

MINUTES OF HOUSTON COUNTY COMMISSION  
AUGUST 13, 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 S. Culver called the 10:00 A.M. meeting to order, established that a quorum was present, and welcomed everyone. The invocation was given by Dr. Curtis Grant, Chaplain of the Sheriff's Department. Commissioner Cook led in the Pledge of Allegiance.

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

#### Announcements and Comments from Chairman and Commissioners

Chairman Culver reported there would be no Administrative meeting on August 23<sup>rd</sup> because the commission will be out of town. He stated the Commission meeting on August 27th will serve as both.

The chairman reported the commission wanted everyone to be aware of the heat situation. Chairman Culver encouraged everyone to pay attention to the heat and if they needed any help to contact one of the agencies that can assist them.

Chairman Culver reported he attended the Taylor Made Festival over the weekend and they had a good crowd. He stated Taylor always puts on a good show. He pointed out they have been doing this for a lot of years, and it is always successful.

Mr. Culver reported there is a pretty significant disturbance that is moving across the Atlantic. He asked everyone to stay aware of any developments that might impact our area.

#### Awards and Presentations

1. Presentation of Certificate of Appreciation.

Chairman Culver asked Judge Luke Cooley to come forward. Judge Cooley reported she had been asked to present this Certificate to Mrs. Donna Sue Robbins. She stated if anybody has had any experience with elections as elected officials, poll workers, or as voters the success they have had can be attributed to Mrs. Robbins. The judge reported they had been changing their

registration system to EENS, a statewide system. She stated Mrs. Robbins has been working directly with the company and has assisted not only Houston County but many other counties in trying to get their information to come on line. Judge Cooley reported the Certificate is actually from Governor Bob Riley who is a special Administrator to the Federal Courts in getting this system on board. At that time she presented Mrs. Robbins with the Certificate of Appreciation. Mrs. Robbins thanked Judge Cooley and stated she felt this was something that was needed and she was glad to be able to assist. Chairman Culver reported that Mrs. Robbins has done a great job, and he stated the commission appreciated all she does. Mrs. Robbins received a round of applause.

## 2. Presentation of Certificate of Recognition.

Chairman Culver asked Mr. Joey Pilcher, Dothan Ambulance Service, to come forward. Mr. Pilcher thanked the commission for the opportunity to present a Certificate of Recognition to Deputy Robert Reichert. He stated in May, 2007, Deputy Reichert was the first on the scene of an ambulance emergency, and upon arrival the Pilcher's crew witnessed him rushing out of the house with a 10 day old baby while performing CPR. Mr. Pilcher reported he believed this action goes way above and beyond the normal call of duty. He pointed out this is not the only ambulance call that Deputy Reichert has supported and delivered emergency service in the past, and he was honored to present the Certificate of Recognition to him. Mr. Pilcher reported they also salute the Department of the Army where Deputy Reichert was trained as an Army medic, and they thanked him for his actions and his support. Deputy Reichert received a round of applause. He thanked Pilcher's Ambulance Service for the tremendous job they do for the citizens of Houston County. He reported everyone who gets in this field chooses to help people and they enjoy doing that. Deputy Reichert stated that he believed the greatest good someone can do is to render aid to their neighbor when they need it the most. He stated he was appreciative to be able to do this job and he thanked everyone.

It was reported Deputy Reichert has been with the county for 7 years and this is not unusual for him because he enjoys helping out where help is needed. It was stated he has had 12 years in the military, and he is an asset to the Sheriff's Department.

Chairman Culver reported one of the times he rode with the Sheriff's Department he rode with Deputy Reichert, and he certainly is a professional. The chairman thanked Mr. Joey Pilcher for taking the opportunity to recognize one of the county employees and he congratulated Sheriff Hughes for having such capable employees.

Consent Agenda

1. Request to reject bids for jail van insert and re-bid.
2. Request to extend existing fuel supply contract on gasoline and diesel fuel for a period of 12 months with Inland Fuel.

