

MINUTES OF THE HOUSTON COUNTY COMMISSION
REGULAR SESSION
July 26, 2021

PRESENT: Chairman Mark Culver, Commissioner Curtis Harvey, Commissioner Doug Sinquefield, Commissioner Brandon Shoupe, County Engineer Barkley Kirkland, Chief Administrative Officer Peter Covert and County Attorney Pres Register.

Chairman Culver called the meeting to order and welcomed everyone to the July 26, 2021, Houston County Commission Regular Session. He declared a quorum as all of the commissioners were in attendance with the exception of Commissioner Ricky Herring.

The invocation was given by Pastor Adam Sullivan of Dothan 1st Assembly and Commissioner Shoupe led in the pledge of allegiance.

The minutes of the previous meeting were approved on a motion by Commissioner Sinquefield and seconded by Commissioner Shoupe. The motion carried unanimously.

ANNOUNCEMENTS AND COMMENTS FROM THE CHAIRMAN AND COMMISSIONERS

Chairman Culver began by announcing that the Houston County youth baseball team, representing Alabama, finished second at the World Series and he congratulated them on their accomplishment. He also asked everyone to continue to take special caution in relation to COVID as the numbers are spiking again. Chairman Culver asked that everyone keep their hands sanitized, social distance and masking when needed. They continue to monitor the situation as it is getting worse again and he knows of several people personally that have just been diagnosed since last Thursday. He stated that he would be meeting with Department Heads and others to continue to monitor this situation. He added that the temperature monitors have been placed again at the front door and they will monitor CDC guidelines and they will advise the public if further action is taken. Chairman Culver ended by asking everyone to be careful as the increase at the hospitals and positive testing is a serious matter.

Commissioner Shoupe stated that he saw in the Dothan Eagle newspaper, that a resident of Houston County was awarded the "Aviation Supply Marine of the Year" and he thought that was pretty exciting. Her name is Monica L. Williams and she is from Wicksburg and is with the Marine Aviation Logistics Squadron 31. He congratulated her and thanked her for her service to this country.

Commissioner Sinquefield announced that the Wiregrass RC&D Board members and council were awarded the Lead Award recently at the RC&D Alabama Resource and Conservation

Development. This Lead Program was developed in 2019 and they take three people from the ten counties that represent the council. This is a leadership program where they learn a lot about government and also about leadership.

REGULAR AGENDA

1. Request to approve Interlocal Agreement between the City of Dothan, Dale County and Houston County for the 2021 Byrne Justice Assistance Grant (JAG) Program – Sheriff's Dept.

Commissioner Shoupe made a motion to approve the request for the agreement and Commissioner Sinquefield seconded. Chairman Culver stated that this is an annual grant and this year is a little different as Dale County is included and they spoke about that at Thursday's meeting. With no further questions or comments, the motion passed unanimously.

2. Request to approve Memorandum of Understanding for improvements at Houston County Health Department to be funded by CDC Grant – Corey Kirkland, Health Service Administrator

Commissioner Sinquefield made a motion to approve the request from the Health Department and Commissioner Shoupe seconded. CAO Peter Covert stated that the improvements will be done at the Health Dept. Building and funded by the CDC and these improvements will provide better health coverage both for the vaccine and in general by our local health department. Chairman Culver stated that they talked about this on Thursday and the reasons for this Memorandum of Understanding. He added that the Commission owns the facility and anything they do to the building has to come through the Commission. The County will not be deeply involved in the construction but we will be made aware of what goes on since it is our building. Chairman Culver stated that part of this process involves a drive through with a barn, that was originally asked to be done by the Commission, so that is beneficial to us from that perspective as this would be work that Road and Bridge does not have to do now. He commented that this is unusual to have this type grant be given to them for direct building work and he thanked Corey Kirkland for acquiring the grant and getting it funded as this is good news for our health department. With no further questions or comments, the motion carried unanimously.

3. Request to approve sponsorship change for and conveyance of Rehobeth Community Park to Houston County Board of Education, subject to acceptance by the Houston County Board of Education and approval by state and federal regulatory authorities

Commissioner Shoupe made the motion to approve the request the sponsorship change and Commissioner Sinquefield seconded. Chairman Culver reported that this is a piece of property that was acquired and improved by a grant that was obtained in the 1970's. The grant requires the use of the property be in a certain manner and they have been working for years and years

to try to get this more appropriately in the hands of either the Town of Rehobeth or the school system and they have finally figured it out. He added that Commissioner Herring has worked very hard and his efforts are appreciated. Chairman Culver did state that this is the first step and the next step would be that the Board of Education agree to accept the property and then the state and federal will have to agree that we all have agreed. With no further questions or comments, the motion carried unanimously.

