

Russell County Commission
Meeting Minutes
October 28, 2009
9:30 A.M. EDT.

A public comment was made by Russell County High ROTC Colonel Washington concerning a program to be presented on Veteran's Day at the request of Chairman Dudley.

Mrs. Loftin requested the status of the Lonesome Pine Road project and stated she has been working with the City of Phenix City providing information on land owners to help move the paving project along.

Commissioner Reed addressed the County Commission; he cautioned the Commission on meeting in executive session without the attorney or approved agenda items. As a result of the last executive session we managed to alienate and jeopardize our working relationship with the Phenix City Council concerning the joint Animal Shelter.

An adjourned meeting of the Russell County Commission was called to order. Commissioners present were: Chairman Mervin Dudley, Vice-chair Peggy Martin, Gentry Lee, Tillman Pugh, Ronnie Reed and Cattie Epps. Larry Screws was absent. Attorney Robert Lane was present due to Kenneth Funderburk on vacation; and County Administrator LeAnn Horne kept the minutes.

A quorum was established.

Chairman Dudley requested to move a discussion item, County Sewage, and place it on the agenda as a business item. Dudley requested a motion to approve the meeting agenda as amended. Commissioner Pugh motioned to approve and was seconded by Commissioner Martin. The vote was unanimous.

The invocation was given by Judd Stinson, Pastor of the Summerville United Methodist Church.

The Pledge of Allegiance was led By Colonel Washington; ROTC, Russell County High.

Chairman Dudley welcomed elected officials, department heads, media and visitors.

Chairman Dudley requested a motion to approve the September 23, 2009 meeting minutes. Commissioner Martin motioned to approve. Seconded by Commissioner Reed. The vote was unanimous

Chairman Dudley requested a motion to approve the continued meeting minutes of September 23, 2009. Commissioner Martin motioned to approve. Seconded by Commissioner Reed. The vote was unanimous.

Chairman Dudley requested a motioned to approve the October 14, 2009 meeting minutes. Commissioner Lee motioned to approve. Seconded by Commissioner Martin. The vote was unanimous.

Lisa Sandt from Lee / Russell Council presented a resolution for the Russell County Multi-Use Recreational Trail to be located in Hurtsboro and has been working with Commissioner Screws. This grant is for the creation of trails and is an 80-20 match, 80% being paid by federal funds and 20% is a locally funded match. The trails can be single use or multi use. This trail will be located in Hurtsboro adjacent to the Elementary School and will be multi-use for biking, walking, jogging or skating. It will be a .32 mile in length and 12 ft wide to accommodate the multi-use mode. The total cost of the trail will be \$84,177 with the local match being \$16,835. The County's match will be in-kind from the County Engineering Department as well as promises of donations from local

Church groups and individuals of approximately \$1,500. The donations are to help with amenities, such as picnic tables and landscaping. The School Board owns the proposed property and has approved, by resolution, a commitment of the land. The donation of property will not take place until the grant is approved. Commissioner Epps motioned to accept Ms. Sandt's from Lee/Russell recommendation to go forward with the grant application. Seconded by Commissioner Martin. The vote was unanimous.

Commissioner Epps addressed elected officials and department heads concerning her vote on the 2009/2010 budget. Mrs. Epps stated: Her vote was based on information and decisions made during the budget meeting and not information she had acquired after the budget vote. The vote was based on what we agreed to during the budget meetings in an effort to reduce expenses.

Epps: I would like to commend each department head for their work being good stewards over taxpayer's money. If I had the information I know now before the decision was made I would have voted in a different way. I appreciate the elected officials and department heads and hope at this meeting or next, we can amend the budget to address salaries.

Roger Conner, manager of Russell County Water and Sewer Authority, discussed a need for a county sewer study, concentrating on the areas of Ft. Mitchell and Ladonia. The cost of a study would be \$47, 500. The sewer study will aid in successfully applying for grants for the sewage system's growth. The current 20 year old comprehensive plan no longer applies to our area needs. New businesses have not been established due to the lack of a sewer study or plans for future sewage system growth in the county.

