

MINUTES OF THE HOUSTON COUNTY COMMISSION

September 22, 2008

PRESENT: Chairman Mark S. Culver, Commissioner Curtis Harvey, Commissioner Bobby R. Snellgrove, Commissioner Frances M. Cook, Commissioner Philip L. Forrester, Gary Sherrer, 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. Rev. Phil Collins, Pastor, Tabernacle United Methodist Church, gave the invocation. Commissioner Cook led in the Pledge of Allegiance.

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

Announcements and Public Comments from Chairman and Commissioners

Chairman Culver reminded everyone that the commission does not meet again for three weeks because there are five Mondays in September. He reported the next meeting will be October 14th. He also reminded everyone that beginning Monday, October 6th, the county will begin working four ten hour days. He reported the offices will be open from 7:00 A.M. until 6:00 P.M. in general, and they will be closed every Friday for the next two months. Commissioner Harvey stated the Chairman might want to mention that even though the hours are until 6:00 some offices will be closing at 5:30 P.M. Chairman Culver reported only the Probate office would close at 5:30 P.M.

Awards and Presentations

1. Presentation of Plaque – Zoe Newby, North Alliance on Mental Illness

Chairman Culver asked Ms. Zoe Newby to come forward and she asked Judge Luke Cooley to come forward and presented her a plaque from the North Alliance on Mental Illness. Ms. Newby stated she was so glad that Houston County had a judge who knew how to handle people with mental illness. She stated Judge Cooley was a judge who needed to be commended for doing what is right for the people of Houston County and the area. Judge Cooley reported no one else in Houston County has taken the time to start a support group for people with mental illness and she commended Ms. Newby. She reported Ms. Newby has a daughter who is disabled. Chairman Culver reported the plaque is from NAMI Alabama, and he read the following:

“Judicial Award presented to Judge Luke Cooley in recognition of service to people with mental illness in Alabama”

Judge Cooley thanked Mrs. Newby for the award. She stated it was a special honor and she appreciated it.

2. Proclamation – “National Rehabilitation Week” – Margaret Futch, Chief Executive Officer, Health South Rehabilitation Hospital, Will Craig, Director of Marketing Operations, Teresa Hutcheson Donna Leverett, Debra Leake, and Jennifer Hughes, Rehab Liaisons

Commissioner Cook made a motion to approve the “National Rehabilitation Week” Proclamation as presented. Commissioner Snellgrove seconded the motion. The chairman called for the question; and it carried unanimously. Chairman Culver asked Margaret Futch, Chief Executive Officer, Health South Rehabilitation Hospital, Will Craig, Director of Marketing Operations, Teresa Hutcheson, Donna Leverett, Debra Leake, and Jennifer Hughes, Rehab Liaisons, to come forward. He presented the Proclamation declaring September 21st-September 27th, as “National Rehabilitation Week” to Mr. Will Craig. Mr. Craig stated Ms. Futch was unable to attend and he thanked the Commission for the Proclamation. He reported HealthSouth is celebrating National Rehabilitation Week which started September 21st, and it will culminate on the 27th. He reported HealthSouth celebrates their commitment to providing a higher level of care to their patients recovering from accidents, illnesses, and surgeries. Mr. Craig stated at this time each year they reconfirm their focus on achievements rather than failures and possibilities in lieu of limits. He reported they recognize the healthcare community’s tireless efforts in helping their patients reach their goals. Chairman Culver thanked Mr. Craig and his staff.

3. Proclamation – ‘Family Day’ – Mrs. Susan Trawick, Executive Director, Dothan-Houston County Substance Abuse Partnership, Ms. Beth Ford, Community Outreach Coordinator

Commissioner Harvey made a motion to approve the “Family Day” Proclamation as presented. Commissioner Forrester seconded the motion. Chairman Culver called for the question; and the motion carried unanimously. Chairman Culver asked Ms. Beth Ford, Community Outreach Coordinator, to come forward. The chairman then presented Ms. Ford with the Proclamation. The chairman encouraged everyone to take this day and if they were not going to fix a meal, then take them out to eat and everyone eat together as a family. Ms. Ford thanked the commission for the Proclamation. She stated although Mrs. Trawick could not attend due to a family emergency, Ms. Judy Guiller and Mr. Terry Grimes were present. She reported Family Day is one of the most important days they stress at the Partnership because it encourages families to take that one day to try to sit down and eat dinner as a family. Ms. Ford pointed out Columbia University has done surveys this year that have concluded that 92% of teenagers stated the one thing they wanted more than anything was their parents at the dinner table. She reported the results of the survey say that the kids want the parents there. Ms. Ford stated if a parent does not have the time to prepare a meal, then go out to eat together or pick up something and bring it home. She then gave a list of restaurants that would be giving a discount. Ms. Ford reported their organization is striving to show the public that the key to fighting drug abuse among kids is parents. She urged everyone to set aside the time to sit down and eat as a family.