4. Request to add new policy to Houston County Policy Manual concerning replacement of cross drain pipes

Commissioner Sinquefield made a motion to approve the new policy concerning replacement of cross drain pipes and Commissioner Shoupe seconded. Chairman Culver began by stating that this policy basically is at the request of FEMA and it is already a policy of Road and Bridge. They have asked that it be an official County Commission policy so that when we have floods, hurricanes, etc., and need pipes replaced then our policy is already in place as to the type of replacement of both pipes and bridges. With no further comments or discussion, the motion carried unanimously.

5. Request to add new policy to Houston County Policy Manual concerning installation of pipes under driveways along the county right-of-way

Commissioner Sinquefield made a motion to approve the new policy concerning installation of pipes under driveways along the county right-of-way and Commissioner Shoupe seconded. Chairman Culver stated that this was discussed on Thursday at length regarding the installation of driveway pipe as the county does a lot of this. Staffing issues at Road and Bridge were discussed and how much of this is eating into the ability to do other work in the county. The new policy would still authorize this, it would just be done by approved contractors at the expense of the landowner or sub-contractor. Chairman Culver added that the county would still approve the size and make sure it is installed correctly and this basically is an item, as Mr. Kirkland has requested 16 new people, to attempt to not be forced to hire that many people. Commissioner Sinquefield commented that he had mentioned in the Administrative Meeting on Thursday that County Engineer Kirkland had given them some numbers and in a two year period it was 20,000 labor hours and the cost was over 1.5 million dollars of cost to the county. He said that, in respect, looking back at these numbers and seeing that the money could come back and benefit the citizens of Houston County and also put more man hours on other projects in roads and such. Commissioner Sinquefield stated that this is just one of the advantages that he sees in this policy and he is in hopes that the public can see where they are going with this. He mentioned that in the policy he has a question. As it does not mention, for instance, in six months after the installation and where there is damage from a storm or a driveway washing out, who is responsible for this and how long will the installed pipe be the responsibility of the

contractor or the landowner that is paying for it have to contact the contractor. Engineer Kirkland responded that whomever is issued the permit will be responsible for it for two years and after the two year period it will be the county's responsibility. Mr. Kirkland added that they will still have to maintain the driveway once it is put in, but they are responsible for it for two years. Commissioner Siquefield asked if there needs to be any clarification on this to give to the public concerning the two year period. Chairman Culver asked if it is currently in the permit and Engineer Kirkland responded that it is not now because the County does the installation but it will be put in the permit. Chairman Culver stated that the permit wording is not something that the Commission approves so he asked Engineer Kirkland to make sure that is amended and worded in the permit. Engineer Kirkland responded that if this policy goes through they would inform the contractors and they were not going to do that until this policy is passed. Chairman Culver stated that this brings up a point that this has no effective date and it needs to be in the motion. He asked Engineer Kirkland what day would they want this to go into effect and he answered September 1, 2021 and Chairman Culver asked for the commission's thoughts on an effective date to include in an amended motion once they determine that effective date would be. Commissioner Siquefield then amended his motion to approve the request to add new policy to Houston County Policy Manual concerning installation of pipes under driveways along the county right-of-way effective September 1, 2021. Commissioner Shoupe seconded the amended motion. Commissioner Harvey asked if there would be any special circumstances for seniors with fixed incomes and Chairman Culver stated that is not in the policy now and the only exception in this policy is for agricultural interest and this policy is typically for new houses and manufactured houses and for any new driveway pipes. Commissioner Shoupe clarified that if someone has a pipe and the pipe messes up, the county will replace the pipe. Engineer Kirkland responded that after the two year period they would but if the pipe is laid and a hurricane comes through and debris blows down in the mouth of the pipe and washes the pipe out, the county would fix it. But if they go out after six months and it is washed because they have not done the in-wall or grassed it or it is sinking in by the pipe, it will be the responsibility of the homeowner or whoever was issued the permit. Commissioner Shoupe commented that he had requested some information from the City of Dothan and that over the last year they have issued 229 permits and asked if we install on city streets and Engineer Kirkland said not normally, unless it is a county owned street. Commissioner Shoupe clarified that if it is a city street or state highway that we have never installed those pipes. Engineer Kirkland added that they do install driveway pipes in towns in the county and the towns request it. The R & B Dept. then would get with the homeowners on the install as the towns follow the procedures just like they do the county subdivision procedures. He also added that the town does not pay for it, the homeowner does. Commissioner Siquefield stated that if a developer is building homes in a town on a county road they include the pipe installation in the cost of the home. Engineer Kirkland commented that if a developer is already doing site work, it does not cost that much to lay a pipe whereas if the R & B Dept. does the work, they have to come to work, mobilize, drive to the site and set up traffic control and lay one pipe and it is just not cost efficient.

