

The Chairman called the Public Hearing to order and asked if there were citizens wishing to make comments regarding the Petition to Vacate Brown Road. There were no public comments made. The Public Hearing was closed.

RUSSELL COUNTY COMMISSION MEETING MINUTES
September 26, 2006
10:00 A.M. EST

A recessed meeting of the Russell County Commission was called to order in the County Commission Chambers at the Russell County Courthouse. The following Commissioners were present: Gentry Lee, Gordon Cox, Peggy Martin, Ronnie Reed, Cattie Epps, Mervin Dudley and J.D. Upshaw.

A quorum was established by the County Administrator.

Commissioner Dudley motioned to approve the agenda business items. Commissioner Martin seconded the motion. The motion carried by unanimous vote of the Commission.

The Pledge of Allegiance was led by Commissioner Lee.

The invocation was given by Rev. Wayne Burns, Missions Director, Russell Baptist Association.

Chairperson Cox welcomed visitors, the news media, department heads, elected officials and citizens.

Commissioner Dudley motioned to approve the meeting and budget minutes of September 12, 2006.

Commissioner Upshaw seconded the motion. The motion carried by unanimous vote.

The Commission presented a Proclamation to Sister Cecelia Harrison that was approved at the September 12, 2006 meeting.

Chairman Cox stated we presented a Retirement Proclamation to Yogi Rumsey's during his retirement dinner a couple of days ago. I need to request official approval which I feel there will be no objections honoring Mr. Rumsey's retirement.

(Proclamation on file in Commission Office)

Commissioner Martin motioned to approve the Proclamation. Commissioner Epps seconded the motion. The motion carried by unanimous vote.

Commissioner Dudley stated: We would like to introduce some information on a grant that we could apply for at a later time. I would like to come back at the end of this fiscal year and pursue this project.

Lisa Sandt of Lee-Russell Council of Governments stated: This is a Community Enhancement Grant through the Alabama Department of Transportation. This bike and pedestrian trail is what Commissioner Dudley is referring to. This grant will be due sometime in September, so applying for these funds will come at the end of the fiscal year. There is no minimum or maximum amount that you can apply for. There is a period of two years between the grant being awarded and when you have to start construction on the project; this would make 2009 as a start date on the project of the Stagecoach Bike Trail. This is a cost reimbursable program and cash matching funds of 20 percent from the county. We are estimating around \$300 to \$400 thousand dollars for the project. The trail is approximately 8.3 miles and can be done in phases.

Commissioner Reed motioned to approve the grant resolution for the 2007-2008 budget year. Commissioner Lee cautioned the Commission on approving the grant application and match so far in advance (1 year) not knowing the revenue availability a year from now. Commissioner Dudley seconded the motion. The Administrator polled the commission. District 1 (Lee) voted no. District 2 (Cox) voted yes. District 3 (Martin) voted yes. District 4 (Reed) voted yes. District 5 (Epps) voted yes. District 6 (Dudley) voted yes. District 7 (Upshaw) voted yes. The motion carried with six yes votes and one no vote.

Mr. Brian Lewis of Eastwood Christian School presented a report on the alternative fuel; Biodiesel. Mr. Lewis stated: This fuel is produced from algae and can be used in the county's diesel equipment. The cost of this fuel is 45 to 50 cents per gallon. Mr. Lewis recommended the commissioners, Sheriff, Engineer and EMA Director tour the facility where the fuel is made; in consideration of utilizing for county use. If the county would like to participate in the fuel program, a donation of \$2,100 would be made to the school in exchange for 1,000 gallons of the diesel fuel. We will also offer to train county personnel on how to make biodiesel fuel to help save the county money for fuel operations.

The Administrator stated that the Lee County Sheriff's Department is also working closely with them now and testing the fuel in engineering equipment and some Sheriff's Department vehicles.

Chairman Cox stated I would like for you to meet with the EMA Director Chance Corbett and have him make a recommendation on participation in the program.

James McGill of Phenix City-Russell County Chamber of Commerce stated: McLendon Trailers LLC, is a company that manufactures trailers here in Phenix City. What we are asking is approval of a Tax Abatement for this company for around \$52,000 a year. The company employs 20 at start up and by the end of the first year will employ 100. The company will generate about \$4 million back to the community. The plant is located in the PillowTex Building on Brickyard Road. The length of the abatement request is for 10 years. There will be a one-time sales tax abatement for the purchase of materials to make the conversion of the building in the amount of 7 percent of the start up costs.

Due to this item being listed on the agenda under discussion items no motion or vote will be taken. This will carry over to the next meeting agenda.