4. Resolution – Declaring Resource Conservation & Development Week – William Holman, Pat Raley, and Bobby Snellgrove, members of the Wiregrass RC&D Board

Commissioner Harvey made a motion to adopt the Resolution declaring Resource Conservation & Development Week. Commissioner Snellgrove seconded the motion. Chairman Culver called for the

question; and the motion carried unanimously. Chairman Culver asked Mr. William Holman, Mr. Pat Raley, and Commissioner Snellgrove to come forward. The chairman reported he and the three men serve as the Houston County representatives on the Wiregrass RC&D Board. He then read the Resolution and presented it to Mr. Holman. Chairman Culver reported Mr. Raley is a former County Commissioner and he served many valuable years to the citizens of the county. The chairman reported Mr. Raley certainly knows the needs of the county and is an outstanding resident of Commissioner Harvey's district in Kinsey. Chairman Culver reported Mr. Holman is Executive Director of Landmark Park, and Commissioner Snellgrove, current County Commissioner. Mr. Raley reported he has served on the committee for 21 years and he compared it to being a deacon in a church because there are 10 counties that get a lot of help from the organization. He stated they strive to help every county, and as many communities as they can in each county. Mr. Holman encouraged people who are within the Wiregrass RC&D District to apply for funding because the group has money they give out usually in the form of grants in the areas of environmental, conservation education or resource development. Mr. Holman stated money has come to Houston County almost every year but if they do not apply for it, the funds go to other areas of the state. Commissioner Snellgrove reported the drainage pipe behind Ashford Elementary School was just completed and it was funded by Wiregrass RC&D. He stated there has also been quite a bit of money spent out at Landmark Park. He pointed out all of the municipalities should get in touch with one of the four members for these small projects. Chairman Culver thanked them.

Regular Agenda

1. Request to approve the relocation of the VA Office.

Commissioner Harvey made a motion to approve the relocation of the VA office. Commissioner Forrester seconded the motion. Chairman Culver reported this move will be to the old National Peanut Festival office at the Farm Center. Chairman Culver stated he thought the goal was October 15th. He reported after the National Peanut Festival moved, SARCOA's Senior RX Program located in the office at the Farm Center. The chairman stated they have been operating for several years out there and they have now moved to their new facility. He reported the VA Office is being asked to perform a lot more services due to the war and they are out of space and have no parking. Chairman Culver stated the commission felt this location would give them a long term solution because the location is very accessible and has plenty of parking. He pointed out the commission is required by law to provide the VA with a site, and they are glad to do it. Chairman Culver called for the question; and the motion carried unanimously.

2. Request to adopt Resolution for joint venture between Houston County and the City of Dothan to develop new sources of water supply.

Commissioner Snellgrove made a motion to approve the request to adopt the Resolution for a joint venture between Houston County and the City of Dothan to develop new sources of water supply. Commissioner Cook seconded the motion. Chairman Culver reported this will be setting up a partnership with the City of Dothan and Houston County. He pointed out Enterprise is involved and

possibly one other. He stated they will continue to pursue together long term solutions to our water issues. He reported wells are continuing to be drilled and water drawn from the wells. The chairman stated sometime in the future there will need to be an alternative supply, and they will work together to do it. He pointed out they believe by working together they can resolve the issue much better than working separately. Chairman Culver called for the question; and the motion carried unanimously. (Please see in Resolution Book)

3. Request to approve 2008-'09 Budget.

Commissioner Snellgrove made a motion to approve the 2008-'09 Budget as presented with the exception of giving the county employees a 3.5% cost of living adjustment instead of the proposed 2.5%. Commissioner Harvey seconded the motion. Chairman Culver reported it was discussed on Thursday that the entire commission would like to give a 5% cost of living because that is what the real cost of living is. He stated although the county's expenditures are down the revenues are not where they need to be. He stated with the changes that were made in the budget, it was felt that 2.5% was a safe place to be in order to meet the goal to keep the budget where the ending fund balance would be at least \$4 million. He asked Mr. Dempsey with a 3.5% cost of living if it did not put the county below \$4 million? Mr. Dempsey stated yes, with a 3.5% the projected ending fund balance would be \$3,969,000. Chairman Culver asked for discussion purposes what a 3% cost of living would leave the projected ending fund balance? Mr. Dempsey stated it would be \$4,036,000.