Commissioner Forrester made a motion to approve the consent agenda to include rejecting bids for a jail van insert and re-bidding, and to extend existing fuel supply contract on gasoline and diesel fuel for a period of 12 months with Inland Fuel. Commissioner Cook seconded the motion. Commissioner Snellgrove reported there was a used insert that was presented on Thursday that was not in the bid. Mr. Roberts reported the bid asked for a price on an insert; it did not distinguish as to whether it was new or used. He stated they received bids for both new and used and they were not comparing apples to apples; therefore it needed to be re-bid. Commissioner Snellgrove asked if the commission was going to send out a new bid sheet for a new or used insert? Mr. Roberts reported it would be up to the Sheriff but he thought he would want a new one. Commissioner Snellgrove asked the Sheriff if it would be for a new one? The Sheriff stated yes. Commissioner Snellgrove stated there was a good gap between the price of a new one and a used one. He asked why the bids could not go out for a used insert and not just a particular one? Commissioner Snellgrove stated a used van was purchased to put it in. Sheriff Hughes reported the price difference on the used van and a new van was around \$16,000 and on the insert itself it was a difference of approximately \$918.00. He stated the used one has been out in the weather and with the \$918.00 difference there would be a warranty on it. Commissioner Snellgrove asked if the bid would include installation? The sheriff stated yes. Chairman Culver called for the question; and the motion carried unanimously.

#### Regular Agenda

1. Request for Sanitation rate increase.

Commissioner Cook made a motion to approve the request to increase the Sanitation rate to \$15.00 per month effective October 1, 2007. Commissioner Forrester seconded the motion.

Chairman Culver reported the commission began talking about this when they developed their long range plan and discussed it extensively at the public hearing. He stated three weeks ago, it was brought up and once again they wanted to make the public aware of it and delayed it for three weeks in order for the public to have the opportunity to gain access. The chairman pointed out a link was set up on the county's website in order for the citizens to express their views on this. Chairman Culver reported there were only seven responses on the website with one being positive and six people who did not think the county needed to do it for various reasons. He stated there were three phone calls and all of them did not think the county needed to do it. The chairman reported there

were ten responses, and there are 10,000 customers. He stated he felt Mr. Roberts did a good job of explaining why the increase is necessary. Chairman Culver reported most of the comments he received were for the commission to go ahead and do it rather than phasing it in.

Chairman Culver then addressed some of the issues.

1. One person stated that the cans are always thrown in ditches and up and down the road. He reported Mr. Pool was going to address that with his sanitation workers. They will try to put the cans back.
2. Chairman Culver stated there was a question about how many people are not paying. The Chairman reported the county is collecting 98% of the bills. He pointed out there are approximately 2,000 that are late every month but they work diligently to collect them. Chairman Culver reported the county will continue to make every effort to collect every dollar owed the county.
3. Chairman Culver stated there was one question about rates in other counties. He reported within Houston County rates go from over \$20.00 down to \$12.00. The chairman reported the increase to \$15.00 will put Houston County somewhere in the middle. He pointed out there are some counties that currently charge \$12.00 but they are considering going up because they are losing money. Chairman Culver reported in most of the other counties and with the collectors the trash pickup, house clearing debris and white goods, etc. are the homeowner's responsibility. He stated there is no ability for the collector to pick it up. The chairman reported Houston County picks up that kind of stuff free, and that is an additional service that is provided that other counties do not. He stated most of the limbs are the homeowner's responsibility, and if there is a charge the county feels if the debris and white goods are not picked up, the homeowner is going to take it and dump it somewhere in a creek, stream or gully. Chairman Culver reported there is a charge to pickup the limbs unless there is a storm and the limbs would be picked up free. He stated although Houston County's fee is going up higher than some of the other counties, the county provides more services.
4. Chairman Culver reported two people questioned the route. He stated they told him they see multiple vehicles coming by and going back and forth. Chairman Culver reported Mr. Pool is going to check into that. He stated he felt certain it might be someone who lives close to the landfills the county uses.
5. Chairman Culver reported the last concern was to not go up but to fund it out of the general fund. Mr. Culver reported that is what the county has been doing and as stated on many occasions the auditors have expressed this is an enterprise fund and it is supposed to stand on its own. He stated that no general fund monies are supposed to be used for an enterprise fund. He stated that is the reason the county is faced with this as well as the ongoing cost of fuel, labor,

and garbage trucks because of the mandated technology. Chairman Culver reported he hoped everyone understood why the county is increasing the fees, and he stated he hoped everyone felt they had an opportunity for input.