Citizen C.C. Lamb spoke to the commission on the issue of grass cutting and herbicide treatment of the right-of-way. Mr. Lamb stated: I would like to recommend that a different method be used in the treatment with herbicides. The people operating these mowers are not doing it correctly. All roads within the county must be maintained in respect to grass cutting and weed treatments.

County Engineer, Rick Gohde stated: We are using the same Herbicide that nearly every other county in the State (uses). We agree that in the next cycle of grass cutting we will look at the schedule for review.

County Attorney, Kenneth Funderburk stated: I was asked to check into extending the Animal Control Contract with the City of Phenix City. I have contacted the City officials and they are willing to extend the contract. I will suggest an extension of 12 to 15 months and also that the City work with us on the County Animal Shelter. By your comments, it appears that the majority is in agreement to discuss a possible joint Animal Shelter.

Chairman Cox requested the County Attorney write a letter to the City of Phenix City to address the

extension of the Animal Control Contract and working with the County on the Animal Shelter. Kenneth Funderburk stated: We have been requested by petition, to vacate a portion of Brown Road. All requirements have been met and I recommend the Commission approve the request at this time. Commissioner Dudley motioned to approve the request. Commissioner Reed seconded the motion. The Administrator polled the Commission. The motion carried by unanimous vote. Commissioner Upshaw motioned to recess for 10 minutes. Commissioner Dudley seconded the motion. The motion carried by unanimous vote.

Commissioner Martin motioned to reconvene. Commissioner Upshaw seconded.

The County Administrator stated: I would like to review what was previously presented to you in the budget process. There have been some changes and before moving forward, I would like to go over these items. I informed many of the Commissioners last evening. As you know, my responsibility is to present the department heads needs and requests for operating their departments. I have presented those requests to you and each department head has been given the opportunity to come and speak to you on those requests or any concerns. Some of the department heads have requested new employees and the commission approved requests for new hires/employees. There have been reclassifications granted in another department where those employees received substantial pay increases based on the department head informing us that their job duties have changed and/or increased.

The total budget of funds and departments presented to you today is \$16,395,932. The General Fund is currently budgeted \$8,903,937. The transfers from the general fund to other funds are \$669,001. Items that are included in the 2006-2007 budget; the proposed animal shelter at \$200(k); the sports and recreation project in Seale and other recreation projects funded at \$285(k); grant matches for recreation and Homeland Security; funding for gravel and dirt road improvements; Fort Mitchell Senior Center repairs and improvements; funding for the Courthouse roof, bathrooms and carpet upgrades; funding for appropriations to area agencies estimated \$500(k); five new patrol vehicles for the Sheriff's department/deputies; funding for jail renovations and safety equipment upgrades for deputies and correctional officers; retiree's increase as approved by the State of Alabama; employees health insurance cost and increases; \$60,000 for the Volunteer Fire Departments; the Ladonia Sewer project of \$200,000 that will be completed this year; a transport vehicle for the Coroner.

I would like review the salary changes that have been presented to you in this budget at this time. As we all know we didn't have much time to address the recent issue of the Sheriff's Department 20 percent salary increase requests. If we had more time to review and work with this, maybe we could have done more with the resources available. I was asked after the last meeting to go back and look at the revenue (and) the discrepancies in the salaries of the law enforcement and the jail. There is an issue with regard to the disparity of salaries within the Sheriff's Department compared with surrounding counties. It will take more time and research. What I am proposing in this draft is basically a band-aid approach. The areas that are the most out of line with pay comparisons have been addressed in this draft. I have been asked how this has happened and I can not answer that. All I can do is try to address these salary problems given the short time frame. I can only make recommendations based on revenue availability and as you all know, the Commission has the final approval over the budget. In trying to keep within the pay plan and the 3 percent steps as recommended; adjustments have been made to give all county employees a 3 percent raise and proposing a 6 percent raise for law enforcement officers, which includes Chief Deputies, Lieutenants, Sergeants, Investigators, Sworn Officers/Staff and the Correctional officers. The clerks pay range appears to be in a fair range. This proposal will correct the grossest and widest range of the salary discrepancies presented by the Sheriff. This overview covers the main elements in the budget and I now welcome discussion and/or questions.

Commissioner Upshaw motioned to approve the budget as presented. Commissioner Reed seconded the motion.

