

MINUTES OF THE HOUSTON COUNTY COMMISSION
REGULAR SESSION
March 13, 2023

PRESENT: Chairman Brandon Shoupe, Commissioner Curtis Harvey, Commissioner Tracy Adams, Commissioner Ricky Herring, Commissioner James Ivey, County Engineer Barkley Kirkland, Chief Administrative Officer Peter Covert and County Attorney Pres Register.

Chairman Shoupe called the 10 a.m. meeting to order and welcomed everyone to the March 13, 2023, Houston County Commission Regular Session. He declared a quorum as all commissioners were in attendance.

Commissioner Herring 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 Herring. The motion passed unanimously.

ANNOUNCEMENTS AND COMMENTS FROM THE CHAIRMAN AND COMMISSIONERS

Chairman Shoupe began by welcoming some special guests that were in attendance. He recognized State Representative Rick Rehm, Houston County School Superintendent Brandy White, the distinguished Rehobeth Mayor Kim Trotter, Councilman Jim Tyson from the Town of Rehobeth, and Former Chairman of the Houston County Commission Mark Culver. He thanked everyone for attending today. Chairman Shoupe then congratulated the Sheriff for their recent move to their new building. He also reminded everyone that they recently conducted an employee survey and the results have been in for a couple of weeks and that each commissioner had received the full data from that survey and at the next commission meeting the Personnel Director, Sheri Garner, will make a presentation of that survey. Chairman Shoupe commented that the results were interesting, with a few surprising things, but there was certainly some good data received with some ideas for improvements. He wanted to let the employees, who took the time to respond to the survey, know that it was greatly appreciated as was their honesty. Their input will be considered in the decision making as the county goes forward as things pertain to the employees. He added that, for the most part, the results were good and he was very pleased.

Chairman Shoupe also announced that "Spring Farm Day" will be this Saturday at Landmark Park from 10:00 a.m. until 4:00 p.m. He added that there is a small fee for entrance and it is always a good event.

Chairman Shoupe stated that ever since the new Commission took office, they have been trying to have the first meeting of each month at 5:00 p.m., but it has become apparent that there is not much participation at the 5:00 p.m. time slot so effective immediately there will no longer be a 5:00 p.m. meeting and we will go back to the 10:00 a.m. meeting times for all the meetings.

Commissioner Ivey announced that on Thursday, the (334) Prevention Project will be holding their annual “Prom Promise” again this year and it will begin at 9:30 a.m. at the Peanut Festival fairgrounds. He added that the (334) Prevention Project will come together with area emergency responders from the City of Dothan, Houston County, area volunteers and with local air support, to make this program possible. Commissioner Ivey reported that this event is for local seniors from the county and the city and it is a mock traffic crash where there is a fatality involved. They have an actual wrecked car and live actors portraying the victims of the crash. This brings awareness to drinking and driving for the high school seniors attending proms and other events. Commissioner Adams announced that this Saturday is “Spring Fling” for the City of Ashford and he encouraged everyone to come and enjoy the festivities. Also, on the 25th of March, Dupree school will hold a gospel sing beginning at 11:00 a.m.

AWARDS AND PRESENTATIONS

1. Presentation – Houston Economic Development Assoc. Foundation – Bill Durden

Mr. Bill Durden approached the podium and thanked the commission for allowing him to come today on behalf of the HEDA Foundation to make this presentation. He then presented checks to the Town of Rehobeth, Houston County Schools and Dothan City Schools. Rehobeth received \$92,000 from the HEDA Foundation for the construction of a fire training tower. Houston County Schools received \$60,000 to help with the addition of an athletic training room at Cottonwood High School and Dothan City Schools received \$10,000 to help purchase bleachers at the girl’s flag football/soccer field at Dothan High School.

2. Presentation – Dothan Area Chamber of Commerce Update – Matt Parker, Executive Director

Matt Parker approached the podium and stated that they will begin the presentation with the showing of a short video that highlights economic projects going on in the area. He then recognized Vice President of Economic Development, Mr. Coleton Cureton and thanked him for his work. Mr. Parker thanked the commission, the Houston County Road & Bridge, and the Revenue Commission for supporting economic development in Houston County. After the video presentation was complete, Mr. Parker said the video captured the year better than he could talk about it. He added that with the teamwork between the city, county, legislative delegation, state partners, and utility partners, they have had an exceptional year with \$200 million dollars of investments, 700 jobs, but with the included metro area, they added over 1,300 jobs. Mr. Parker said the per capita incomes are ranked 4th highest in the metro areas in the state of Alabama and they saw a 69.8% increase in export numbers, which is the highest in the state of Alabama and it is attributed to the forestry products growth and poultry growth as well. He reported that the GDP from 2012 to 2020 has grown 20.7%, which is one of the top in the state. Mr. Parker also reported that the area is currently sitting at one of the lowest points on the unemployment rate scale. He did mention that one of their biggest challenges is

