

MINUTES OF THE HOUSTON COUNTY COMMISSION
REGULAR SESSION
September 26, 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 26, 2022, Houston County Commission Regular Session. He declared a quorum as all commissioners were in attendance.

Commissioner Curtis Harvey gave the invocation and Commissioner Herring 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 announced that two weeks from today is Columbus Day and there will not be a commission meeting on that Monday but it will be held on Tuesday, October 11th. This is a state, county and federal holiday and all offices will be closed. He also mentioned that Mr. Jerry Miller, the former Houston County Farm Center Manager, passed away recently. Mr. Miller served the county for over thirty years and he wanted to publically recognize him and he asked everyone to keep his family in your prayers. Chairman Culver then asked EMA Director, Chris Judah, to come forward and give an update on Hurricane Ian, which is approaching the east side of the Gulf of Mexico. Mr. Judah began by thanking the Chairman for staying in contact with him over the weekend on the developments of this storm. He said that this storm has been interesting and they are watching it very closely as it has been one of the most unpredictable and will be one of the largest when it hits land. Fortunately, he added that our area may just see some light wind and rain and the Panama City area may see some tropical storm weather. Mr. Judah stated that the storm is still in the eastern area and the Tampa area will see some major impact and our biggest concern here in the Houston County area is the influx of people that are running from the storm. Our hotels and restaurants will fill up quickly and he urges people that have questions to call Wiregrass 2-1-1 or the Dothan Visitors Bureau. Mr. Judah emphasized that communication and cooperation are very important. Chairman Culver thanked Mr. Judah and stated that they have stayed in communication over the weekend and watching the storm go back and forth. He encouraged everyone not to let their guard down as these storms are unpredictable and this is a major storm and they ask everyone to pay attention in the coming days. Mr. Judah encouraged the residents of Houston County to extend their southern hospitality to these visitors. Chairman Culver said that he was in the Panama City area on Sunday and the lines to get in the Sam's store were lined up to the road and he heard people were waiting for over two hours just to get in the store to shop.

REGULAR AGENDA

1. Request to approve the 2022 Emergency Management Preparedness Grant and accompanying budget amendment – Chris Judah, EMA Director

Commissioner Shoupe made a motion to approve the 2022 Emergency Management Preparedness Grant and budget amendment. Commissioner Herring seconded the motion and it passed unanimously.

2. Request to award bid for janitorial services to lowest bidder meeting specs – Sean Curtis, County Buildings Manager

Commissioner Sinuefield made a motion to award the bid and Commissioner Harvey seconded. The motion passed unanimously

3. Request for 010 Lounge Retail Liquor – Class I License - JCBC Good Times, d/b/a Horizon Bar and Grill located at 14634 W. US Hwy 84, Newton, AL 36352

Commissioner Shoupe made a motion to deny the request for the liquor license and Commissioner Herring seconded. Chairman Culver asked if anyone was present in opposition of the liquor license and a citizen approached the podium. He began by saying that he appreciated the opportunity to speak and he was present to oppose the liquor license for the establishment and he wanted to give a little history of the property. He said in the mid to late 1950's, Mr. Eric Milligan (?) that owned that property sold three acres to a person and he went to his grave regretting selling the property as he was deceived and lied to. He added that his son Parrish, Jr. lives in North Carolina right now and if he was present he would be glad to back that story. The speaker stated his name as Kenneth Hardy and said that he tried to buy the land as it joins the backside of his restaurant, Hardy's Family Restaurant, and he said that he was told that no Milligan land would be sold because his dad was lied to. The owners were originally going to put in a gas station and retail store and they put two beer joints on three acres. Mr. Hardy said years ago Ft. Rucker was booming and the soldiers would come out to the beer joints on the weekends and fight like crazy. He said that it got so bad that Ft. Rucker told the soldiers not to visit the place (Oasis Lounge) anymore because they were constantly being taken to Houston County Jail. Mr. Hardy stated that when this happened, the beer joint shut down due to no patrons as the local people did not visit the establishment. He said that it is not the local people but it is residents from Enterprise, Geneva and other areas as this establishment has been a thorn in their side since it began. Mr. Hardy reported that the Sheriff's Dept. has been called 117 times to the establishment from January, 2019 to September 1, 2022, with 113 being directly related to medical, shooting and fighting. Mr. Hardy also added that this place use to be for adult entertainment and people came from the outside areas and they project that is what is going to take place again. He stated that he had an employee that was a hard worker and got mixed in drugs and served in the penitentiary and he said that was one of his main places. Mr. Hardy said that he understands that they are going to start serving food and alcohol and now a twelve year old can go in and it exposes their curiosity of what is taking place at the facility. He ended that he just wanted to ask the commission to think about that and try to work with the citizens if they can.