Chairman Culver asked for any other discussion, comments or questions? Commissioner Cook stated she had a problem with the fund balance dropping below \$4 million. She stated she would not have a problem giving a 3% cost of living adjustment, but she could not support the 3.5% cost of living adjustment. Chairman Culver stated on Thursday, they discussed whatever they did on the COLA, at the end of six months they would come back and look at it because the commission would be looking at the future capital and labor issues earlier this next year than they would have in the past. He reported they would be looking into what the revenues have done for the year along with the expenditures and if possible make some adjustments at that time. Chairman Culver stated he hoped that would be the case the county could do another one-half or one percent. He reported the commission could do the 5% but if they did he thought they would have to do away with some positions that are currently filled as opposed to doing away with the positions as they are vacated. Chairman Culver reported the budget is down \$1.5 million in expenditures from last year when you take out the bond. He stated the agencies are down \$300,000. The chairman reported this is a very lean budget and is down 25 people through attrition. Chairman Culver stated his concern was not so much for this year's budget, but next year's budget. He reported without some change in what they are doing and they only start with \$3.9 million, the commission is going to have a real problem next year. Chairman Culver asked for any comments? He stated there is a motion to approve the budget as presented with a 3.5% cost of living adjustment; and he called for the question. The vote was: YEAS: Commissioners Snellgrove and Harvey NAYS: Commissioners Cook and Forrester The chairman then broke the tie by voting Nay. He asked for any other motions? Commissioner Cook made a motion to approve the budget as presented with the exception of amending the 2.5% cost of living adjustment with a 3% cost of living adjustment leaving an ending fund balance of \$4,036,000 and re-visit it in a short timeframe and see if the commission can

assist the employees. Commissioner Forrester seconded the motion. Commissioner Snellgrove asked about the timeframe to re-visit the issue? Chairman Culver stated he thought the intent was whether it was in the motion or not was to look at it at the end of six months. He stated they would start gathering the information in February to have some type of presentation in March. Commissioner Forrester asked Mr. Dempsey when the most appropriate time would be? Mr. Dempsey stated he felt they needed to wait until March because most of the revenues would be in place by then. Commissioner Forrester asked if he was talking the end of March? Mr. Dempsey stated yes. Chairman Culver reported most of the county's revenue comes in after three months and they need to get it all in and see where the county is and hopefully come back and do something else. Commissioner Snellgrove asked if there was not going to be any timeframe in the motion and the commission will come back and re-visit it when they feel the funds are available? Commissioner Forrester stated he would recommend six months based on Mr. Dempsey's explanation. Commissioner Harvey stated six months from March they would be right back from where they started again. Commissioner Harvey asked if they are not allowed to do it in six months would they be allowed in the other six months? It was pointed out they did not know because they did not know what the figures would be and it would be a new budget. Commissioner Cook stated she did not put a timeframe in her motion because she asked Mr. Dempsey if there is a problem they could re-visit and keep a close eye on how the revenues are coming in and make a decision by not putting a firm date like six months. She asked Mr. Dempsey if he saw a problem with it? Mr. Dempsey stated he would recommend that it would need to be greater than three months but not less than six months because a lot of the revenues are coming in the first three months of the year. Chairman Culver stated the plan he would offer would be such that the commission look at it and if they take any action that it be the second meeting in March effective April 1st. Commissioner Snellgrove stated if there are no additional funds, then the commission does not need to re-visit it. Chairman Culver stated yes. Mr. Dempsey stated at that time, it would be a projection.

Chairman Culver reported there were several things cut out of the budget. He stated one of those was the long term care insurance. He made a clarification about some things that were reported. 1. Reported there were only 10 employees that purchased additional coverage. He stated that was not right; there were 110 employees. 2. He stated there was an issue about a claim that was filed, and there were situations there because according to the insurance company, the claim did not go through the whole process. Chairman Culver stated he brought this up so that the employees would know that if they plan to keep the long term care insurance like he did it is a tremendous benefit. He stated for those who have not had the issue of having to take care of a loved one when they get into a position that they cannot take care of themselves, will know it is a tremendous benefit. He stated he hated they had to take it out but they had to do something to get to the 3% or 2.5% cost of living adjustment that they had proposed.

