

MINUTES OF THE HOUSTON COUNTY COMMISSION

JUNE 14, 2010

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 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. Commissioner Curtis Harvey gave the invocation. Commissioner Forrester 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 reported it was Flag Day and he asked everyone to remember those who had fought in order for the flag to be standing and the commission meeting could be held.

He congratulated Ms. Ashley Davis, a Dothan native who won the "Ms. Alabama" Pageant over the weekend. He wished her all the best in the "Ms. America" Program next year.

Chairman Culver congratulated the outstanding performing elected officials' softball team for the great job they did over the weekend in annihilating the media softball team, and taking revenge from last year's loss, and winning this year. He stated everyone had a good time. The chairman reported the best thing about the event was that they raised 650 pounds of food for the Wiregrass Food Bank. He stated he appreciated Vanessa Araiza, Matt Parker, and Patrick Clayborne for helping to put it together. Mr. Culver reported they hoped to have it in May next year when it is a little cooler.

The chairman reported Houston County would be hosting the Hurricane Preparedness Conference on June 17th for first responders. He stated it would be from 8:00 A.M. until 4:00 P.M. Chairman Culver reported they encouraged all first responder types to attend in an effort to make sure everyone knows their part in the Hurricane Preparedness program. He reported Mr. Clark Matthews was present and he would be glad to answer any questions after the meeting, or they could contact the EMA office.

Chairman Culver recognized Will and Kevin Forrester, grandsons of Commissioner and Miriam Forrester. He reported they were visiting from Tallahassee and he welcomed them to the meeting along with Mrs. Forrester.

The chairman also recognized Shirley Taylor and Dade Chandler. He pointed out Ms. Taylor is the daughter of media representative, John Taylor. The chairman welcomed them to the meeting.

Regular Agenda

1. Request to approve funding for SARCOA in the amount of \$35,000.00.

Commissioner Cook made a motion to approve the funding for SARCOA in the amount of \$35,000.00. Commissioner Snellgrove seconded the motion. Chairman Culver reported this was money that was excluded from the budget with the commitment to put it back if other sources could not be found. The chairman called for the question; and the motion carried unanimously.

2. Request for 050 Retail Beer License (Off Premises Only) and 070 Retail Table Wine License (Off Premises Only) for KVI 3 LLC d/b/a Kelley Superette, 2552 Highway 109 South, Dothan, AL 36301.

Commissioner Cook made a motion to approve the request for a 050 Retail Beer License (Off Premises Only) and 070 Retail Table Wine License (Off Premises Only) for KVI 3 LLC d/b/a Kelley Superette, 2552 Highway 109 South, Dothan, Alabama. Commissioner Forrester seconded the motion. The chairman asked if anyone present was in opposition? There being no opposition, he called for the question; and the motion carried unanimously.

3. Request to approve budget amendment to adjust grant revenues in the amount of \$535,164.00.

Commissioner Cook made a motion to approve the budget amendment to adjust grant revenues in the amount of \$535,164.00. Commissioner Snellgrove seconded the motion. The chairman stated he felt sure this was discussed on Thursday. He thanked Commissioner Snellgrove for chairing the meeting in his absence. Mr. Pool reported this is money resulting in his continuing negotiations with strength with FEMA. He pointed out there is more money coming. The chairman called for the question; and the motion carried unanimously. (Please see attached budget amendment in Minute Book)

4. Request to award bid on kitchen kettle at the Jail.

Commissioner Harvey made a motion to award the bid on a kitchen kettle at the Jail to Moore-Warren Equipment Company, low bidder meeting specs, in the amount of \$19,998.00. Commissioner Cook seconded the motion. Chairman Culver asked if this was a budgeted item? Mr. Dempsey reported it was, and came in under budget by \$2.00. The chairman called for the question; and the motion carried unanimously. (Please see attached in Minute Book)

5. Request to approve ADEM Grant in the amount of \$30,000.00 for Madrid tire clean-up.

Commissioner Cook made a motion to approve the ADEM Grant in the amount of \$30,000.00 for Madrid's tire clean-up. Commissioner Forrester seconded the motion. Commissioner Snellgrove reported there was discussion on Thursday by Mr. Matthews on the cost when the public throws out the old tires, and the penalty. He asked Mr. Matthews to explain to the public what the penalty is for throwing out scrap tires?