Chairman Culver then asked if there was anyone else in opposition to this and another citizen approached the podium and stated his name was Ronnie Driskell and he was a business owner in Wicksburg and grew up there. He said that this facility has been an eyesore for many years and as he passes by the establishment with his young children, he has to explain to them about all the lewdness that is on the sign as they drive by the intersection on their way to school. He reminded everyone that Wicksburg is becoming a large community and growing like crazy with families. The elementary and the high school are within a mile of this facility as are two churches. Mr. Driskell said they are opposed to this as the community does not frequent the place and he would appreciate them considering denying this request for this liquor license.

Chairman Culver asked if anyone else in opposition and with there being none, he asked if anyone was in favor of this request. At this time, Denny Holloway approached the podium and stated that he represents Mr. Michael Kent Scott who is here with him today. He said they have met and gone over the issues. Mr. Holloway stated that Mr. Scott was from California and born in Savannah, GA and his dad was an air force veteran. He said that Mr. Scott will be the owner and manager of the place and he realizes that the facility has a history and he wanted to address that. He continued by saying that the killing that occurred in 2012 was the owners son and that owner has since left due to the tragedy. He said that Mr. Scott has put a lot of money and time into getting the business up and going again and changing the persona of the establishment. Mr. Holloway said that there is a new kitchen, menus, remodeled everything inside, repaired lights and added 28 cameras for the property and he has already been approved for a liquor license at his other establishment, Ramu's Pizza, south of Dothan across from Cowboys, and the Crazy Monkey on the Ross Clark Circle. He said that basically he has done everything to get the license except for the approval of the county commission. Mr. Holloway said that back when it was Teaser's, Michael had worked for the owner but he did not have any part of the ownership or the administration of the business. He reported that at the time of the killing in 2012, Michael was living in Iowa and now is back in Wicksburg. He has a 4-year old daughter that attends Wicksburg school and he will be a part of the community. Mr. Holloway said that in the new facility there are 8 TV's, 4 pool tables, air hockey, foosball, basketball hoops and a dance floor and he has taken out the stage where the girls would dance. He stated that this facility would be the only place to get food after 2:00 p.m. in the afternoon and this would be a service to the community. Mr. Holloway stated that this will be a sports bar but he would serve food and the only thing left is the bad taste that everyone has in their mouths from the way it used to be run and he feels from what he has seen that it is going to be an asset to the community. At this time, Mr. Holloway introduced Mr. Scott and he approached the podium. He began saying that it is Mr. Kent and not Mr. Scott. Mr. Kent said that there would not be children allowed at the bar and that yes it is a restaurant/lounge license but nobody under the age of 21 will be allowed in the establishment. He added that in the past when they had all the problems at "Teasers" most of those problems came after 2:00 a.m. and they will be closing at 2:00 a.m. and they will not be staying open late. Mr. Kent said he has lived in the Wicksburg area for seven years and he was not here when Mr. Eubanks son (the previous owner of "Teasers") was killed. He said that he has been in the bar business for 32 years and he does own two other businesses in the Dothan area and he did not have any problems getting a liquor license for, which are the Crazy Money Bar & Grill and Ramu's Pizza.