industrial property availability and Smartlam should open up more land as well as the Napier Field Industrial Park. Also, the water improvements that the county has provided to the Houston County Distribution Park will put them in position to be ready for that site. Mr. Parker said that commercial development is very active and industrial development is also moving forward as they are near closing on a project in Columbia. The spec building at Sam Houston is also nearing some final details for a potential project there. Mr. Parker ended by saying that all of this is attributed to the leadership and support of the commission for economic development and growing the market. He added that the Chamber is very excited about the future as good things are going to happen and the diversity of the market is incredible. He thanked the commission for all they do.

Chairman Shoupe thanked Mr. Parker for the great report and he appreciates all that Mr. Parker does for the entire Wiregrass area. He also said that because of the great working relationship that the county has with the city and the chamber, as good relationships are very helpful, he is in hopes to maintain this to give the citizens the opportunities they deserve. Chairman Shoupe stated that he does not see slowing down with all the tension and activity in the far east as he has spoken with a local business owner and mentioned that most of his products are from China so he is looking into other alternatives in the western hemisphere or in the United States.

3. Presentation – Knuckle Boom Services – Houston County Road & Bridge

At this time County Engineer presented a map which outlined the routes that are being implemented for the knuckle boom services. He stated that no other county around this area provides knuckle boom services but with adding another truck, additional employee and the \$5 up charge on the sanitation fee they can now go around and pick up trash on the side of the county roads on a weekly basis. Mr. Kirkland added that if the trash is in a 10 x 10 area, and it is not limbs, it will be picked up. The paid tickets are usually completed within a day or two at this time. Mr. Kirkland then introduced Jim Nunley, Refuse Collections and Disposal Supervisor, and he approached the podium. Mr. Nunley began by stating that there continues to be a charge for picking up limbs, per policy, and some customers do have a problem with that but most understand the cost aspect. He reported that when the drivers are finished with their areas during their time slot, they continue to the next area and begin picking up trash in that area so they can stay ahead and get to the paid tickets and call in tickets. Mr. Nunley said that this is going a lot better than anticipated.

Chairman Shoupe commented that this has been a good program and the only complaint that he has heard is that they do not when the pickup times are. He asked that this be posted on the website under the Sanitation Department so that when people call they can be directed to the website. Chairman Shoupe also asked that when the new schedules are sent out for the

upcoming year, that this be included on the schedules as well. He also said that when he was District 4 Commissioner, this was, sometimes, the main complaint they received, which was the piles of trash by the sides of the road. Now he does not see the piles and he attributes that to the excellent job that is being done to pick it up. He also commented that he was in hopes that when they originally started, they would be able to pick up limbs for free, but it became apparent that it would be a daily task to keep up. Mr. Nunley added that the tree trimmers would tell their customers that the county would pick up the limbs and then the county comes out and lets the customers know that there is a charge. When they get a price and then ask the tree service for a price, the county is usually lower. Engineer Kirkland commented that Mr. Nunley does an excellent job running the sanitation department and that it is a thankless job as he has heard people talk very disrespectful to Mr. Nunley. Mr. Nunley reported that where the linear lines are located some customers will get more frequent pickups. The Commission thanked Mr. Nunley for his diligence in this project. A round of applause was given by all.

CONSENT AGENDA

1. Re-appointment to Revolving Loan Fund Administration Board (SEARP&DC) – Matt Parker
2. Request to award bid for Hot Plant Mix to lowest bidder meeting specs – Road & Bridge
3. Request to award bid for Bulk Cement to lowest bidder meeting specs – Road & Bridge

Commissioner Ivey made a motion to approve the above stated consent items. Commissioner Adams seconded the motion and it carried unanimously.

