

MINUTES OF THE HOUSTON COUNTY COMMISSION
MAY 26, 2009

PRESENT: Chairman Mark S. Culver, Commissioner Curtis Harvey, Commissioner Bobby R. Snellgrove, Commissioner Frances M. Cook, Gary Sherrer, Attorney, Mark Pool, Engineer, and William J. Dempsey, Chief Administrative Officer

ABSENT: Commissioner Phillip L. Forrester

Chairman Mark S. Culver called the 10:00 A.M. meeting to order, declared a quorum was present and welcomed everyone. Rev. Laurie Williams, Pastor, Triumphant Lutheran Church, gave the invocation. Commissioner Harvey led in the Pledge of Allegiance.

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

Announcements and Public Comments from Chairman and Commissioners

Chairman Culver announced Commissioner Forrester was out of town on family business.

Chairman Culver commended everyone involved with the Memorial Day activities. He stated both the event at the VFW and Sunset Memorial were wonderful ceremonies and it gave those in attendance an opportunity to remember those who have died for our freedom.

He reported Country Crossing would be the subject of conversation at 10:45 A.M. on Fox Business News. He reported the developer, George Jones, Lorrie Morgan and others were in New York and would be talking about southeast Alabama, and Dothan-Houston County. The chairman stated it would be some good national publicity. Chairman Culver reported in addition on Fox News.com Strategy Room from 11:00 A.M. to 12:00 Noon, there would be a roundtable involving Country Crossings. He stated it would be a lot of good national publicity for Houston County.

The chairman reported in last Monday's edition of the Dothan Eagle, Sam Long got top billing in the Super 12 Young Ladies Soccer Team. He pointed out Ms. Long is Mrs. Debbie Ingram's daughter. The chairman extended congratulations.

Commissioner Cook extended Birthday Wishes to Ms. Lois Parish who will celebrate her 100th birthday on May 27th. She stated she is affectionately known as "Mama Lois" at their church. Commissioner Cook reported Mrs. Parish's daughter is Mrs. Martha Nell Pybus.

Commissioner Harvey reported in 2010 there will be another census. He stated this will be "The Great be Counted Census." Commissioner Harvey pointed out when the county's population gets over 100,000, Houston County will receive more money, and that means more jobs. The commissioner reported there would be a big gala event on Friday, June 19th from 11:00 A.M. until 2:00 P.M. He reported there would be balloons and food and he asked for everyone's

support. Chairman Culver reported the kick-off event would be in the parking lot behind the Administrative building, and at the old Hooks Bar-B-Que building. The chairman reported the event is being organized by the Complete Count Committee and Commissioner Harvey is a member. He pointed out more information would be forthcoming.

Mr. Mark Pool, County Engineer, reported gasoline taxes are distributed statewide by the population of the county. He stated this is very important.

Commissioner Snellgrove reported the local farmers are out at the Farm Center Monday through Thursday selling their goods, and on Friday and Saturday they are at the depot. Commissioner Snellgrove urged everyone to support the farmers. Chairman Culver asked if it was the depot by the Wiregrass Art Museum? Commissioner Snellgrove stated his information was that it was the Dixie Depot. Chairman Culver reported Mickey Sego was involved in working out a good partnership with the downtown area for their Farmers Market. He stated rather than competing; they ended up partnering.

Chairman Culver welcomed Bryan Baker back. He pointed out Mr. Baker broke his wrist during the Media/Elected Officials Softball game.

Regular Agenda

1. Request to adopt Resolution to approve RDA (AlaTax) to act on behalf of Houston County for collection of the recently approved Houston County Lodging Tax.

Commissioner Cook made a motion to adopt the Resolution to approve RDA (AlaTax) to act on behalf of Houston County for collection of the recently approved Houston County Lodging Tax. Commissioner Snellgrove seconded; and the motion carried unanimously. (Please see in Resolution Book)

2. Request to adopt Resolution to enter into lease agreement with Hancock Bank for the lease of 2009 Mack Truck for the Sanitation Department.