Chairman Culver asked if anyone else was present that wanted to speak in favor of the request and another citizen approached the podium. He stated his name as Jerry Charles Dillard, longtime Houston County taxpayer, and he stated that if this man has a legitimate business and no adult entertainment it should be approved as there are several in Houston County like this and it is just common sense and common sense is not common anymore. Chairman Culver then called for comments from the commission. Commissioner Harvey said that he heard Mr. Kent say that this would be a sports bar like Applebee's and Mr. Kent responded more like Buffalo Wild Wings, but they do have a dance floor for people to dance. Commissioner Harvey said he was confused why kids and families can't come and Mr. Kent said that it is not that they could not it is because he chooses not to bring the kids around the alcohol. He added that it is the same with the pizza restaurant in Dothan as they do not allow children inside. Commissioner Harvey said that every other restaurant in the City of Dothan serves alcohol and they allow children. Mr. Kent stated that he is a father too as his dad is a pastor but he does not believe that the kids should be around the alcohol as he does not drink or do drugs. He said that he raises his kids by himself and he feels they should not be around the alcohol and that is just his opinion. Commissioner Harvey asked if he has ever carried his family to any of the local establishments that serve alcohol and Mr. Kent answered that he cannot say that he hasn't but he chooses to not let them in his. Commissioner Shoupe commented that he has received a lot of feedback about this establishment since this came up and nothing has been positive and no one is in favor and that is the reason he is going to vote in favor of rejecting this request.

Chairman Culver then asked Mr. Kent if he has already opened as a restaurant or was he planning on opening as a restaurant and Mr. Kent answered that they have not opened up yet and yes it will be a restaurant and bar. Chairman Culver asked that, assuming the motion on the floor passes and the license is denied, is he still going to open as a restaurant without a liquor license and/or until he receives his liquor license. Mr. Kent answered that he is not sure that he will make it at that point. Chairman Culver said that brings it to the next point. He said that the way this process works that if the commission denies this request, this will be appealed to circuit court and as long as all the legal requirements are met, he will probably get the license anyway. He added that the commission is in the best interest of the citizens, but a legal process is separate and he asked that during this time until it is resolved, was Mr. Kent planning on opening a restaurant. Mr. Ken said that he is going to try.

At this time, Chairman Culver asked for any more comments and with there being none he asked for a vote on the motion of denying the request for the license. The motion to deny the request passed unanimously.

4. Request to adopt resolution and approve agreement for the Brownfield Tax Abatement Project Amendment One for Dothan 193 St. Andrews, LLC – Matt Parker

Commissioner Shoupe made a motion to approve the request to adopt the resolution and Commissioner Harvey seconded. The motion passed unanimously.

5. Request to adopt resolution and approve agreement for the Brownfield Tax Abatement Project Amendment One for RAM Dothan Hospitality, LLC- Matt Parker

Commissioner Herring made a motion to approve the request to adopt the resolution and Commissioner Sinquefield seconded. The motion passed unanimously.

6. Request to adopt resolution regarding special tax for public hospital purposes as petitioned by The Houston County Healthcare Authority

Commissioner Sinquefield made a motion to adopt the resolution regarding special tax for public hospital purposes as petitioned by the Houston County Healthcare Authority and Commissioner Harvey seconded. At this time citizen approached the podium and stated his name as George Trotter of County Road 203, Dothan, AL 36301 and he has been here 27 years. He stated that this subject with the hospital board has been a controversial issue for the last year and what this board is really about and he had a couple of questions for the commission and he was in hopes that the news media would carry out the answers that they have. First, Mr. Trotter asked if there were 11 or 13 board members on the board. Chairman Culver answered that there were 13. Mr. Trotter then asked how many of the 13 are appointed by the commission and Chairman Culver answered that 12 were appointed. Mr. Trotter asked if the board members attend every meeting of the board and do they have input and do their votes actually count with their input. Chairman Culver answered that he does not attend the board meetings and Mr. Trotter asked if he could find out the answer and get it out to the public as his understanding is that these board members have no say. He asked if he was right or wrong and Chairman Culver answered that he does not know if that is right or wrong or not but the law sets up the board and what their duties are. Mr. Trotter asked if they could ask the press to please investigate that and put it out to the public as these are questions that people are asking him and that is why he is asking. Mr. Trotter then asked to correct him if he is wrong, but he understands that the hospital is \$10 million in debt for this fiscal year and he wants to know how many millions of dollars of COVID relief money the hospital received this past year and why they are \$10 million in debt is his question. He continued to say that Flowers Hospital has not been supplemented by this revenue of mills. He says that he sees things going on at the hospital that costs money. He stated that nobody is against efficient medical care but he is here to say that the word out here across the United States, across Alabama and across Houston County, there is a term. Mr. Trotter said the medical profession is the most cherished profession that there is but he has seen it fail right here in Houston County in the 27 years he has been here. He has seen the quality go down. Chairman Culver reminded Mr. Trotter that his time is up and asked him to wrap up. Mr. Trotter asked if the commission could lay this on the table until they can investigate a little bit more and find out and come back to the people with what mills increase they will have. He said that the Chairman said the other day that it is not a tax increase and he understands that but he thinks it is a little bit deceptive.

