

MINUTES OF THE HOUSTON COUNTY COMMISSION  
REGULAR SESSION  
October 15, 2024

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 10:00 a.m. meeting to order and welcomed everyone to the October 15, 2024, Houston County Commission Regular Session and declared a quorum as all commissioners were in attendance.

Prophetess Martha Laurie, from Rhema Rock Church, gave the invocation and Commissioner Tracy Adams led in the pledge of allegiance.

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

#### ANNOUNCEMENTS AND COMMENTS FROM THE CHAIRMAN AND COMMISSIONERS

Chairman Shoupe began by apologizing for not wearing pink today in observance of Breast Cancer Awareness Month as Chief Administrative Officer Peter Covert and a few others are representing well. He continued by announcing that next Tuesday is Commissioner Curtis Harvey's birthday and wished him an early Happy Birthday. Commissioner Harvey said he is excited for his birthday, and he will be 55 years old this year. Chairman Shoupe stated that he would not be at the next Administrative Meeting as well as one other commissioner. Commissioner Adams will be leading the meeting.

#### AWARDS & PRESENTATIONS

##### 1. Recognition – Town of Rehobeth Fire and Rescue

Chairman Shoupe stepped down to the podium and asked Rehobeth Mayor Kimberly Trotter to join him along with anyone that she brought for this recognition.

Mayor Trotter began by stating that the Town of Rehobeth wanted to bring their Fire & Rescue Dept. to the meeting to be recognized. Chairman Shoupe commented that Mayor Trotter had sent him some information and began by reporting that there are 1,416 fire departments in the state of Alabama and only 14 have an ISO rating of 1, which is the best and that is what the City of Dothan rating is. He continued by reporting that Rehobeth has an ISO rating of 2/2x and only

55 fire departments in the state have achieved this rating. Chairman Shoupe congratulated the Town of Rehobeth on this accomplishment and turned it over to Mayor Trotter.

Mayor Trotter commended the Fire & Rescue Dept. on working extremely hard to make sure that the department has risen from a 3 to an ISO rating of 2. She said that they are dedicated, as a town, to making sure that they reached those goals. Mayor Trotter explained that a 2 rating means that they have an extremely fast response time for the size of the area that they cover. She added that they have done a lot of things in the Town of Rehobeth, with the help of a lot partners, including Houston County, to make sure they keep things going. They recently went from being just a standalone volunteer fire department to a combo station and the Town has the fire/rescue department underneath their wing to insure they have 24/7 coverage, 365 days a year. Mayor Trotter reported that the Town offers retirement for the certified firefighters and the EMS providers. They are making sure that their area of the county, particularly in the town limits of Rehobeth, always has someone that they can call and count on. She said they have a great staff of volunteers as well as they are the ones that are not at the station 24/7 but they are always quick to answer that call in the middle of the night. Mayor Trotter stated that the Town has prioritized this venture, and she then recognized Fire Chief Nick Floyd, who has worked super hard for this milestone, and she also recognized their Public Safety Director, Todd Phillips, who was instrumental in making sure that this happened in Rehobeth, and she recognized Mr. Jim Tyson, Town of Rehobeth councilmember.

Mayor Trotter said that they would not be where they are without the council getting behind this and making sure that fire safety and EMS were a priority for the Town. With that being said, Mayor Trotter reported that Houston County had a major role in that. As with the ISO ratings, training opportunities are very important. The Town recently built a fire training facility, and the county did all the dirt work for that project as well as the pad work and this has allowed them to have some opportunities outside of the normal 9-5 working day for the volunteers to get their training that they need to be certified in different areas. Mayor Trotter said that this also has allowed them to reach out to young people, as they have a partnership with the Houston County Board of Education, and they have a fire training/safety program that did not have hands on and now they do with the Town of Rehobeth facility. The program has doubled in size since this has happened and is creating a desire for students to become career firefighters. Mayor Trotter stated that they are really excited about all this and that she cannot commend the department for the environment that they have built as people want to come to Rehobeth to become career firefighters, and that is something they thought they would never achieve. She also added that there are students coming directly out of high school that they are sending to fire school, and they will eventually have a career in firefighting. They currently have a waiting list for this program and that is a big deal for a town of their size. Mayor Trotter stated that she cannot commend the Fire & Rescue Dept. enough and she thanked the county for partnering with them. She also said that the southeast corner of the county is growing

extremely fast, and the protection of the residents has to be a priority. Mayor Trotter commented that this should also help some of the residents with their insurance rating as this means that there will always be somebody at this station and insurance companies look at those things when it comes to response times. She is in hopes that it saves the residents and that when they must make that call that they do not want to make, somebody can be there very quickly, and less than five minutes is their goal. Mayor Trotter said the department has done a great job and that they have the largest county school and there is always that weight that they want and need to be there for them in the event of an emergency. A round of applause was given by all.