Commissioner Lee stated: Last night I asked the Commission if we neglected to consider the Probate Judge's request. It seems we granted everybody's request except his. The answer I got was Commissioner Epps stated that she had met with the Probate Judge-elect and he is willing to wait until he takes office so he can get a better hold on things and make his requests then. Also, the appropriations have been cut and two new ones have been added. I don't have a problem in cutting the funding for these, but we need to draw the line at adding new ones. We decided several years ago not to add new appropriations for funding. The other thing I want to mention is: We met in three long meetings dealing with the budget. It was my understanding that last meeting, I thought it was the decision that any increases that were given to Russell County employees would be the same for all in order to be fair. Now, this is presented to us again for approval. The Sheriff stated he would not go along with increases to some of his employees and not for others because it would cause morale problems. If this has changed, nobody notified me about it until last night. I know there is a motion on the floor and that kind of took me back for a minute. I know there are some items in the budget that I would like to see changed, but I am prohibited from making that motion because of the motion on the floor.

I commend Mrs. Horne and her staff for this good lean budget. If I could make a motion, and I can't, I would move that all county employees across the board; receive a 6 percent pay increase. Six years ago all department heads and the Sheriff were in agreement with our pay chart. Since then, we have given 28 percent in raises. I don't see how it can be that far out of line in that short amount of time. I don't know of any government around that has given 28 percent raises in six years.

LeAnn Horne Jordan stated to Commissioner Lee: I would like to state again that we received very short notice of these pay increase issue requests. We have worked most of the weekend and through the day yesterday to get this to you, which is the third draft. Never was it anyone's intention to "blind side" anyone else, if that is what you are inferring. The problem within the pay plan is not with every position in the county; but job responsibilities and duties associated with the law enforcement positions that were presented. Everyone would like a pay raise and to make more, I would love to honor the 6 percent pay raise and this is the first time you or any commissioner have mentioned a 6 percent pay increase for everyone. It has been a 3 percent increase all along from discussions. As a matter of fact, I thought you would want to shoot me for bringing in the 6 percent for the deputies increase and now you want everyone to have it. These are the positions that are out of line with surrounding area's pay comparisons as presented. They are anywhere from eight to \$10 thousand less in some cases. Some positions are \$500 to \$1,000 less and those are not receiving the 6 percent because the disparity is not so gross. In my opinion, our employees deserve equal pay for equal

work. I appreciate everybody and all the work they do for the county. Granted, if we had been given more time and revenue, we could probably have done a better job and not be so last minute. You requested the budget be balanced when presented at this time. I don't want anyone thinking this was some sort of end-run. I have done the best I could do in the amount of time given to do it.

Commissioner Lee stated: I am not opposed to cutting appropriations but I am opposed to adding more appropriations.

Mrs. Horne Jordan stated: Each one of the Commissioners requested items to be included in the budget. I did that for Commissioner Dudley, Epps, Upshaw, etc. Commissioner Reed requested for only two new appropriations which total \$1,400. That is the only thing he requested and was minimal in comparison to other requests. I was only doing what I was asked to do.

Commissioner Epps stated: I, too, want to commend the Administrator and her staff for the work and effort they put into this budget. As for Commissioner Lee's issue about no more new appropriations; I believe we also said no more full time employees would be added. I want to be fair. We were elected to represent the people of this county. To give a 6 percent pay increase to everyone in my opinion would be fair. I looked at a department like EMA; he was willing for us to cut his full time to part-time employee in an effort to help the county. Then we agree with giving full time help to all the other departments and not EMA. We need to be fair to all the people that we represent. I look at the Historic Commission and the African American Historic Commission; which is not fair. As for the budget itself, I must say again, I commend the Administrator and her staff for a job well done. I do feel that maybe some places need to be looked at again for fairness. If we are going to give 6 percent to some, let's give it to all. If we are going to give some departments' full time help, let's give it to all of them. If we give appropriations; let's be fair. I just want to be fair to all the people.

Commissioner Upshaw stated: We can all sit up here and be hypocritical all day. I think some of that has been displayed here again today. The budget has been well put together. I commend Ms. Horne for that. We have a good budget. Commissioner Lee would be the first one to say that we will have to cut into the reserves or the budget to give the pay increase to everyone.

Commissioner Lee stated: I will say it again. I am not opposed to cutting appropriations to give it to employees. I am opposed to cutting appropriations and creating new appropriations even if it is just two.

Mrs. Horne Jordan: I would like to put into the record that the Sheriff and his staff worked diligently to cut some of his departments expenditures in his budget to help afford the pay increases. He did help by cutting back on his expenses to help with the pay increases this year.

Commissioner Dudley stated: I first picked up on the 6 percent increase last night after the work session meeting. We should not put our Administrator in a bind, restricting time for a balanced budget. There is a multiple group of persons that protect us and they are all deserving of more money. I feel like if we are going to give a raise to some, we need to give it to all. I am not finding fault with the budget because there are things in the budget that are good; it is a good budget.

