

MINUTES OF THE HOUSTON COUNTY COMMISSION  
REGULAR SESSION  
September 12, 2022

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

Chairman Culver called the 10:00 a.m. meeting to order and welcomed everyone to the September 12, 2022, Houston County Commission Regular Session. He declared a quorum as all commissioners were in attendance.

Pastor Taylor Rutland of First Baptist Church of Dothan gave the invocation and Commissioner Harvey led in the pledge of the allegiance.

The minutes of the previous meeting were approved on a motion by Commissioner Harvey and seconded by Commissioner Siquefield. The motion passed unanimously.

ANNOUNCEMENTS AND COMMENTS FROM THE CHAIRMAN AND COMMISSIONERS

Chairman Culver began by stating that a few weeks ago most of the commissioners attended the ACCA Annual Conference in Orange Beach and they received a lot of good information that will help them going forward. He added that some elected and staff members were recognized for service and he wanted to congratulate Commissioner Curtis Harvey as he was elected as the Minority Director for the Alabama County Commissioners Association, which is quite an honor and he wanted to publically congratulate him for being recognized by his peers to serve for the next year in this capacity. Chairman Culver added that Commissioner Siquefield has also served on the board over the last several years and he has also. He then recognized Peter Covert, as he received his County Administrator Certification, and he congratulated him on that accomplishment. He stated that this certification requires a significant number of classes and training as well as time, effort, and investment of financial and personal effort and time. Peter Covert then mentioned that it was his pleasure and honor to announce that Martha Walker, in the accounting department, had completed all her required courses to receive her County Administrative Certificate and he is proud of her for this. Chairman Culver reported that also at the conference the association adopted several resolutions on issues that are facing the state that will come up in the next legislation. He asked that Commissioner Shoupe comment on those five resolutions as he is the newly elected legislative committee representative.

Commissioner Shoupe reported that the first item (resolution) concerns the reimbursement of the county's allocation of the \$26 million funding and he read the resolution as follows:

“Be it hereby resolved...The association encourages the Governor’s Administration and the Alabama Legislature to allocate \$26 million of the State’s ARPA funding to reimburse Alabama county governments for ARPA-

eligible expenditures made in 2020 that have remained unreimbursed since the CARES Act funding was unexpectedly redirected.”

Commissioner Shoupe stated that the context for this is that the counties were allocated by the state several million dollars of CARES Act funding and Houston County and several other counties were a little confused as to what those reimbursements were eligible for and some did not get their completed reimbursement requests in time. The state was in shock at the unemployment system and they had to make some decisions redirect some of that funding to cover unemployment insurance. But, now that the state has their own ARPA funding, the counties are asking for their reimbursements of those funds that were redirected. Chairman Culver added that if this is to occur, Houston County would receive an additional \$1.2 million in ARPA Funds and that is important. Commissioner Shoupe continued by stating that the second resolution concerns Simplified Sellers Use Tax and the resolution is as follows:

“Be it hereby resolved...The association encourages the Alabama Legislature to oppose any local or general legislation making changes to the Alabama Simplified Sellers Use Tax Remittance Act that may jeopardize the constitutional validity of the law, alter the distribution of revenue, or generate a burden on the taxpayers of Alabama.”

He said that obviously the SSUT, or internet sales tax what it is more commonly known as, is an important and growing part of our budget and has saved the county over the last several years and the county cannot afford to lose that funding. Chairman Shoupe stated that the third resolution is extremely important and everyone should be concerned about this as it concerns weight limit adjustments on commercial vehicles traveling on county roads and bridges. He reported that there is a movement by certain industries to increase those weight limits and that would be detrimental to the roads and bridges in the county. The resolution is as follows:

“Be it hereby resolved...That increasing weight limits or adjusting allowable weight distributions is clearly harmful to our county road and bridge system, dangerous and costly to our citizens, and contrary to sound public policy.  
Be it further resolved...The Association encourages the Alabama Legislature to oppose any efforts to increase the weight limits or adjust the allowable weight distributions for commercial vehicles traveling on county road and bridges.”