The chairman reported there was a significant increase at the last minute in juvenile detention cost. He stated they moved some money out of the budget into bond issue funds for interest in order to get to where they are in the budget. He pointed out the revenue from franchising banks was significantly less than what they thought it was going to be not just this year but next year. Chairman Culver stated he hoped no one thought because the commission is only doing a 3% cost of living adjustment that it

reflects in any way on how they support the county employees because they do. He reported they are putting in the budget a salary study to be sure all of the positions are funded at market rate and hopefully they will be able to implement it next year. He reported the commission is trying to do the best they can and he stated he did not think the commission wanted to ask any of the department heads to terminate people that are currently in the job. The chairman stated he thought the 3% cost of living adjustment was a good compromise, and if they can approve it he felt it would be good. The chairman then called for the question; and the motion carried unanimously.

4. Request to amend Bingo Rules and Regulations.

Commissioner Cook made a motion to adopt the Resolution amending Bingo Rules and Regulations. Commissioner Snellgrove seconded the motion. Chairman Culver stated there are basically three things the rules and regulations do, and he pointed out there are some technical issues such as punctuation, definitions, etc. He stated the three primary things are:

1. Making the regulations more stringent. They are specifically stating in there the county does not want small electronic bingo facilities all over the county. He stated there is a \$200 million investment included.
2. He stated they are directly tying it to economic development. He pointed out it will state that any project that has electronic charitable bingo will have to have a significant economic development impact on the community. He pointed out that was the intent from the start but it was not spelled out in the previous regs quite as well as these regulations do.
3. Establish a county stamp that would be affixed to every electronic machine in Houston County. He stated that stamp would be purchased annually at a cost of \$1,000 with the money going into the county's general fund for the purpose of providing services both to all the citizens in the county and other projects that they may be faced with. Commissioner Cook asked it was \$1,000 per machine? Chairman Culver stated yes \$1,000 per machine per year.

Chairman Culver called for the question; and the motion carried unanimously. (Please see in Resolution Book)

5. Request to appoint Commissioner Curtis Harvey to fill unexpired term on SARCOA Board.

Commissioner Snellgrove made a motion to appoint Commissioner Curtis Harvey to fill an unexpired term on the SARCOA Board. Commissioner Cook seconded the motion. Commissioner Forrester asked when SARCOA's new building would be ready? Chairman Culver stated the building was open but they would have an official opening later. The chairman called for the question; and the motion carried unanimously.

6. Request to adopt Resolution authorizing a 2008 One Time Lump Sum Retiree Bonus.

Commissioner Snellgrove made a motion to adopt the Resolution authorizing a 2008 One Time Lump Sum Retiree Bonus. Commissioner Harvey seconded the motion. Chairman Culver reported this is the

second year the state has done this for retirees. He reported in the past, they had always given a cost of living adjustment that adds to all the other things that add to a salary increase but they found with just giving the bonus it saved them money. Commissioner Snellgrove asked how many retirees there were in Houston County? Mr. Dempsey stated there were 143. Chairman Culver reported they were talking about county retirees who retired under the state system. The chairman called for the question; and the motion carried unanimously. (Please see in Resolution Book)

7. Request to approve concurrence of low bidder for three (3) bridges: Pilgrim Church Road, Wallace Buie Road, and Wind Mill Road, and the 20% matching funds in the amount of \$147,034.00.

Commissioner Snellgrove made a motion to approve the concurrence of low bidder for three (3) bridges: Pilgrim Church Road, Wallace Buie Road, and Wind Mill Road, and the 20% matching funds in the amount of \$147,034.00. Commissioner Forrester seconded the motion. Chairman Culver stated he thought the \$20,000 matching funds would cover any budget amendment that might be necessary but it will be in next year's budget. Mr. Pool stated no, it was 20% matching funds and the county would get 10% back on E&I. Chairman Culver reported this would get the county down to one bridge that the school bus cannot cross, and it is scheduled for completion later this year. He pointed out discussion was held on Thursday about there being 50 bridges when they started the project 10 years ago. Chairman Culver called for the question; and the motion carried unanimously. (Please see attached in Minute Book)

8. Request to approve limb pick up fee increase to \$30.00.

Commissioner Cook made a motion to approve the limb pick up fee increase to \$30.00. Commissioner Harvey seconded the motion. Chairman Culver reported this is being created by the figures presented on Thursday in the budget for fuel cost. He reported Mr. Pool had stated the cost to operate the truck is \$5.00 per mile. He encouraged everyone to continue to call if they have limbs to be picked up. Chairman Culver called for the question; and the motion carried unanimously.