REGULAR AGENDA

1. Request for 010 Lounge Retail Liquor License – Class I – Ramu Enterprises, LLC, d/b/a Horizon Bar and Grill located at 14634 W. US Hwy 84, Newton, AL 36352

Commissioner Harvey made a motion to approve the request. With no second to the motion, Chairman Shoupe said the request would die due to no second. He then called the county attorney to the podium for counsel. Chairman Shoupe then stated that it would be the recommendation of the Chair that they reconsider this request as they need to dispense this and either vote it up or vote it down. He is of the opinion that allowing it to die for a lack of second would not be a smart move so he entertained a motion. Chairman Shoupe stated that they have a motion to approve, which had died for a lack of a second, so they will need another motion to approve or deny. Commissioner Ivey then made a motion to deny the request and Commissioner Adams seconded. Discussion then began by Chairman Shoupe asking if anyone was present to speak for or against this item. Chairman Shoupe recognized Mr. Kenneth Hardy

and he approached the podium. Mr. Hardy thanked the commission for the opportunity to speak again on this item, as he has in the past. He added that they are motivated about the community since watching the presentation from the Chamber. Mr. Hardy stated that this is the first time in over seventy years that there has not been a beer joint in the Wicksburg community as they are all gone or shut down. He said that there may be some in other areas of the county but they do not have the reputation that the one in Wicksburg had. Mr. Hardy reported that the school system is growing, the local churches are growing and all the beer joints are gone. He feels that the people in his area are starting to get a positive attitude and he ask that the commission take that into consideration. He said that he is not sure who is trying to “put the lipstick on the pig” this time but it (the location aforementioned) has a bad history and it has messed up a lot of lives, not only by the shots, deaths, and cars leaving the facility and wrecking. Mr. Hardy said that he is not going to get into a lot of detail but it is critical in the community to grow to be positive as some of the stuff that was just seen and he asked that they please deny this opportunity for these people to bring this plague back to Wicksburg. He thanked the Commission.

Commissioner Herring then asked Mr. Hardy that if the establishment does not have (serve) alcohol, would he be against this request and Mr. Hardy answered “No sir”. Mr. Hardy stated that they (the requesting party) have had plenty of opportunity to open up as they have had the sign up “coming soon” for months and he questions why they haven’t opened and try to run the business for fun and games as it says but they want to serve alcohol in front of the young kids and the community does not want it. Mr. Hardy said that they finally got rid of the plague, of over seventy years, and they ask that they continue to help that positive direction. Commissioner Herring commented “so you are for the establishment as long as it is food without the alcohol” and Mr. Hardy answered “absolutely” and that they have plenty of opportunity and they may get some support.

Chairman Shoupe asked if anyone else was present to speak against the item and with there being none, he recognized Mr. Dustin Fowler. Mr. Fowler approached the podium and stated that he is here on behalf of Mr. Ramu and that he is Dustin Fowler, partner in Buntin, Etheredge and Fowler. He began by stating that they (citizens in Wicksburg) are against alcohol being sold this close to the school but has the county pulled the liquor license from the Sunco that is closer to the school? He said that the Sunco is closer to the school than where his client’s business will be. Mr. Fowler asked that if it was an Applebee’s would they deny it. He said of course they wouldn’t but they are selling alcohol closer to the school than where his client is located. Mr. Fowler stated that his client is going to compete with Mr. Hardy, which is right next door to his establishment and that is the issue here as he is the only one crying out because he is going to have competition. He also said that the commission can vote against his client as they have that right, but they are doing it to protect one business. He said “let’s get to where the rubber meets the road”. He said that they talk about crime there (the previous establishment), and

asked if they have stopped the Peanut Festival from coming or stopped the parade. He asked wasn't there a capital murder there at the parade last year and a shooting and has the commission stopped that? He answered of course they haven't because one incident does not make the whole thing bad. Mr. Fowler said that his client is opening up a bar and grill and alcohol is being sold across the street but his client can't get one (license). He stated that the reason that he could not get one is because he is going to compete with Mr. Hardy and that is the reality here. Mr. Fowler said there is no reason that his client should not get a license and if he was Applebee's, they would not be here. He said that Mr. Ramu is going to be stopped from getting a license because he is going to compete with Mr. Hardy and that is why they are here. Mr. Fowler stated that they are having alcohol served and sold at the Sunco that is closer to the school than his clients business will be.

Commissioner Harvey asked Mr. Fowler that when he says "compete with Mr. Hardy" what does he (Mr. Hardy) own. Mr. Fowler answered that he owns a restaurant and Commissioner Harvey asked which restaurant and Mr. Fowler answered that he believes it is Hardy Family Restaurant, but not to hold him to that. Commissioner Harvey asked if he was selling alcohol in there and Mr. Fowler answered that he is not that he knows of. Commissioner Harvey said that is the main thing right now (alcohol). Mr. Fowler said that he thought that it would draw more people in and would hurt his (Mr. Hardy) business which is right next door. Commissioner Harvey said that he can certainly understand both sides and he knows that every restaurant in Dothan has it (alcohol) and he gets that but he assumes this is a Wicksburg thing and that they do not want it in Wicksburg, that is what he is hearing. Mr. Fowler responded that it is one person, which is the owner of the restaurant next door.