Mr. Len Bridges, resident of Hickory Grove Road, reported he spoke to the commission at the public hearing in December and he asked the commission not to go up on the garbage rates. He stated those on fixed incomes will have a hard time paying the \$15.00 charge. Mr. Bridges reported because of an increase in cost of living issues people who have re-located here are going to have to move elsewhere. He stated he has seen from one to four trucks on the road he lives on. Mr. Bridges reported he did not live near a landfill and he did not know what they were doing. He stated he felt there were some areas they could tighten up on to make this an efficient operation and he did not know if they could still stay at \$12.00 or not, but there is some leeway.

Chairman Culver called for the question; and the motion carried unanimously. Chairman Culver stated if any citizens want to pay a year in advance they could do so at the rate of \$12.00 prior to October 1<sup>st</sup> when the new rate of \$15.00 would go into effect. He pointed out when a customer pays for a year in advance, they pay for 11 months and get the 12<sup>th</sup> month free. Mr. Roberts reported the last time they did this a customer tried to pay for six years in advance. He stated the Sanitation Department is only equipped to pay for an additional year. Commissioner Snellgrove stated he had spoken with someone who is paid up until July and this would not affect him until July 2008. Mr. Roberts stated that was correct and he would be given the opportunity to pay an additional year. He reported no one would be charged a higher rate if they have already paid. Mr. Roberts stated whatever length of service they have paid out they will honor the old rate.

Commissioner Cook asked Mr. Roberts to go over the criteria for an exemption? Mr. Roberts reported there is an act that states if a person's sole source of income is from social security then they can apply for an exemption through the Health Department and they will investigate to determine if the person can be exempted from paying for garbage service. He reported sole source is only social security. Mr. Roberts stated if someone has interest being earned from savings accounts, or some type of retirement then they cannot be exempt. Commissioner Cook asked how many exemptions were in the county? Mr. Pool reported there were 738. Mr. Pool stated they receive free limb pick up also.

## 2. Request from Probate to approve Check Subscriber Agreement.

Commissioner Cook made a motion to grant the Probate Judge's request to approve the Check Subscriber Agreement. Commissioner Snellgrove seconded the motion. Judge Luke Cooley reported Ms. Sherri Stephenson, Personnel Director, has banking experience and steered her in the right direction since the administrative meeting. She stated the probate accounts are with Compass Bank

and they cannot do anything locally; they have to go to Birmingham like everyone else. Judge Cooley reported the person she needs to contact regarding the WalMart system can be handled through a bank rather than a separate company. She pointed out they have been unable to reach the contact person. Judge Cooley then asked the commission to consider tabling the item until she could get up with another bank or to see if it is possible or economically feasible rather than this system. She stated if the price is exorbitant, then they could come back and go with this system. Chairman Culver stated if the commission could wait two weeks to possibly end up with a better system then a substitute motion might need to be offered. Commissioner Cook then offered a substitute motion to table this matter for two weeks. Commissioner Snellgrove offered a second to the substitute motion. Chairman Culver called for the question on the substitute motion and it carried unanimously.

3. Request from Revenue Commissioner to approve budget revision for the re-appraisal budget as requested by the State of Alabama to reflect their part of aerial photography.