9. Request to establish the price for dirt at \$.85 per yard.

Commissioner Snellgrove made a motion to establish the price for dirt at \$.85 per yard. Commissioner Harvey seconded the motion. The chairman called for the question; and the motion carried unanimously.

10. Request to approve budget amendment for ADA Compliant Grant for voting precincts in the amount of \$11,599.56.

Commissioner Cook made a motion to approve the budget amendment for ADA Compliant Grant for voting precincts in the amount of \$11,599.56, and the appropriate budget amendment. Commissioner Harvey seconded the motion. Chairman Culver reported this is a 100% grant and it is the second time the county has received it. He stated the grant allows the county to go out and make some of the voting places more ADA compliant and handicapped accessible. He thanked Judge Cooley for working on the

grant. The chairman called for the question; and the motion carried unanimously. (Please see attached budget amendment in Minute Book)

Staff Reports:

Chief Administrative Officer

Mr. Dempsey asked the commission to consider a budget amendment from Road & Bridge. He commended them because he stated they were looking closely at their budget and their allowable spending and trying to adjust areas where they have spent. He pointed out they have under spent to compensate for this. He stated they had processed several amendments to him and he can approve all of them except the one in the package because it includes a modification of the overtime budget and he is not allowed to make any approvals on salaries and benefits. He then asked for the commission's consideration to approve the budget amendment? Chairman Culver reported it takes unanimous consent to address anything that is not on the agenda already, and he asked if there were any objections? There were none. Commissioner Snellgrove asked if this was new money or would it be out of the budget? Mr. Dempsey stated it was out of the budget and not any new money.

Chairman Culver stated once the budget the county is currently in is wrapped up, they will have several budget amendments to make to finalize the budget year in October. Commissioner Snellgrove made a motion to approve the budget amendment as requested by Road & Bridge. Commissioner Cook seconded the motion. Chairman Culver called for the question; and the motion carried unanimously. (Please see attached budget amendment in Minute Book)

Mr. Dempsey expressed his appreciation to Mrs. Joan Clark for all of her hard work on the budget. He stated this has been his first budget and she had been an extreme help to him. He thanked the department heads because they had done an extreme amount of work. He reported everyone had stepped forward, and had understood the situation. Mr. Dempsey pointed out there have been several changes that have not been brought to the commission such as cost down issues, and there has been an open arms receptiveness to those changes. He then expressed his appreciation. Chairman Culver reported it had been a difficult budget at best, and everyone they have asked has been willing to work with the commission. He reported in spite of the difficult budget, we are still so blessed in Houston County to have the revenue as compared to other counties. The chairman then expressed appreciation on behalf of the commission.

County Engineer

Mr. Pool reported they were through with the Brannon Stand Road Bridge and it will be open before the next meeting. He stated the parking lot behind the Administrative Building was moving along. He pointed out Mr. Cutis had to get the lights installed and some shrubbery would be planted.

Chairman Culver stated discussions had been held about whether to put the poles back up with the name, or paint it on the asphalt. He stated he felt if they could get everyone to abide by putting

reserved with a number and the people would know what their numbers are as opposed to putting up the signs. He pointed out they wanted to provide more visitor parking when a person first enters the parking lot. The chairman asked if there were any objections from the commission or a department head with painting reserved and the number?

Judge Cooley stated she was concerned whether or not John Q. Public would abide by it. She stated she would not mind trying it without putting up the signs. The chairman stated with the number of new visitor spots, maybe it would not be a problem. She stated it would be good for the clerks in her department because the public will have to park there for inspections. Judge Cooley stated she felt the public would not pay attention to any numbers on the ground but she suggested that they try it. Chairman Culver reported he would notify the departments of their numbers. Commissioner Snellgrove stated he would think all of the department heads would be at work before the citizens would be here to conduct business. Chairman Culver announced employees could park in the lot on September 24th.

County Attorney – there was none

Adjourn.

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