the motion carried unanimously. (Please see attached Bid Summary Sheet in Minute Book)

ITEM #11. Request to approve reclassification – abolish one Equipment Operator III position and create one Equipment Operator II Position. (\$2,184 per year savings including benefits)

Commissioner Harvey made a motion to approve the request to abolish one Equipment Operator III position and create one Equipment Operator II position for a savings of \$2,184 per year including benefits. Commissioner Snellgrove seconded; and the motion carried unanimously.

ITEM #12. Request to approve construction of new bridge on Prevatt Road using Garvey and federal funds.

Commissioner Snellgrove made a motion to grant the request to approve construction of a new bridge on Prevatt Road using Garvey and federal funds. Commissioner Harvey seconded; and the motion carried unanimously.

ITEM #13. Request to award bid for seed.

Commissioner Cook made a motion to award the bid for seed to GroSouth, low bidder meeting specs, in the amount of \$17.50 for 50 lb. bag of Gulf Annual Rye Seed, \$77.50 for 50 lb. bag of Bermuda Grass, Unhulled, \$105.00 for 50 lb. bag of Bermuda Grass, Hulled, and \$21.00 for 50 lb. bag of Brown Top Millet. Commissioner Harvey seconded; and the motion carried unanimously. (Please see attached Bid Summary Sheet in Minute Book)

ITEM #14. Request to award bids for sign making materials.

Commissioner Cook made a motion to award the bids for sign making materials to the low bidders meeting specs in each category. Commissioner Harvey seconded; and the motion carried unanimously. (Please see attached Bid Summary Sheet in Minute Book)

ITEM #15. Administrator's Report.

Mr. Roberts deferred to Chairman Culver. The chairman reported the item concerned the Choctawhatchee, Yellow and Pea River Watershed Authority. He stated that everyone had a copy of a letter they received asking for all of the partners involved in the reservoir discussion to get on board with the request to the federal government to pursue this project. He reported this was not on the administrative meeting agenda because the commission is meeting with the Houston County Water Authority this week and it was going to be discussed at that meeting. He pointed out since that time, he had found out the water authority had already approved and signed on to the project. Chairman Culver reported the Choctawhatchee, Yellow and Pea River Watershed Authority is not asking for any funding; they are simply asking the commission to be supportive of the position in pursuing this project at the federal level.

Mrs. Barbara Gibson, Executive Director, Choctawhatchee, Yellow and Pea River Watershed Authority, stated that the commissioners had probably read that the Corps of Engineers had completed a study looking at all the different alternatives to address the water shortage problems. She reported that the conclusion was that the only dependable long range source would be a service water reservoir. Ms. Gibson pointed out that they did a preliminary design that would be 1,464 acres located on the Little Choctawhatchee River in southern Dale and part of Houston Counties. She reported the partners came together

and discussed the possibility of federal authorization for the project. Ms. Gibson reported a project of this magnitude is beyond the means of local government or state government. She pointed out Congress is considering the 2006 Water Resources Development Act. Ms. Gibson reported the bill only comes up once every two years and if they miss this opportunity, it will be 2008 before they can try again. She reported that if the language is inserted into that bill to authorize this as a federal project, then it can be done on a 75-25 cost share basis. Ms. Gibson reported the reservoir partners who are already supporting the project are City of Ozark, City of Enterprise, City of Daleville, Ozark Utilities Board, Dale County Commission, Coffee County Commission, Geneva County Commission, Dale County Water Authority, Coffee County Water Authority, and Houston County Water Authority. Chairman Culver stated that everyone is on board except the Houston County Commission and the City of Dothan and they are going to vote at their meeting on April 26th. Chairman Culver reported the letter had a deadline of May 1st but he thought the commission would want to discuss it with the water authority. He reported that he asked Ms. Gibson to be present since he found out the water authority has already approved the resolution. Commissioner Snellgrove asked Ms. Gibson when she thought the project would be completed? She stated if all goes well it would probably be five years. She pointed out the major hurdle is the federal authorization to get those funds into the project. Ms. Gibson reported they had been addressing the problem since 1997, and this type of project takes a long time. The chairman commended Ms. Gibson and her organization for continuing to address the situation. He stated if this is approved at the federal level, and if the local partners deem not to come up with the 25%, then they can always drop back and not do it. Commissioner Snellgrove made a motion to adopt the Resolution to support the effort to seek Federal authorization of the project in the 2006 Water Resources Development Act. Commissioner Harvey seconded; and the motion carried unanimously. (Please see attached in Resolution Book)

Chairman Culver recognized Mr. Tim Pitchford, Superintendent of Education, and stated he was welcome to attend anytime.

ITEM #16. Engineer's Report.

Mr. Pool presented a map of the resurfacing projects.

Mr. Pool reported the contractor is working on Murphy Mill Road and will also make it to Bethlehem Road today. He reported according to the weather, they should start on the plant mix on April 28th and 29th. Mr. Pool reported sometime next week they would start on Brannon Stand Road and Highway #203. He stated they will try to keep everyone posted. Chairman Culver thanked Myer Holloway and Justin Barfield for taking care of notifying Providence Christian School and the public. He reported the county needs to try to get a couple days notice from the contractor in order to get Mr. Holloway to coordinate with Highlands Elementary so they can notify the parents when they start on Brannon Stand, and also Rehobeth's principal when they start on 203. Mr. Pool reported the state mandates when the contractor can start on a project.

Mr. Pool reported the county is still in desperate need of red base dirt if anyone has any out in the county. He stated they would be interested in buying it or the property. Chairman Culver reported several people have come forward but after testing the dirt, it has not been the right kind. He thanked those who have contacted the county.

He reported the Chattahoochee State Park had another good weekend with a good crowd, and a lot of people out camping. Mr. Pool stated that he had a suggestion box at the park and has not received any negative comments.

Mr. Pool pointed out that the people who are trying to sell lots need to check with his office on subdivision regulations. He reported there are several people who

have violated the regulations. Mr. Pool stated that they have tried to talk to them but it seems as though they are going to have to start taking legal action.

ITEM #17. Adjourn.

Commissioner Snellgrove made a motion to adjourn. The motion was seconded and carried unanimously.