Commissioner Harvey made a motion to adopt the Resolution to enter into a lease agreement with Hancock Bank for the lease of a 2009 Mack Truck for the Sanitation Department. Commissioner Cook seconded the motion. Chairman Culver reported the interest rate on the lease was 2.7 percent. Commissioner Cook stated it would be the county's vehicle at the end of the lease. The chairman called for the question; and it carried unanimously. (Please see in Resolution Book)

3. Request to enter into one year contract extension with Deltacom.

Commissioner Harvey made a motion to approve the request to enter into a one year contract extension with Deltacom. Commissioner Cook seconded the motion. Chairman Culver reported in discussions relative to this item, that it had been determined that the best course of action

would be to table it for two weeks until they can get some things ironed out. Commissioner Snellgrove then made a motion to table the previous motion. Commissioner Harvey seconded the motion. Chairman Culver called for the question; and it carried unanimously. The chairman pointed out that tabling is a non-debatable motion.

4. Request from EMA to approve Spontaneous Volunteer Management Plan.

Commissioner Cook made a motion to approve EMA's request to approve the Spontaneous Volunteer Management Plan. Commissioner Snellgrove seconded the motion. Chairman Culver reported this is a plan put in place to coordinate spontaneous volunteers. He pointed out when something happens in our area, there are a lot of great people who want to go and help. The chairman pointed out there needs to be some coordination in that help. Chairman Culver called for the question; and the motion carried unanimously.

5. Request to award bid for sealing and caulking Houston County Administrative Building.

Commissioner Cook made a motion to award the bid for sealing and caulking the Houston County Administrative Building. Commissioner Harvey seconded the motion.

Commissioner Snellgrove reported during discussion on Thursday, he felt that there was a misunderstanding about this being bonded. He stated he knew they had a performance bond, but the performance bond only covers the performance of the work. Commissioner Snellgrove reported he was concerned about what would happen 2-3 years after the project is completed. He asked if this company goes out of business, who would guarantee the work? Mr. Snellgrove reported he had spoken with Gary Sherrer briefly earlier in the day. He reported he did not see anything in the paperwork that indicated the county would have a company bonding this outside of the company who will do the work. Commissioner Snellgrove suggested this item be tabled until they could get a clearer understanding.

Chairman Culver reported this was discussed on Thursday and because of past history the commission wants to be sure that there is a warranty on the work and product. He stated the discussion was that there was a five year warranty, and there was a bid bond and the performance bond. Chairman Culver stated what Commissioner Snellgrove stated was correct about the performance bond because it is just for the work itself; not for the warranty period. He asked Mr. Sherrer, Mr. Dempsey, and Mr. Curtis if they had any assurance? He stated the county wanted to be sure they have more than just the performance of the work. Chairman Culver stated if no one could assure the commission of that then he would concur with Commissioner Snellgrove to table this item and if it was not in the bid specs, possibly re-bid it.

Commissioner Snellgrove made a motion to table the motion. Commissioner Cook seconded the motion. He called for the question; and the motion carried unanimously.

6. Request to approve items to be sold on GovDeals.

Commissioner Harvey made a motion to approve the items to be sold on GovDeals. Commissioner Snellgrove seconded; and the motion carried unanimously. (Please see attached list in Minute Book)

7. Request to adopt Resolution for Manual of Uniform Traffic Control Devices.

Commissioner Snellgrove made a motion to adopt the Resolution for Manual of Uniform Traffic Control Devices. Commissioner Harvey seconded the motion. Chairman Culver called for the question; and the motion carried unanimously. (Please see in Resolution Book)

8. Request to enter into agreement with ALDOT to construct bridge on E. Cook Road @ Cedar Creek with Houston County covering the financing of construction cost. STMNU-BRZ-3500 (214).

Commissioner Snellgrove made a motion to approve the request to enter into the agreement with ALDOT to construct the bridge on E. Cook Road @ Cedar Creek with Houston County covering the financing of construction cost. STMNU-BRZ-3500 (214). Commissioner Harvey seconded the motion. Mr. Pool reported the project would be bid at 10:00 A.M. on May 29th in Montgomery. Chairman Culver asked if Mr. Pool was attending the bid letting? Mr. Pool stated he could. The chairman called for the question; and the motion carried unanimously. (Please see in Resolution Book)

9. Request to reject oil bid and re-bid due to no one attending the mandatory pre-bid conference.

Commissioner Snellgrove made a motion to approve the request to reject oil bid and re-bid due to no one attending the mandatory pre-bid conference. Commissioner Harvey seconded the motion. Chairman Culver called for the question; and the motion carried unanimously.

