

**Russell County Commission
Meeting Minutes
October 26th, 2011
9:30 A.M. EST**

Public comments:

Eddream Lawrence, who presented a program called "J.O.Y. Behind Bars" which is design to help children of parents who are incarcerated.

An adjourned meeting of the Russell County Commission was called to order. The following Commissioners were present: Chair Peggy Martin, Vice Chair Gentry Lee, Ronnie Reed, Cattie Epps, Mervin Dudley and Larry Screws. Commissioner Pugh was absent. Also present were The County Attorney Kenneth Funderburk and County Administrator LeAnn Horne kept the minutes of the meeting.

County Administrator Horne established a quorum was present.

Chair Martin requested a motion to approve the meeting agenda. Commissioner Epps motioned to approve the agenda and was seconded by Commissioner Reed. District 1 (Lee) voted, no, District 3 (Martin) voted, yes; District 4 (Reed) voted, yes; District 5 (Epps) voted, yes; District 6 (Dudley) voted, no, District 7 (Screws) voted, yes. 4 yes votes and 2 no votes the motioned passed.

Invocation was provided by Raymond Cochran, Pastor of Franchise Missionary Baptist Church.

The pledge of allegiance was led by Commissioner Dudley.

Chair Martin welcomed department heads, elected officials, media and visitors.

Chair Martin requested a motion to approve the September 28th, 2011 meeting minutes. Commissioner Dudley motioned to approve the minutes. Seconded by Commissioner Reed. The vote was unanimous.

Chair Martin requested a motion to approve the October 12th, 2011 meeting minutes. Commissioner Dudley motioned to approve the minutes and was seconded by Commissioner Reed. The vote was unanimous.

A proclamation recognizing Saint Patrick Church's 100th anniversary was presented to Father Thomas Weise. Commissioner Dudley motioned to approve the proclamation and was seconded by Commissioner Reed. Commissioner Pugh joined the meeting before the vote was taken. The vote was unanimous.

Commissioner Reed presented certificates of recognition to Barbara LaGrand, who has served as Deputy Coroner in Russell County for over 26 years and Don Hollins who recently became the County's Solid Waste Officer.

Homeland Security/EMA Director William Alexander recognized Deputy Director Bob Franklin, who recently completed 1000 hours of instruction to receive a Advanced Level Emergency Management Certification and was awarded a plaque at the Alabama Association of Emergency Managers Summer Conference. Mr. Alexander also announced that Administrative Assistant Jan Boswell received an Associate Degree in Homeland Security and plans to continue her education at Jackson University State University to get her Bachelor Degree in Homeland Security and Emergency Management.

Chair Martin discussed the Coast2Coast Rx Card, which is a free discount prescription card program that is offered to all employees and residents in Russell County. The program not only provides discounts for the carriers of the prescription card, but also creates revenue for the county by paying a \$1.00 to the county each time the card is used. There is no cost to the County for providing the program to its citizens. Ms. Martin stated after the Monday night work session she contacted the County Administrator in Houston County to discuss their Commission's decision to go with the prescription program. They entered the same contract with a privacy clause added to it. Commissioner Epps motioned to approve Russell County entering the prescription program. Seconded by Commissioner Reed.

Commissioner Pugh stated he was not against the proposal presented, he thought it would be good for those who need it. His reservations were with the county endorsing and receiving money for sponsorship of the program which would cut out some of the independent pharmacies in Phenix City and surrounding areas. Therefore, he would abstain from the vote.

Commissioner Lee said he would not vote for the proposal because, he feels there should be more time spent to investigate the program since a contract is required.

The vote: District 1 (Lee) voted, no ; District 2 (Pugh) abstained; District 3 (Martin) voted, yes; District 4 (Reed) voted, yes; District 5 (Epps) voted, yes; District 6 (Dudley) abstained, District 7 (Screws) voted, yes. The motion passed with 4 votes yes, 1 vote no and 2 abstentions.

Special Enforcement Officer Bill Friend stated due to additional duties that have been placed with his department, he requested that the Commission approve hiring a temporary/full time enforcement officer. This position will be a grade 4 salary schedule, which is \$9. 46 per hour. After 6 months he would come back to the Commission for review to decision whether or not to keep the position. County Administrator Horne acknowledged the salary funds would come from the business license revenue line and had not been included in the 2011-2012

budget. Commissioner Reed motioned to approve the additional personnel and was seconded by Commission Screws. The vote was unanimous.