At this time Chairman Shoupe asked if anyone else had any questions and Commissioner Ivey answered that he did. Commissioner Ivey said that he tried to get with Mr. Fowler, before they hastily left on Thursday afternoon, concerning the lease agreement that was given to Commissioner Ivey prior to the meeting that was filed with the State of Alabama. Mr. Fowler said that their new corporation was filed with the State of Alabama and they do not have to file a lease with the State of Alabama and that the corporation is on the lease. Commissioner Ivey said that they had brought up about Michael Kent and none of the commissioners had brought up anything on Michael Kent. Mr. Fowler said that was what he heard was the reason they denied it (license) prior. Commissioner Ivey then said that during that time they had renamed from JCBC Good Times to Ramu Enterprises. He said that the lease in his hand has it prior to when Mr. Kent came in last time and requested an alcohol license be approved. Mr. Fowler then stated that they have the wrong lease and Commissioner Ivey said that is the one that was handed to him last Thursday and it is dated July 27, 2022. Mr. Fowler then said that he knows that Commissioner Ivey had his kick off campaign at Hardy's Family Restaurant but they have a new lease with complete ownership and the corporation is registered with the State of Alabama. He added that he understands that Commissioner Ivey is fighting against this because

his constituent, was where he had his kick off at. Chairman Shoupe then spoke and said to not make personal accusations or assume that anyone is doing anything for any reason. Chairman Shoupe said to keep it to the facts. Mr. Fowler said either he kicked off there or he didn't and Chairman Shoupe said he does not care if he did or not but Mr. Fowler needs to keep to the facts and he is assuming he is doing something for a certain reason and Chairman Shoupe is not going to allow that and to keep it to the facts and continue. Mr. Fowler said he understands and that Chairman Shoupe is from Wicksburg and he completely understands. Mr. Fowler said they own it completely and Michael Kent is not involved and his client owns it completely.

Chairman Shoupe said that one thing that Mr. Fowler misstated, and he just wanted to make it clear on the record, is that he stated that the convenience store across the street serves alcohol but they do not serve alcohol but they do sell alcohol, not serve. Mr. Fowler said yes that is in the Wicksburg community that sells alcohol.

Chairman Shoupe asked for any other questions or comments and with there being none, he asked for vote for the current motion to deny the liquor license. The motion passed with 3 YEA's (Commissioners Ivey, Herring, and Adams) and 1 NAY (Commissioner Harvey). The motion passed

2. Request to donate a 2010 Chevrolet Tahoe to the Houston County District Attorney's Office and to declare the vehicle surplus – Sheriff's Dept.

Commissioner Harvey made a motion to approve the request to donate the 2010 Chevrolet Tahoe to the Houston County District Attorney's Office and Commissioner Adams seconded. The motion carried unanimously.

3. Request to sell the following items on GovDeals

- A. Misc. office equipment (tables, desks, computer items) from the Probate Dept.
- b. 2 dump trailers from County Buildings Dept.

Commissioner Herring made a motion to approve to sell the stated items on GovDeals and Commissioner Ivey seconded. The motion passed unanimously.

STAFF REPORTS

Chief Administrative Officer – Mr. Covert said that he had some happy sad news and he then asked Mr. Sean Curtis and Mr. Tom Dixon to come forward. He announced that after over a quarter of a century of dedicated and passionate service to the county, Mr. Curtis has decided to retire. He added that Mr. Curtis has been outstanding employee for the county and for the elected officials and the associates of the county for all these years and he thanked Mr. Curtis for all his service. He then introduced Thomas Dixon as Mr. Curtis' replacement. They had

several highly qualified individuals apply for the position and Mr. Dixon was chosen as the best candidate. Mr. Dixon is local as he graduated from Northview High School and he lives in Midland City. For the past five years he has been employed as the facility management team at Ft. Rucker and served as manager for the last three years. Prior to that position he owned and operated his own construction business and has been in the community all his life. Mr. Dixon is knowledgeable in buildings and facility management and Mr. Covert stated that the county is happy and honored to have him become a new member of Houston County Buildings Dept. Mr. Covert then stated that it is sad to have to announce the departure of Mr. Curtis, but he is on the right path.