Commissioner Shoupe commented that he has had several areas in his district that log trucks enter and exit on county roads with their current weight has caused damage to the roads. This would make the cost of infrastructure increase immensely. The fourth resolution involves process of registering voters and district realignment. The resolution is as follows:

“Be it hereby resolved...The association encourages the Alabama Legislature to perform a comprehensive review of Alabama’s process for registering voters and implementing district realignment, including the process for approving members to serve on the boards of registrars.”

Commissioner Shoupe reported that he does not feel that this has been a problem in Houston County but has been in some counties. He stated that the Board of Registrars is appointed by state officials and sometimes the best person is not always appointed for that position and it makes the process of registering voters more difficult and error prone. The association would like this issue to be addressed. Commissioner Shoupe continued by saying that the last resolution deals with the delivery of ambulance and emergency response services in Alabama. The resolution is as follows:

“Be it hereby resolved...The association encourages the Alabama Legislature to comprehensively review the delivery of ambulance and emergency response services in Alabama.”

Commissioner Shoupe stated that this has been a growing issue all across the nation to include Alabama and in this current labor market, finding people to pay and work is hard and getting volunteers for EMS services is even harder. He added that Houston County is very blessed to have very reliable volunteer EMS services and he is proud of that but this issue is not going away.

Chairman Culver thanked Commissioner Shoupe for this report and people need to be aware of these important issues. He added that he failed to recognize that Commissioner Siquefield was recognized at the conference for being President of the Workman’s Comp. Fund for the last four years as well as on the Liability Fund Board. He thanked Commissioner Siquefield for his service to the association.

#### REGULAR AGENDA

1. Request to award 2022-2023 ACCA Joint Bid Program: Bulk Cement, Concrete Pipe, Corrugated Metal Pipe, Herbicides and Road Signs

Commissioner Herring made a motion to approve the request to award the 2022-2023 joint county bids and Commissioner Harvey seconded. Chairman Culver commented that is a customary item as Houston County is the awarding county for the ACCA Joint County Bids.

The motion passed unanimously.

2. Request from the Personnel Board to concur in the 2023 County Holiday Schedule – Sheri Garner, Personnel Director

Commissioner Siquefield made a motion to approve the request from the Personnel Board and Commissioner Herring seconded. The motion passed unanimously.

3. Request to re-appoint Spencer Bienvenu to the Houston County Water Authority – Chairman Mark S. Culver

Commissioner Siquefield made a motion to approve the request to re-appoint Spencer Bienvenu to the Water Authority and Commissioner Harvey seconded. The motion carried unanimously.

4. Request to approve Resolution Authorizing the Operation of Medical Cannabis Dispensing Sites with Unincorporated Areas of Houston County – Matt Parker

Commissioner Herring made a motion to approve the resolution and Commissioner Siquefield seconded. Chairman Culver stated that Matt Parker did a great job of discussing this on Thursday and this is mirroring the city of Dothan and other counties across the state. The motion carried unanimously.

5. Request to approve additional crew, enhanced services and monthly fee increase for Sanitation Customers effective November 1, 2022

Commissioner Harvey made a motion to approve the request and Commissioner Shoupe seconded. Chairman Culver stated that as they discussed on Thursday, this is the first step in this process. He has spoken to Engineer Kirkland and their intentions are to put the revised regulations on the agenda for the first meeting in October and get that out to the citizens that will include the enhanced services that the county will be providing. Chairman Culver said that the additional crew should be in place by November 1<sup>st</sup> if the equipment is ready.