Sheriff Taylor requested approval to let bids for the purchase of firearms on November 4th and would like to hold the bid opening November 21st at 3:00 P.M. The bid results would be presented at the November 30th meeting. Commissioner Lee motioned to approve the request. Seconded by Commissioner Reed. The vote was unanimous.

Sheriff Taylor reminded the Commission he plans to use money made from the sale of wrecked patrol cars for the firearms purchase and asked if the Commission would motion to ear mark the funds for this purchase. Commissioner Lee motioned money from the sale of these old Sheriff's cars will be ear marked for the purchase of the new firearms and any remaining funds from the purchase is to be used at the Sheriff's discretion. Seconded by Commission Dudley. The vote was unanimous.

County Attorney Kenneth Funderburk recommended going into executive session to discuss the matters concerning the Russell County Utilities. He also recommended the Utilities Attorney Rick Chancey be allowed to join the session to answer questions and give updates.

Commissioner Lee motioned to let Utility Board Members also attend the executive session, if their attorney feels they should be in the session. Seconded by Commissioner Dudley.

Commissioner Reed: The board should not be allowed in the executive session because this is a matter between the Commission and The County Attorney.

Attorney Funderburk: Any questions for the Utility Board should be made in public and on the record so there would not be any misunderstandings. Their Attorney is needed during the session, because there are other matters that should not be public knowledge at this point.

Commissioner Epps: There has not been a motion approving the executive session, yet. Commissioner Lee's motion should be made later, if we approve going into the session.

Commissioner Pugh: I make a motion to go into executive session, Attorney Rick Chancey has the right to bring in any board member he chooses into the session he believes would be pertinent to information. Commissioner Lee seconded the motion.

Attorney Funderburk: By law that is not possible.

Commissioner Pugh: I'm for giving the Board a chance to talk to us in an executive session and then bring it to the public or don't go into executive session and move on.

Commissioner Dudley: I agree, I think they have a legal right. If their Attorney thinks board members should be in the session, then I think it should be afforded. We have to work together and not exclude someone. That is the Attorney's call.

Chair Martin: Once the session is over it is discussed.

The vote was called: District 1 (Lee) voted, yes; District 2 (Pugh) voted, yes; District 3 (Martin) voted, no; District 4 (Reed) voted, no; District 5 (Epps) voted, no;; District 6 (Dudley) voted, yes; District 7 (Screws) voted, no.4 votes no and 3 votes yes; the motion failed.

Commissioner Reed motioned to go into executive session and was seconded by Commissioner Epps. District 1 (Lee) voted, no; District 2 (Pugh) voted, yes; District 3 (Martin) voted, yes; District 4 (Reed) voted, yes; District 5 (Epps) voted, yes; District 6 (Dudley) voted, yes; District 7 (Screws) voted, yes. 6 yes votes and 1 no vote; the motion passed. The executive session attendees were: the Commission, Russell County Utilities Attorney Rick Chancey and Sheriff Taylor.

Before the Commission moved into executive session, Commissioner Epps announced a Town Hall Meeting to be held October 27, 2011 at 7:00 p.m. in the Mount Olive Primary School. Department Heads are invited to attend to answer questions that the public may ask about their department.

The Commission moved into an executive session.

Chair Martin requested a motion to reconvene the meeting. Commissioner Dudley made the motion to reconvene. Seconded by Commissioner Reed. The vote was unanimous.

Attorney Funderburk stated: That the purpose of the executive session was to get legal substance, which will take sometime. The Utilities Board CPA is needed to make a recommendation before other decisions can be made. Today's recommendation is to continue working with Attorney Rick Chancey and to keep both bodies updated. There is a recent law that the Attorney General interprets as: If there are funds that have surfaced from the solid waste services, those funds are to be used for the solid waste. The only action pending at this time is to schedule a date for the nomination of two new Solid Waste Board members approved by the Commission.

Commissioner Dudley motioned to approve the County Attorney's recommendation and set the Commission Meeting on January 11th, 2012 for the appointment of the 2 new Solid Waste Board members. Seconded by Commissioner Screws. The vote was unanimous.

Chair Martin adjourned the meeting.