Commissioner Pugh: I motion to adopt the sewer study for \$47, 500 which would include Ladonia and Ft. Mitchell and I'm not excluding the other parts of the county. After discussion with Mr. Conner, I feel if we spend the money here, by the time we get this up and going, we will know enough, then we can go back to look at the other parts of the county and be able to handle it. If we had the whole study now, we would not be able to implement anything but the Ladonia and Ft. Mitchell area. There was no seconded the motion failed.

County Administrator: The Commission requested I do a Request for Proposal for a County-wide Comprehensive Plan, last year. With the Commission's approval, the "RFP" was sent out. I provided each of you a copy. The Commission received several proposals for a county-wide comprehensive plan as I recall which would include everything from roads, land-usage, sewer etc. Those proposals were brought to the Commission last November. Due to the regional growth plan (RGMP); this Commission placed the comprehensive study on-hold. The Commission has not paid any money to-date for a comprehensive plan or contributed to the regional growth plan that was done by Ft. Benning for 10 counties which included Russell County. The Commission indicated that once the RGMP was completed; we would move forward with a county-wide plan in anticipation the cost of the plan would be reduced due to the RGMP information being available. I just want to make sure there is no confusion and the public understands no money has been spent on either the RGMP or a county-wide plan.

Commissioner Lee: Thank you Mr. Chairman for allowing me the opportunity to correct an error that I made at the October 14, 2009 Commission meeting. At the October 14th meeting, at the request of the Commission, I made a motion to make an additional one-time gift/appropriation to the Animal Shelter so they could open without further delay. In making this motion, I unintentionally used the word "billed for half" in reference to the City. This was not my intention or the Commission's intention. Before I make this motion; I would like to apologize to the City and to the Commission for using the wrong wording. The intention was to inform the city of our action; not bill.

Therefore, my motion this morning is to rescind and strike the part of the motion made on October 14, 2009 pertaining to the Animal Shelter beginning with the

part of the motion that states: "The City to be billed" and replace it with "these funds may be used as the board deems necessary, but, a separate ledger be kept as to how they are used. A letter will be sent to Phenix City to inform them of our action. If they agree and choose they may reimburse Russell County for half." The County's fund balance will be increased by \$50,000. These funds will be transferred to the Animal Shelter at least by the 10th of November.

If my motion passes; I ask Mrs. Horne to send a copy of my statement and corrected motion to Phenix City. Thank you. That is in a form of a motion. Commissioner Martin seconded the motion.

Mrs. Horne informed the Commission this is the second (one-time) appropriation made to the animal shelter for startup purposes from the County and City—not the first. Also, the budget has already been amended and check issued per last meeting's instructions.

Commissioner Lee voted; yes. Commissioner Pugh voted; abstained. Commissioner Martin voted; yes. Commissioner Reed voted; no. Commissioner Epps voted; abstained. Commissioner Dudley voted; no. The motion failed.

Commissioner Lee stated: Let the official record reflect that "I tried to correct the mistake and the Commissioners would not allow it".

Chairman Dudley then stated: "He would change his vote to allow for Commissioner Lee to apologize to the City of Phenix City."

Commissioner Dudley voted; yes. The motion carried.

Sheriff Boswell presented an application for a lounge retail liquor license for the Parrish Club, located at 77 Screws Road, Eufaula, Alabama, which is located within Russell County lines. After conducting an investigation of this business; problems were found. The applicant was an offender in three domestic violence complaints and one arrest, also a verbal domestic violence complaint against him 1997-2003. Sheriff reported, in the investigation of the business: There are no lighted exits signs, the bathrooms are not handicap accessible and the kitchen is not fully equipped. The neighborhood canvas revealed; 5 approvals and 1 disapproval in the immediate area adjacent to the location. The closest church is 1.4 mile and the closest school is 13 miles away. The owner of this location has a propensity to consume alcoholic beverages and as a result often becomes unruly. I have provided pictures of the location at the Monday's work session.

Commissioner Martin motioned to deny the license to the Parrish Club. Seconded by Commissioner Reed. The vote was unanimous for disapproval of the application.

Motor Vehicle License Commissioner, Paulette Colbert, made a request to fill a vacant tag clerk position, recently vacated. Commissioner Lee motioned to approve rehiring the tag clerk position. Seconded by Commissioner Martin.