Commissioner Siquefield commented that there is no policy written on this so that the people can see what this \$5 fee will implement. He appreciates the fact that the policy is being looked at and updated for the October meeting and he appreciates the sanitation department and their efforts in providing the best services to the citizens and that they do a great job. Commissioner Siquefield stated that before asking the citizens for an additional fee whenever they have experienced the effects of inflation to include gas, food and other items, the commission should look at next year's budget process and see how they can possibly find those funds that they need to provide these enhanced services whether it comes from the general fund or other revenue sources. He added that it is already in the budget and he feels that it can be looked at and studied to provide these enhanced services. He asked why the regular sanitation customers should pay more to clean up these roadside piles of trash and limbs when they are not responsible for it to begin with. Commissioner Siquefield said that there are people that have no respect or pride in their county or community and they expect the county to clean it up. He feels that these people need to be fined or caught and held responsible. He noted that there will always be this problem in the county so he is not saying that we do not need this service, but other ways need to be looked into to provide this service without the cost to the citizens. Commissioner Siquefield said that not everyone is on a fixed income and the population has grown tremendously and more people are going on the sanitation billing which increases the revenue. He feels that those expenses are there and will be there for some time and that you can't keep going to the well when there is no water coming in.

When called for the vote, the motion passed 3 to 1 with Commissioner Siquefield voting no.

6. Request to approve the 2022-2023 Budget – Peter Covert, CAO

Commissioner Harvey made a motion to approve the budget and Commissioner Shoupe seconded. At this time, Peter Covert made his presentation of the budget. He stated that the commission has the full version of the budget in front of them in book form. Mr. Covert stated that this is a collaboration of the department heads and others and he wished to thank all of them for their hard work in making this possible today. They have faced many challenges due to trying times to include the pandemic and the labor market and the supply chain. He noted that in this budget there is a very large increase in expenditures and that is primarily due to equipment purchases that were not available in last year's budget, although they were budgeted, so they were rolled into this year for the regular replacement of worn out equipment. In addition, he reminded the commission of the recent COLA that was approved effective August 1<sup>st</sup>, and it rolls forward into this budget year. In regards to the ending balance being originally projected at \$6 million or \$7 million, this changed to about \$20 million due to the carryover of

equipment not being available to purchase in the prior year. In the way of new positions for the county, there are two new positions for the Sheriff's Dept to include an IT Tech and a lieutenant, and a refuse driver for the sanitation department. In the way of major capital expenditures, there are several items that are carryover from the current fiscal year that were not able to be filled. Also included is the wage study that is performed every four years. Revenues are budgeted conservatively so that the commission and department heads are cognizance of their responsibilities of keeping control of their expenditures, as in prior years. He noted that SSUT and regular sales tax are significant factors in revenue to the county as it is over 20% of the revenue budget with 34.7% coming from property tax. Mr. Covert pointed out that when it comes to expenses, salaries and benefits, they account for just over 46% with 35.5% dedicated to department operations. Outside of salaries and benefits, some of the biggest expenses in the new budget include contract services at \$6.8 million; support for county agencies at \$4.6 million; principal payments on leases at \$4.6 million; fuel and lubricants at nearly \$1.5 million and payment on long-term debt principal at \$1.4 million.

Chairman Culver thanked Mr. Covert, the department heads and staff for their work on this budget and that it is a good positive budget. He added that because of the COLA and the ARPA Funds, there was a lot of moving of projects trying to create funds in the budget to fund the COLA that was given. The ARPA Funds were used for some of the projects so that the COLA could be given to the employees. Mr. Covert stated that ARPA Funds are not in the operating budget as they are in a separate account and are ear marked and not committed until a sub-recipient agreement is approved. Commissioner Shoupe thanked Mr. Covert and staff for their hard work on this budget. He noted that it was mentioned that \$1.5 million dollars is there for the fire and rescue and that is \$750,000 for each association and they have been extremely patient waiting on those funds to become available.

At this time, Mr. George Trotter approached the podium and commented that he sees that roughly 46% of total budget is employee salaries and benefits and he was curious how that stacks up to other counties. He asked the Chairman to clear up what percentage of the total budget goes through the Sheriff's Dept. of Houston County and Chairman Culver answered 16% is that answer. When called for the vote, the budget passed unanimously.