Chairman Shoupe said that Sean will certainly be missed and that Mr. Dixon has some big shoes to fill but they have all the confidence in the world that he will fill them out nicely. Chairman Shoupe also told Mr. Curtis that one of the greatest things that he appreciates from him and the way that he approached this job is that he treats every building like it is his and that is what the commission really needs. He knows that sometimes it can drive people crazy, but he has done a great job and the commission appreciates the job that he has done and certainly they will miss him and they know that he is leaving for the right reasons and prayers will continue to be with him and his family. They hope he will take some time off and that he won't be a stranger. Chairman Shoupe asked for other comments and Commissioner Harvey said that they cannot say enough about Sean and his exemplary services that he has given over the years and that he is by far the epitome of excellence and that Mr. Dixon has some shoes to fill. (Laughter by all) Commissioner Harvey added that Sean does a great job and not just by owning every building as if it was his, but he also owns every dollar as if it was his and that means a lot to the county and the constituents. Commissioner Harvey congratulated Sean on his new endeavor and his retirement.

Commissioner Adams thanked Sean for his service and he looks forward to working with Mr. Dixon.

Commissioner Herring thanked Mr. Curtis and said that it had been a good ride for the first four years of his term and he learned a lot from him, Bill Dempsey and from Chairman Culver whenever he was in office. He added that mostly what he respects about Sean is the citizens money was taken to heart and he always tried to make the best decision that he could. He always had a plan and he made the decisions that were best for the citizens of the county and he appreciates him for that. Commissioner Herring also said that the other thing he wants to make sure of is that he leaves his phone number as they may need it and the next guy may need it too (laughter by all). He congratulated Sean and told Mr. Dixon that he looks forward to working with him as well.

Commissioner Ivey spoke and said that Sean is a man of a lot of knowledge when it comes to the buildings and the property that the county owns and hopefully he has instilled some of that in some of the guys that work under Sean so that they can follow and help Mr. Dixon in the future. He ended by saying that he appreciates Sean for his service.

Mr. Sean Curtis thanked everyone and said that the county has a great maintenance team, small but a powerful impact and they do a great job. He stated that he just wanted to say thank you to the Commission, Peter, Barkley and all the department heads as they have been great to work with even if they have had their trials and tribulations, but overall they have been great. Mr. Curtis said that the county has a great family oriented type relationship, even though they fight and bicker like kids, but at the end of the day they all get together and get it worked out. He said that the Personnel Dept. has been a great asset for them as they recruit new employees and help with job descriptions. Mr. Curtis added that Road & Bridge has been excellent in helping them and they are closest with Road & Bridge as they always help and assist when needed and he thanks Barkley for that. He said that Chairman Culver is here today which is sweet as he worked under him for most of his career and Chairman Shoupe commented that he is the one that gave him the chance and Mr. Curtis said yes that Chairman Culver gave him an unbelievable chance and he sometimes questioned his judgment. He also said that Mr. Dempsey (retired Chief Administrative Officer) was great to work for and Peter (Covert) has been excellent to work for. Mr. Curtis said that he thinks in the end they are really going to enjoy Mr. Dixon and it is going to be a sweet spot to work in and that he is going to miss it and he will not be a stranger as he is only a phone call away. Chairman Shoupe said that they have always appreciated him and he proposed a standing ovation. (Standing ovation and applause by all)

County Engineer – He began by stating that Sean has been fantastic to work with and he will be missed. 2 closed roads: National Rd. and Roney Rd.

County Attorney – No report

Commissioner Adams stated that one of his goals when he was elected was to lower the cost of the driveways and through working with the engineer and the commission, the policy has been changed so they can put in plastic pipe driveways and this will save \$400 - \$600 on today's rates in putting in driveways. He appreciated everyone's support on that. Engineer Kirkland added that it is still the same procedure as they will have to call and get a permit and there is only one type of plastic pipe that is allowed so they need to make sure they get that type pipe. That information is on the application and on the policy with Road & Bridge. Commissioner Herring reiterated that citizens need to call Road & Bridge before they put in a pipe as it is on the right of way and it needs to be approved through Road & Bridge. Engineer Kirkland added that they need to go through the driveway permit process and there will be a list of approved vendors as well. Chairman Shoupe asked if they do not get the correct plastic pipe, what will happen and Engineer Kirkland said they will not be putting it in.

Adjourned