Mr. Matthews reported his office was trying to prepare a release where the public would know the penalty could be \$25,000.00 per day for illegal dumping and it is a criminal offense. Mr. Matthews reported they have been having a problem with it, and the Town of Madrid's clean up is a lot. He reminded the public if they burn tires, they will be asked to put the fire out, and if they refuse, charges will be brought against them. He urged anyone to contact the Sheriff's Department or Police Department if they saw someone dumping tires. He stated they have had a problem with people throwing tires on the side of the road also. Mr. Pool reported this site in Madrid was at least 15 years old, and a law was passed that added a dollar per ton to everything that went to a landfill and they created a fund to clean up these sites across the state. He stated they applied to ADEM for one of the grants to clean up the site. He stated if they are made aware of any other sites they will apply for the money to clean them up. Commissioner Cook reported she has been a commissioner for almost 16 years, and this situation existed when she came on board. She stated they worked really hard and when they completed the removal of all of the tires, there were nine trailer loads. Commissioner Cook stated she was thankful they finally got some help to take care of this problem. Commissioner Snellgrove reported some of the problems with tires on the side of the road is that the salvage companies are buying the old vehicles and peanut pickers, and they pull the tires off the vehicle to get the salvage materials. He stated they put the tires back on the trailer and on the way back home the tire falls off on the side of the road. Mr. Snellgrove reported the people who are letting these tires fall off the trailer need to be aware that there is a penalty. Chairman Culver called for the question; and the motion carried unanimously.

6. Request to award bids on oil, grease, & fluids, hot plant mix, and disposal of inert waste materials.

Commissioner Cook made a motion to award the bids on oil, grease, & fluids, hot plant mix, and disposal of inert waste materials to the low bidders meeting specs in each category. Commissioner Snellgrove seconded the motion. Chairman Culver called for the question; and the motion carried unanimously. (Please see attached Bid Summary Sheets in Minute Book)

Reports from Staff:

Chief Administrative Officer

Mr. Dempsey reminded everyone that the first phase of the budget hearings would begin at 1:00 P.M. and they would be discussing capital and manpower for each department.

County Engineer

Mr. Pool reported the contractor was working on the variations on the asphalt that was put down on S. Brannon Stand Road. Mr. Pool pointed out the contractor will resurface as soon as the problems on the variations have been corrected, and it should be complete this week. Chairman Culver reported he had received a lot of calls and he felt sure Commissioners Cook and Forrester had also on S. Brannon Stand Road and the one lane of traffic on such a heavily traveled road does not work well. Chairman Culver reported the information he was given was that hopefully the paving would be done this week, and the county's work would take approximately two weeks. He reported the county hopes to have the project completed by July 4th weekend, but if it is not, then they will cease work on the July 4th weekend and allow it to be two lanes. Mr. Pool stated that was correct.

Commissioner Forrester reported he would like to acknowledge from the Commission the death of a good friend of the community, Mr. Bill Flowers. He stated Mr. Flowers was a CPA with McDaniel and Associates and he had worked with him closely on the Dothan Community Foundation. He pointed out Chairman Culver had worked with him closely in the Dothan Rotary Club, and his father, Mr. Az Flowers, Sr., has been Chairman of the Houston-Love Memorial Library Board for many years. Commissioner Forrester reported this was a great loss to our community. Mr. Forrester reported the funeral services would be June 15th, at Covenant United Methodist Church. Chairman Culver reported Mr. Flowers was a good man and will be sorely missed.

County Attorney – there was no report.