7. Request to approve budget amendment and temporary employment of clerk for Board of Registrars not to exceed \$3,500 – Molly Meadows, Chairman Board of Registrars

Commissioner Herring made a motion to approve the budget amendment and temporary employment of clerk and Commissioner Shoupe seconded. The motion carried unanimously.

8. Request to reject sole bid received and negotiate through the receipt of informal bids for Administration Building Window Project – Sean Curtis

Commissioner Shoupe made a motion to approve the request to reject the sole bid and Commissioner Sinquefield seconded. At this time, Mr. George Trotter approached the podium and thanked the commission for rejecting the sole bid and he asked how many windows were in the building and Chairman Culver answered 141. Mr. Trotter asked if they are taking more bids for 15 days and Chairman

Culver answered no because the law allows them to reject, if there is only one bid, and then negotiate with the sole bidder through informal bids with the one bidder. Chairman Culver said there will not be another open bid process. Commissioner Shoupe said that it is \$27,335.56 per window if he is just asking about price per window and it is not only for the windows, but they are waterproofing the entire building. Mr. Trotter asked why can't the bid say that it is not just for windows but for waterproofing as well. Chairman Culver said that it is for window replacement and envelope sealing. Mr. Trotter said that a legitimate contractor should come in and come in and given an estimate and put it out for bid. Chairman Culver stated that Saliba Construction was the sole bidder. When called for the vote, the motion carried unanimously.

9. Request to award bid for Full Body X-Ray Scanner for Jail – Major Bill Rafferty, Sheriff's Dept.

Commissioner Siquefield made a motion to approve the request to award the bid for Full Body X-Ray Scanner for the Jail. Commissioner Shoupe seconded the motion and it passed unanimously

10. Request to award bid for bituminous surface treatment to lowest bidder meeting specs – Road & Bridge

Commissioner Herring made a motion to approve the request to award the bid for bituminous surface treatment. Commissioner Harvey seconded and the motion carried unanimously.

11. Request to award bid for hot plant mix to lowest bidder meeting specs – Road & Bridge

Commissioner Harvey made a motion to approve the request to award the bid for hot plant mix and Commissioner Shoupe seconded. The motion carried unanimously.

12. Request to sell the following items on GovDeals:

1. Miscellaneous office furniture and miscellaneous computer equipment – Revenue Dept.
2. Empty chemical storage tanks – Road & Bridge

Commissioner Siquefield made a motion to approve the above items be sold on GovDeals. Commissioner Herring seconded and the motion carried unanimously.

#### STAFF REPORTS

Chief Administrative Officer – No report.

County Engineer – Cowarts Creek Rd. closed for cross drain replacement

County Attorney – No report

Commissioner Siquefield asked about the pistol permit revenue and is it reflected in the budget. Mr. Covert stated that they will not know the full impact until they get into that for the new year. He added that there has been a lot of discussion and it is a personal decision of whether a citizen gets a permit but it is highly recommended if they are going outside the state of Alabama and to answer the question, he used the pistol permit revenue for next year. Major Rafferty came forward and said that in reference to

the pistol permit funds, they have seen a decline in sales and the new law takes effect January 1<sup>st</sup>. The permit is not required in the state of Alabama, but if you travel over state lines, you will need a permit. He hopes the revenue will go back up. Chairman Culver asked Major Rafferty if Georgia and Florida require pistol permits and Major Rafferty answered "they do". Chairman Culver then commented that anybody that travels across the state line into those areas will need to get a permit. Commissioner Harvey stated that the only time you will not need a pistol permit is if someone plans to stay in Alabama and not leave the state. Commissioner Shoupe asked Major Rafferty that if someone is charged and convicted of a felony, don't they lose their rights to conceal carry? Major Rafferty responded that is correct.

Commissioner Harvey reported that Chairman Culver was recognized at the annual conference for his 30+ years of service and he can't say enough about his leadership as Chairman.

Meeting adjourned.