Commissioner Sinquefield reported that an average cost is \$4,500 on driveway pipe. Commissioner Shoupe added a few more comments that in thinking of this he loves those decisions that is all pluses and nothing in the negative column and in this case it is not necessarily the case as if you are a new homebuilder it will likely add expense to the construction cost. But on the plus side, it does create more opportunity for private businesses as the contractors have more work to lay pipes as to where that was done for free. Also, on the plus side, he added that the only people that benefit from this are the people that are building homes on county maintain roads and if you are a tax payer on a city street in Cottonwood, for instance, you are not going to get this benefit but you are paying the expense because you are paying taxes and those taxes have to go to laying someone a pipe. Commissioner Shoupe stated that he wished that we would maybe engage some of the community partners a little bit earlier in the process even though it is not sometimes easy to do, and he is not speaking to anybody individually as he was pointing a finger at himself as much as anybody else. He feels that a lot of questions and confusion could have been avoided if they would of done that and all in all this is just a tough decision that you have to make and maybe one day this policy can be revisited but right now they are dealing with some situations as we are not getting to problems that he sees that are safety issues in a timely manner and that is his chief concern and he will have to go forward with this for the time being.

Chairman Culver asked for any comments from the public and he recognized a citizen in the audience and he approached the podium. He identified himself as Jerry Charles Dillard, long time Houston County taxpayer and representative of "We the People". Mr. Dillard stated that on the taxpayer side there is no plus in this. He continued that one reason there is no plus in this is because the Houston County Road & Bridge Dept. does stupid things all the time. Chairman Culver interrupted Mr. Dillard and told him he cannot stand there and say those things. Mr. Dillard said that he can address the commission and express his opinions. Major Rafferty approached the podium and asked Mr. Dillard to sit down and he refused. Mr. Dillard asked why can't he express his opinion and Chairman Culver answered that he can but he cannot say things like he just said and he is welcome to address the commission but he cannot use derogatory language. Mr. Dillard said ok and he would change if Major Rafferty would sit down. Mr. Dillard continued that it was negligence because Houston County Road and Bridge and that all you have to do is go to 7131 S. Park Ave. and you can see what Houston County did to his beautiful 10 ft. grass in front of his house as they sprayed herbicide on it and Ashley Clements, after they resurfaced the road, came in there with road patrol and destroyed everything and the county came and dumped dirt and it keeps washing away. Mr. Dillard stated that this is exactly the reason for the cost and as he has talked to the employees of the county, the operators, and that they do not like working with "yal". Chairman Culver asked if he had comments about this policy that is on the agenda and he answered that is the policy and he stated that was the policy. Chairman Culver stated to Mr. Dillard that he was not making comments about the policy and Mr. Dillard said they are putting the cost on the taxpayer and

they pay enough taxes and there is no reason and as long as they have yal and the Houston County (looking at Engineer Kirkland). Chairman Culver asked Mr. Dillard to please address the commission and Mr. Dillard responded that he is addressing all of them and he does not have to look them in the eye. Chairman Culver stated that he does have to address the commission. Mr. Dillard responded “by the way, you keep saying our, listen we own, the taxpayers own this building and we own those chairs you are sitting in”. Chairman Culver asked again if he had anything else to say about the policy and Mr. Dillard responded yes and that as long as you have the County Engineer and Ashley Clements, you are going to have screw ups. He added “I know that you don’t like to hear this and you want to be a dictator”. Chairman Culver asked for any other comments and with their being none he asked for a vote on the motion as amended and the motion passed 2 to 1 with Commissioner Harvey voting NAY.

6. Request to modify Policy #20 of the Houston County Policy Manual related to requested work by volunteer fire departments and other entities to become effective once the revised Houston County School Board policy is adopted

Commissioner Shoupe made a motion to approve the request as stated and Commissioner Sinquefield seconded. Chairman Culver asked if they understood why he added the second portion because right now the school board is in this policy and this one is not going to become effective until they adopt what they spoke about on Thursday in some future meeting. He added that this basically isn’t changing anything other than the amount that the engineers can authorize. When called for the vote, the motion carried unanimously.

7. Request to approve final plat for the Flowers Plantation Subdivision, Phase 1 – Road & Bridge

Commissioner Shoupe made a motion to approve the final plat for the Flowers Plantation Subdivision, Phase 1. Commissioner Sinquefield seconded and the motion carried unanimously.

STAFF REPORTS

Chief Administrative Officer – No Report

County Engineer – Closed roads; intersection of Taylor & Campbellton, Pleasant Grove and Randall Wade. Roundabout at Taylor & Campbellton should be open by this week as it is ahead of schedule and under budget. Chairman Culver commented Good Job and that the city and state and the county had all done a good job on that project with handling the traffic and everything.

County Attorney – No Report

Meeting adjourned.