County Administrator Horne requested to clarify: If it was in the approved 2009/2010 budget in the respective departmental budgets; does the department head have to come to the Commission for approval before hiring a new employee?

Commissioner Dudley: Yes.

The Commission was polled. The vote was unanimous.

Michele Cole presented a proposal for special events projects. This proposal included 15 -20 hours a week at the cost of \$12.50 an hour at the request of individual Commissioners or the County Administrator. Not all projects or events take 15 to 20 hours; jobs are priced only according to the actual hours used to complete. Materials and supplies to make announcements and other publications are done in-house, absorbing those costs. Occasionally printing companies are

used. Mrs. Cole's current project is the Veteran's Day program at the request of Commissioner Dudley.

Commissioner Lee motioned to approve Mrs. Cole, 25 hours at a rate of \$10.00 an hour, to work with the Chairman and Commission on the Veterans Day Project. This is an unbudgeted item; I believe this type item can be paid out of the contingent fund, for special events. Seconded by Commissioner Reed. The vote was unanimous.

Commissioner Reed and Commissioner Epps requested the Commission to review the budget along with the proposed salary schedule increase for department heads. Non-elected officials cannot receive an increase, and to bring that item back in two weeks for discussion. Seconded by Commissioner Reed. The vote was unanimous.

County Administrator LeAnn Horne, stated late yesterday, she was informed that the request made by the Circuit Clerk submitted to the Commission had not been approved, at this time, by the Senior Circuit Court Judge. She asked to table this item until the next meeting allowing time for her to meet with the Circuit Court Judge and the Circuit Clerk to clarify these issues and bring the item back to the Commission.

Commissioner Lee motioned to approve Ms. Horne's recommendation. Seconded by Commissioners Epps and Martin. The vote was unanimous.

Ms. Horne informed the Commission and the public that the next Commission meeting will fall on the Veteran's day Holiday and deferred to the county attorney.

Attorney Robert Lane read Statue 11-3-8; Code Sub-section, C, which states when an regular meeting of the County Commission falls on a legal public holiday the County Commission may meet on any day of the following week instead of the holiday or any other time determined by the County Commission provided it leaves 5 days prior to the meeting. Notice of the meeting time and place should be posted in a public and conspicuous location at the Courthouse and in other public building determined appropriate by the County Commission and shall be forward to all local news media that have on file with the County Commission a written request for notification of the schedule of regular meeting of the County Commission. This Statue means, anytime within the next seven day period you decide to meet and give notice, you are legal.

Commissioner Lee motioned to have the regular Commission Meeting on Thursday, November 12, 2009, at the regular time of 9:30 a.m. EST. and cancel the Monday work session. Commissioner Reed seconded the motion. The vote was unanimous.

Commissioner Epps motioned for the Administrator to set-up a meeting prior to the November 12, 2009 meeting to discuss review of the 2009/2010 budget and discuss salary increases for department heads. There will 3 meetings with only 3 Commissioners in each meeting leaving only one Commission in the third meeting. Seconded by Commissioner Reed. The vote was unanimous.

Ms. Horne presented District 7's Planning Commission appointment which will expire November 11, 2009. Rick Perry, the present member and is willing to serve another 6 year term. He faithfully attends all the meetings and is in good standing. Commissioner Lee motioned to table the Planning Commission appointment until next meeting, since this is Commissioner Screw's district. Seconded by Commissioner Martin. The vote was unanimous.

Commissioner Reed presented Dr. William Smith of the Russell County-Phenix City Animal Shelter, with a certificate of recognition for his donation of equipment to the joint animal shelter.

Commissioner Reed also presented a proclamation to the General Manager of the Columbus Times, Carol Gertjegerdes for the Columbus Times 88th Anniversary.

Commissioner Epps thanked Sheriff Tommy Boswell and the Homeland Security Director William Alexander and their department's work keeping our citizens safe.

Ms. Horne thanked her staff: Matthew Brown, Carla Thomas, Beth Monk, Della Gordon, Nikki Preer and George Worthington for preparations made for the GACCA and ACCA Conference held in the courthouse.

Williams Alexander announced today the Russell County Health Department will begin administering a limited number of H1N1 vaccinations to individual within targeted high risk groups.

Commissioner Martin motioned to adjourn the meeting.

Meeting adjourned.