The County Administrator stated: The reason the Engineer was asked to help reduce his expenditures this year is because the General Fund supplements his budget with transfers. The General Fund, as I have stated in each of the meetings, is strained due to the amount of projects currently going on. It would have been a lot easier if you had come to me and said to go into this figuring a 6 percent raise across the board in the early planning stages. I would have saved a lot of time and hard work. I am trying to honor what I was told and correcting a situation with salary gaps in the Sheriff's Department. It is not that I am not for a 6 percent raise for everybody; it's just that those slots were seriously out of line and that's what we were trying to correct. If you will tell me what to cut and where to cut it, we will pay that 6 percent across the board. I am not in disagreement.

Commissioner Reed stated: I would like to commend Ms. Horne for the hard work she has done on this budget.

Commissioner Martin stated: We have been charged with being good stewards of the taxpayers' money. I am all in favor of the 6 percent raise across the board, if we can do it. Should this motion die and another one be made in support of the 6 percent raise; how would that affect our reserves?

Mrs. Horne Jordan stated: We just went into our reserves for \$300,000 for the Ladonia Sewer project. That is why I stated with the current projects our reserves are being strained. I have been asked to be realistic and try to stay within the pay plan and the 3 percent steps and I did until everything changed at the last meeting. The deputies in the surrounding areas, even with the increases, will still make about \$5,000 more than our deputies from what was presented. We can only take baby steps at correcting this problem and research it more. The county could not afford 20 percent. I am not in favor of depleting our reserves because that is not a good idea. I feel like I need a bullet proof vest up here. I love the people I work with but at the same time I see the numbers everyday. Again, if you all had said that I have latitude up to a 6 percent increase rather than the 3 percent, I wouldn't have funded some of the expenditure items that were presented by the departments. I can go back and change all of that, if that is what you wish. In my opinion, we needed to do without additional new full-time positions and fund our law enforcement. I recommended part-time until our salaries and revenues could be reviewed. I am trying to be fair, but it is a double-edged sword. I am trying to retain the corrections officers and deputies. Some people have seen significant changes in their job duties and that needed to be accommodated at some level.

Commissioner Reed stated: I think Ms. Horne has done a great job and I move we go ahead and vote on the budget.

Commissioner Lee stated: I would like to look at page 22, the 2002 Jail Refunding debt. I thought we were told we had paid that off.

Mrs. Horne Jordan stated: That is from the General Fund; the one that pertains to the Court Cost Fund and the Legislation has been paid off. When they refunded those warrants in 2002, I believe, for some reason the bonding company changed the Jail Authority Bond to a General Fund Bond.

Commissioner Cox stated: I was in favor of the 3 percent across the board raise a week ago. Since our last meeting, we have hired three full time employees with benefits, along with a part time position; increased the budget over \$100,000 in salaries and benefits. We have told the Sheriff's department that we couldn't fund the 20 percent pay increase for his department. We are spending a great amount of money on medical expenses for the prisoners, several hundred thousand dollars yearly. This is a great burden on the budget and I would like to ask the Sheriff to work on trying to lower these costs. I don't know what it will take, but I

would like to work closely with you in trying to lower these expenses.

Chairman Cox stated: I would like to ask the Engineer to continue to work to help the budget process and to ask the Engineer to come before the Commission before making any large equipment purchases prior to purchasing.

Ms. Jordan and her staff have worked a lot of hours on this budget. Weekends and days off were given up in order to do this job and I commend them for a job well done.

The Administrator polled the commission. District 1 (Lee) voted no. District 2 (Cox) voted yes. District 3 (Martin) voted yes. District 4 (Reed) voted yes. District 5 (Epps) voted yes. District 6 (Dudley) voted no. District 7 (Upshaw) voted yes. The motion carried with five yes votes and two no votes.

The County Administrator stated: The salary schedule and pay chart which was presented to you at the work session included with the budget needs to be approved in addition to the budget.

Commissioner Reed motioned to approve. Commissioner Upshaw seconded the motion. The Administrator polled the commission. The motion carried by unanimous vote.

The Resolution for Retiree's ACT 2006-510 was presented for approval stating this is a 7 percent increase as approved by the State of Alabama.

(Resolution on file in Commission Office)

Commissioner Martin motioned to approval the resolution. Commissioner Reed seconded the motion.

Commissioner Lee stated: Three out of the last six years; the retiree's received no raise.

The Administrator polled the Commission. The motion carried by unanimous vote.

Commissioner Lee motioned to adjourn. Commissioner Dudley seconded. The meeting adjourned.

DRAFT