Commissioner Cook made a motion to approve the budget revision for the re-appraisal budget as requested by the State of Alabama to reflect their part of aerial photography. Commissioner Harvey seconded the motion. Chairman Culver stated this is to get the grant portion from the state that pays for part of the county's aerial photography, which has just been completed, into the proper amount in the budget. The chairman called for the question; and the motion carried unanimously.

4. Request from In-Home Service for budget amendment in the amount of \$600.00 to hire one part-time employee for the month of September.

Commissioner Snellgrove made a motion to approve the request from In-Home Service for a budget amendment in the amount of \$600.00 to hire one part-time employee for the month of September. Commissioner Harvey seconded the motion. The chairman called for the question; and the motion carried unanimously. (Please see attached budget amendment in Minute Book)

5. Request to authorize the chairman to enter into a lease agreement for one bulldozer and seven motorgraders, and to execute the necessary paperwork.

Commissioner Snellgrove made a motion to authorize the chairman to enter into a lease agreement for one bulldozer and seven motorgraders, and to execute the necessary paperwork and the resolution. Commissioner Harvey seconded the motion. Chairman Culver called for the question; and the motion carried unanimously.

6. Request from Sheriff to compensate deputies for canine care.

Commissioner Harvey made a motion to approve the request from the Sheriff to compensate deputies for canine care. Commissioner Cook seconded the motion. Commissioner Snellgrove asked about the cost? Mr. Roberts stated it was approximately \$4,000 for both. Chairman Culver stated there was a question in his mind when he first looked at it and Mr. Sherrer and Ms. Stephenson had both looked into it. He stated it appears to be the appropriate way to do it, and it is the way other cities and counties are doing it. The chairman stated Mr. Sherrer recommended that this was an appropriate request that the commission should approve. Chairman Culver called for the question; and the motion carried unanimously.

6. Request to add Jones Road to District 4 Dirt Road Paving List.

Commissioner Forrester made a motion to approve the request to add Jones Road to the District 4 Dirt Road Paving List. Commissioner Cook seconded the motion. Chairman Culver called for the question; and the motion carried unanimously.

7. Request to adopt Resolution to install guardrail and end anchors with state funds.

Commissioner Cook made a motion to approve the request to adopt the resolution to install guardrail and end anchors with state funds. Commissioner Harvey seconded the motion. Mr. Pool reported the state is letting the counties have some safety funds and this is a grant. The engineer pointed out the work will be done at six locations around the county. Chairman Culver called for the question; and the motion carried unanimously.

8. Request to approve agreement for resurfacing Headland Avenue.

Commissioner Harvey made a motion to approve the agreement for resurfacing Headland Avenue. Commissioner Snellgrove seconded the motion. Mr. Pool reported he had received a fax earlier in the day with the actual numbers and he asked if the low bidder meeting specs could be approved and the county's matching money. He stated they could move the project forward instead of having to wait until the next meeting. Chairman Culver asked him if this was the paperwork he had mentioned in the administrative meeting that the commission would approve in two weeks and the commission could go ahead and approve it in this meeting? He stated yes. Chairman Culver stated someone needed to make a motion to offer an amendment to the motion that states that Houston County agrees with the low bidder, APAC Southeast, Inc., and will pay the matching funds in the amount of \$131,968.00. Commissioner Harvey made a motion to amend the motion to award the bid to resurface Headland Avenue to

the low bidder meeting specs, APAC Southeast, Inc., in the amount of \$131,968.00 per Mr. Pool's discussion. Commissioner Snellgrove seconded the motion. Chairman Culver called for the question on the amending motion; and it carried unanimously. The chairman called for the question on the primary motion; and it carried unanimously.

9. Request from NRCS for a load of dirt to be delivered to project site.

Commissioner Cook made a motion to approve the request from NRCS for a load of dirt to be delivered to the project site. Commissioner Snellgrove seconded the motion. The chairman called for the question; and the motion carried unanimously.

Staff Reports:

a. County Administrator –

Mr. Roberts reported the budget hearings would begin August 15<sup>th</sup>.

b. County Engineer – There was no report.

b. County Attorney – There was no report.

Adjourn.

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