## 2. Proclamation – “Red Ribbon Week” – Kelcie Barnes, Youth Council President

Commissioner Harvey made a motion to approve the proclamation and Commissioner Herring seconded. The motion carried unanimously. Chairman Shoupe began by reading the proclamation in its' entirety and presented it to Ms. Barnes and asked her for comments.

Ms. Barnes began by thanking the county commission for their support during the years, not only for the (334) Prevention Project but also to the campaign, known as Red Ribbon Week. She continued by stating that this week highlights the importance of living a drug free lifestyle. Ms. Barnes reported that through the week activities include dress-up days, balloon releases, eating red Krispy Kreme doughnuts and having dance parties hosted by the mascot, the Drug-Free Dinosaur. Ms. Barnes then presented each commissioner with a red bracelet and said that this year their motto says, “Decide Today to Walk Away – You Have a Choice”. She added that next week at each participating school and business in the Wiregrass, these bracelets will be given out in replacement of the small red ribbon that was given out in previous years and it is their hope that this will be a much easier keepsake for children. Ms. Barnes also reported that each student will be encouraged to participate in a pledge to live a drug free lifestyle and the bracelet serves as symbol that if someone finds themselves in a situation of pressure, the bracelet will remind them of the pledge they made to themselves and their community. In addition, she stated that Red Ribbon Week brings lots of fun things to participate in, the entire reason it exists is due to a serious problem that happens right here in the Wiregrass area as it does not take a lifetime for a substance to become an addiction. It takes just one use, just one hit, just one drink and people think they are not addicted and can quit eventually. It all starts with the choice that you make today.

Chairman Shoupe said that he knows that a lot of their peers think that adults say not to use substances, including alcohol, just to be adults. He then asked Commissioner Herring and Commissioner Ivey what percentage of all problems relates to drug and alcohol use that the Sheriff's Dept. deals with and they responded that it is about 95%. Chairman Shoupe stated that no one claims to be a drug addict, and they do not plan that as a career. He commended

Ms. Barnes and her council for being leaders and for being examples and he knows that can be tough being leaders and being examples. He congratulated them for being here and for what they are doing for kids their age. A round of applause was given by all.

## REGULAR AGENDA

1. Request to adopt resolution to comply with Alabama Open Records Act No. 2024-278 and approve accompanying procedures for accepting Public Records Requests – Peter Covert, CAO

Commissioner Herring made a motion to approve the request to adopt the resolution to comply with Alabama Open Records Act No. 2024-278 and approve accompanying procedures for accepting Public Records Requests and Commissioner Adams seconded the motion. At this time Chairman Shoupe called county attorney Pres Register to the podium to talk about this item as there have been a few changes since the original packet was given out last Thursday. Those procedures came from the ACCA and then Mr. Register had an opportunity to review over the weekend and made a few suggested edits. A revised copy of the procedures is included in today's commission package.

Mr. Register began by stating that what was reviewed on Thursday and what is presented today is basically the same thing except for a couple of things and those were necessary to make sure that the language lines up throughout the wording and that it follows through with what is also occurring in Houston County. Mr. Register continued and said that as of October 1, the public records law has changed and now Houston County will be abiding by that rule with one of those parts being that procedures need to be in place to make sure those individuals that are requesting records know where to go and know the proper process. He also said that the new law puts time limits for responses that were not present in the old law and one key thing for the county is to make sure that they funnel the request to the proper person because of the time frame for responses and responds. Mr. Register states that the Chief Administrative Officer would be the Public Officer for purposes of getting these requests for the county. Once the request is submitted properly, the county is on a time clock to make sure that it is responded to and that records are gathered. He added that there are also obligations that the law requires that need to be clarified to the citizens on how to properly present and to have a record for the county to respond to. Mr. Register reported that the law requires that a resident be the proper party to ask for a request and the law states that it is an Alabama resident. In order to know if the person is an Alabama resident, the requester has to come in and present identification that shows who they are and that they are a valid Alabama resident. Mr. Register said that the procedures/policies outline the proper process for that. He added that the policy tries to make the process very clear for everyone. In turn, the county will need a form for the records request to make sure that the request is being directed to the correct person, as well as what is being requested. He said that the law puts in place that the records request is