Any Scheduled Public Hearings

1. Request to hold Public Hearing and approve C/D Landfill located off Kinsey Road.

Chairman Culver reported per the County's Solid Waste Plan, a Public Hearing has been scheduled on a request for a C/D Landfill located off Kinsey Road. He reported the commission will allow the Public Hearing to take place if anyone present would like to make any comments. He stated persons making comments would need to come to the podium and state their name and their position on the landfill, and then the commission can either approve, disapprove, take no action, table or whatever they desire after the public hearing. He reported the Public Hearing was advertised in the paper as required. Chairman Culver reported he wanted everyone to understand that this was not a solid waste landfill; it was not a garbage landfill. He stated there is only one legal one in Houston County that he was familiar with and that it is over at the City of Dothan. Chairman Culver stated he thought it would be very difficult to get a solid waste landfill permitted in Houston County as much growth as the county has had. He reported this is strictly a C/D Landfill, and there is already one located in Wicksburg, one just over the line in Henry County, and one in Dale County.

At that time, Chairman Culver opened the floor for the Public Hearing. He stated anyone who would like to address the commission could come forward and state their comments after they state their name.

1. Jason Sawyer, Northstar Engineering Services, Inc.

Mr. Sawyer gave a brief overview of the process. He stated they are applying with ADEM for the C/D Landfill and the first step is to get approval from the county commission. Mr. Sawyer reported the area they are talking about using is located off Kinsey Road. He pointed out it is an existing dirt and sand pit and there is a big area out there that is already cleared that they haul materials from. Mr. Sawyer reported as had previously been stated it will not be garbage; just construction/demolition debris, concrete, bricks, wood materials, tree limbs, leaves, and used old tires. Mr. Sawyer then stated if anyone had any questions about the permit process he would be glad to try to answer them. Chairman Culver stated at this portion no one was allowed to ask any questions.

2. Mike Hughes, Proposed C/D Landfill Owner

Mr. Hughes reported this property for the landfill is owned by his family and they currently have a big dirt pit and there is a big hole that would be filled with the C and D pit. He reported at the end of the day when they are through with a section, they would get it back to the correct elevation with the

surrounding property and they will plant pine trees on top of it. He pointed out all around it now is planted pines. Mr. Hughes reported the property is off the road and it cannot be seen, and they are hauling dirt out of there almost on a daily basis. He stated he could not see any further impact on the public other than what is going on there now.

Chairman Culver asked if anyone else wanted to make any comments? There being none, he closed the public hearing portion of the item on the agenda.

He then asked for consideration from the Commission to take some action on the request.

Commissioner Harvey made a motion to approve the C/D Landfill located off Kinsey Road. Commissioner Cook seconded the motion.

Commissioner Snellgrove asked Mr. Pool to explain the difference in the landfills. He stated it seems it is the mindset of the public and he could understand them not wanting a solid waste landfill in their backyard.

Mr. Pool reported there were three different types of landfills:

Mr. Pool reported an inert landfill takes in concrete, dirt, brick, waste from asphalt paving, ash from any type of combustion, untreated wood, rock, roofing materials, and couches. He reported no televisions or radios can be accepted. He stated it has to be covered once a week with dirt.

Mr. Pool reported a solid waste landfill takes household garbage in and it has a liner and when rainwater goes through the landfill it is collected, and it is hauled to a treatment plant. He stated a solid waste landfill can take inert waste.

He reported a hazardous waste landfill can take batteries, battery acid, and all of the bad stuff, and it can take solid waste, hazard waste and inert waste.

He pointed out these landfills are monitored by ADEM.

Commissioner Snellgrove stated the responsible party taking care of the landfill that was just approved will be the landowner. Commissioner Snellgrove stated if the general public sees any violations, they should contact ADEM. Mr. Pool stated that was correct.

Commissioner Harvey stated since last Thursday, he had been brought up to speed because it was a brand new agenda item. He thanked Mr. Mike Hughes for giving him the grand tour, and he stated he made his own personal calls to ADEM and they explained the process to him. He pointed out the chairman and engineer were not present at Thursday's meeting and he could not get the information he needed. Chairman Culver stated for future reference for the gentlemen from Northstar, he needed to be here Thursday because typically if someone is not here for an item, they generally do not put it on the agenda. He pointed out due to it having been advertised, they chose to go ahead and put it on the agenda. The chairman called for the question; and the motion carried unanimously.

Adjourn.

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