10. Request for Retail Table Wine License (Off Premises Only) HAH Marketing LLC d/b/a Shell Store 369 – 13668 Highway #84 West, Wicksburg - Newton, AL.

Commissioner Cook made a motion to approve the Retail Table Wine License (Off Premises Only) HAH Marketing LLC d/b/a Shell Store 369 – 13668 Highway #84 West, Wicksburg – Newton, AL. Commissioner Snellgrove seconded the motion. Chairman Culver asked if anyone present was in opposition of the request? There being none, Chairman Culver called for the question; and the motion carried unanimously.

11. Request for Retail Beer License (Off Premises Only) HAH Marketing LLC d/b/a Shell Store 369 – 13668 Highway #84 West, Wicksburg – Newton, AL.

Commissioner Snellgrove made a motion to approve the Retail Beer License (Off Premises Only) HAH Marketing LLC d/b/a Shell Store 369 – 13668 Highway #84 West, Wicksburg – Newton, AL. Commissioner Cook seconded the motion. Chairman Culver asked if anyone

present was in opposition of the request? There being none, Chairman Culver called for the question; and the motion carried unanimously.

Staff Reports:

Chief Administrative Officer – there was no report.

County Engineer –

Mr. Pool stated the work was slow due to the rain. He stated the status of the roads had not changed since Thursday's meeting.

County Attorney – there was no report.

The chairman asked for any questions for the staff members?

Chairman Culver reported there had been some discussion in the media about political signs. He reminded everyone regardless of the City of Dothan's stance on signs on the right-of-way, he wanted to assure everyone there are some county roads within the city limits of Dothan and the county's policy about no political signs on the right-of-way will be adhered to. He stated the county asks that the signs be kept off the right-of-way due to visibility, safety, mowing, maintenance, etc. The chairman reported when the county makes their rounds and picks them up they are taken out to the county yard and they will be there if the candidates want to come pick them up. He pointed out they are not disposed of. He asked if there was a scheduled time to make the rounds? Mr. Pool stated it was up to the commission. Chairman Culver reported the commission does not get involved in the day to day operations of the county; it would be up to the Engineering Department. Mr. Pool stated they would begin May 27th. The chairman asked that they be given some time to get them off the county's right-of-way. He stated Tuesday, June 2nd the county would begin picking up signs on the county right-of-way.

Mr. Pool stated in the past, they have calculated the cost and then sent the candidates a bill. Mr. Pool stated he would like to propose a change and calculate the cost after they have been picked up, and when they pick up their signs, let them pay at that time. Commissioner Snellgrove asked how the cost is determined? Mr. Pool stated the mileage is figured for the vehicle and the labor for the employee, and add the labor additive and how much time it takes to pick them up and divide by the number of signs picked up. Chairman Culver reported they have been billed in the past, and most candidates pay the bill. Chairman Culver stated if the county is going to charge to pick up the signs, then it is something the commission needs to authorize Mr. Pool to enforce.

Commissioner Snellgrove asked if the county was going to notify each candidate? Chairman Culver stated the media was being notified in the meeting. The chairman stated the signs are improperly placed and he felt any notification would be out the goodness of the commission's heart. Commissioner Snellgrove stated if the county is going to charge the candidates for the

signs, then he did not feel it would be too difficult to get a list of the candidates, and send each one of them a letter making them aware of the county's policy. Chairman Culver asked Mr. Pool to send notification to the six or seven candidates who have announced with the caveat that qualifying has not closed and there may be others later. It was pointed out the last day to qualify is June 2nd.

The chairman stated the candidates would receive a letter and the county would start picking up the signs next Tuesday, June 2nd. The chairman asked Mr. Pool to continue on the billing as has been done in the past.

Adjourn.

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