supposed to be particularized to records that are available. Mr. Register reported that a form has been created for the citizens to have and the commission needs to decide on this policy and then repeal and replace with the new policy. He also said that fees, that have in the past been articulated, were a quarter a page for any record and then the time it takes for the proper person to gather those records and respond. The law states that the county is allowed to have that cost paid by the citizen to get their records. Mr. Register stated that purpose of the records is not to constantly have someone employed to fill the response to records request. He recommends that the county should state in the form, the cost for each page as well as a reasonable fee related to the hourly rate of the person that is going to be responding to those records. That will be part of the cost of the response. He did say that this is a commission choice as the quarter amount has been the amount for at least 7 – 8 years and they are exempting any other departments that obtain their own record keeping with the main one being the probate department as they charge a different set of fees and county request is separate and distinct from that. Other than these items, this policy should fall in line with what the ACCA has written, and no changes were made to that policy.

Chairman Shoupe asked counsel if this policy applies to the entire county including the Probate Department of what is accepted is the fee and Mr. Register answered that technically the policy would still apply but they (Probate) are able to respond to a records request. The policy does exempt any department that has its' own kind of standard.

Commissioner Ivey asked if any documentation will be kept on who files for the records in each department. Mr. Register said that is the main purpose of the form and it will be kept on file. As far as the probate office, they will not have to use the same for the Probate Office. Chief Administrative Officer Peter Covert clarified that there will be a log that will be kept tracking the requests from beginning to end. He also stated that there is a provision in the new law that if there is a record that will take a significant amount of time, the response time will be lengthened for that request. Mr. Register added that the law defines a time intensive request and separates it from the standard request. Commissioner Herring added that the commission needs to come up with a dollar figure and he asked the CAO if there is a standard charge. Mr. Covert answered that they have always used 25 cents per page, which is 8 ½ x 11 paper and the ACCA did not indicate any sort of set charge in their template that they provided for the policies, primarily because there is a variety of costs depending on the location of the county within the state. Mr. Covert said they charge the 25 cents per page and then whoever is performing the task of gathering the information, that person's time is evaluated in what they spent on the project. He did add that this is particularly done prior to the records being obtained when the deposit is given from the individual that is making the request. If there is more time needed for the request, the balance is paid, or a refund is given if the deposit is more than the actual cost of the research of the request. Commissioner Harvey asked if there

is a yearly cap cost of said records and Mr. Covert said no that it is whatever it cost in complying with the law.

Chairman Shoupe did say that there has been some confusion among the citizens and that there is a difference between general information and records. Information is not necessarily a record, and it can be obtained but not through records. He added that this was long time coming and it is a good step forward as Alabama was last in the nation when it came to access to government records. In the past, records could be requested, but there was no time limit on the response and the commission does not seem that is far, and this policy will correct the time limits. Chairman Shoupe said that an earlier bill that was presented, but that did not pass, included a full-time employee just to fill records request in a timely manner. He feels this policy is a good one for all.

With there being no further questions or comments, the motion carried unanimously.

2. Request to donate 2012 Chevrolet Silverado Crew Cab 4x4 to Bay Springs Volunteer Fire Dept.

Commissioner Ivey made a motion to approve the request to donate the 2012 Chevrolet Silverado Crew Cab 4 x 4 to Bay Springs Volunteer Fire Dept. Commissioner Harvey seconded and the motion passed unanimously.

3. Request to approve preliminary plat for Whispering Creek Subdivision – Road & Bridge

Commissioner Herring made a motion to approve the preliminary plat for Whispering Creek Subdivision and Commissioner Adams seconded. The motion passed unanimously.

4. Request to award bid for Hot Asphalt Plant Mix to lowest bidder meeting specs – Road & Bridge

Commissioner Adams made a motion to award the bid for Hot Asphalt Plant Mix to lowest bidder meeting specs and Commissioner Harvey seconded. The motion carried unanimously.

5. Request to award bid for Bituminous Surface Treatment to lowest bidder meeting specs – Road & Bridge

Commissioner Herring made a motion to award the bid for Bituminous Surface Treatment to lowest bidder meeting specs. Commissioner Ivey seconded the motion, and it passed unanimously.

## STAFF REPORTS

Chief Administrative Office – No report.

County Engineer – 5 closed roads with 3 of those are pipe replacement which include Walter, Crawford & Green Frog Road. 2 roads are due to storm damage and those are Leo Pynes & Sherman Brunson Road

Mr. Shoupe commented that he has not heard anyone being frustrated due to roads being closed from the storm recently. Commissioner Adams said that these two particular roads, Sherman Brunson only a few people live on the road, and it is a perfect spot as everyone can get to their homes with no issues. The only drawback on Leo Pynes is that the farmers are trying to get around with their equipment but is manageable.

County Attorney – No report

Adjourned