At this time Chairman Culver recognized Mr. Jerry Charles Dillard and he approached the podium. He said that he wanted to emphasize that the Houston County Health Care Authority is by far the largest property and land owner in Houston County and they need to get together and sell some of that prime real estate they have.

Chairman Culver then called for the vote and the motion passed with Commissioner Herring abstaining.

7. Request to adopt resolution to conditionally allocate ARPA Funds in the amount of \$1,000,000, to the City of Dothan for an investment in a downtown green space project, subject to conditions necessary in facilitating an ARPA sub-award, and delegating authority to the Chairman to negotiate and execute a sub-recipient agreement consistent with that resolution

Commissioner Shoupe made a motion to approve the resolution and Commissioner Harvey seconded. Chairman Culver asked for questions or comments and Mr. George Trotter approached the podium and thanked the commission for their service and told them not to forget who they work for as they took an oath. He stated that he has a problem, as he thinks the majority of the people in Houston County, both in the city and outside the city, have a problem as they have issues across the county and they bring up the services, personnel, budget and all other things. Mr. Trotter said to correct him if he is wrong but that four years ago 65% of sales tax for the City of Dothan was generated from outside the city limits and the city of Dothan has millions of dollars of surplus money. Mr. Trotter stated that the county has pot holes, road shoulders and other things that need repaired and the million dollars should not be given to the city. He said that he is not all about downtown Dothan at the expense of the citizens across the county that are hurting. He asked the commission to reconsider and let the city come up with the \$1 million that they need to spend on the green space. At this time Mr. Jerry Charles Dillard approached the podium and said that the commission does not know how to put priorities in place as the Road & Bridge is lacking and Dothan is rolling in money and it is a bad decision to spend \$1 million when the priority can be in the county. He added that Dothan can take care of their own green space and the county does not need to spend the money in that situation and it is ridiculous.

Chairman Culver responded that these are ARPA Funds and they can't be spent on road re-surfacing or anything that the general fund money is there for. This is designated by the federal government for specific things and this particular \$1 million is basically being spent as census track money and it is able to be spent at this particular location because of the census track that it is in. Chairman Culver added that they are spending \$8 million on sewage projects out in the county and water lines in the county as these ARPA Funds are not general fund money and are designated for specific items that benefit all the citizens of Houston County.

When called for the vote, the motion passed unanimously.

8. Request to approve resolution authorizing public hearing to address amendments to the subdivision regulations – Road and Bridge

Commissioner Herring made a motion to approve the resolution and Commissioner Sinquefield seconded. The motion passed unanimously.

9. Request from the City of Ashford to perform site work for new volunteer fire station – Road & Bridge

Commissioner Sinquefield made a motion to approve the request from the City of Ashford and Commissioner Herring seconded. The motion carried unanimously.

STAFF REPORTS

Chief Administrative Officer – No report.

County Engineer – Two closed roads: Bethel and Roney as they are replacing cross drains.

County Attorney – No report

Commissioner Sinquefield announced that Fall Farm Day will be held on October 15th at Landmark Park. He added that Laura (Stakeholme) is doing a fantastic job at the park and she is appreciated along with all the volunteers working on this project.

Meeting adjourned.