

**The Russell County Commission
Meeting Minutes
November 25th, 2008
10:00A.M., EST**

An adjourned meeting of the Russell County Commission was called to order. Commissioners present were Gentry Lee, Tillman Pugh, Peggy Martin, Ronnie Reed, Cattie Epps, Mervin Dudley and Larry Screws. Kenneth Funderburk, the County Attorney and LeAnn Horne, the County Administrator were also present.

A quorum was established.

Chairperson Peggy Martin stated the Engineering Department has requested an amendment to today's agenda for the solicitation of bids. Chairperson Martin requested an approval of the November 25th, 2008 agenda with the amendments. Commissioner Dudley motioned to approve the agenda and was seconded by Commissioner Epps. The vote was unanimous.

The invocation was given by Reverend Johnnie Robinson from the Higher Power Outreach Church.

The Pledge of Allegiance was led by Commissioner Lee.

Chairperson Martin welcomed elected officials, department heads, media and guest.

Chairperson Martin asked for approval for the October 28th, 2008 meeting minutes. Commissioner Lee motioned to approve the minutes and was seconded by Commissioner Epps. There were four votes, yes, and Commissioner Pugh, Commissioner Reed and Commissioner Screws abstained.

Chairperson Martin requested approval for the November 12th, 2008 meeting minutes. Commissioner Epps motioned to approve the minutes. Seconded by Commissioner Reed.

Commissioner Pugh requested discussion and clarification of the Commission Meeting Schedule before approving the minutes. The state requires the Commission to set the agenda. Once the agenda has been set, they should move forward with the new schedule. The misunderstanding came due to the schedule states it is 2009 and everyone thought it should start January 1st, 2009. I believe this new schedule should begin at the next Commission Meeting. I'm asking for that correction in the form of a motion.

Chairperson Martin stated clarification of the meeting schedule is listed on the agenda. You are requesting to address that before adopting these meeting's minutes.

Commissioner Pugh explained, I'm afraid for us to adopt the minutes because there is a misunderstanding on them.

Commissioner Lee stated, the minutes should be a reflection of what happened in the meeting. Did something different happen in the meeting than reflected in the minutes?

Commissioner Epps replied, I think Commissioner Lee offered a motion that the work session be held on Monday and that we change the regular meeting to Wednesday at 9:30. It was confirmed by the Chair for 2009. Commissioner Lee did not specify when this would go into effect.

Commissioner Lee stated, I have done this so many times that I thought it was understood it would begin at the next meeting; otherwise, I would have expressed when it would begin. The question at hand, are the minutes correct. We will clarify the schedule and today's minutes will reflect the correction.

Commission Pugh withdrew his motion and the roll was called. The November 12th, 2008 meeting minutes was unanimously approved by the Commission.

Probate Judge Alford Harden requested to move into executive session to discuss a personnel matter. The County Attorney, Kenneth Funderburk stated a letter has been issued for an executive session, though it is not under my name, I too have additional personnel matters to discuss which are covered under the executive session. Commissioner Dudley motioned to move into executive session and was seconded by Commissioner Epps. The vote was unanimous to enter into executive session.

Commissioner Lee motioned to reconvene. Seconded by Commissioner Epps. The vote was unanimous. Mr. Funderburk stated on behalf of the Probate Judge, I make a recommendation that the position of Election Custodian be declared vacant. Commissioner Epps motioned to accept the recommendation of the County Attorney. Seconded by Commissioner Reed. The vote was unanimous to vacate the Election Custodian position.

Commissioner Lee requested a discussion on a procedure that was approved several years prior; which was to always include the Discussion Items on the agenda. This listing is for Commissioners only to talk about anything they need to discuss without a vote. I would like to discuss a topic from several months ago concerning the pick-up of dead animals. We were to gather information on how other counties are handling this problem. Has this research been completed?

The County Administrator, LeAnn Horne replied, we are still working on the report.

Commissioner Lee stated, I just wanted to know where we stood on that research.

Commissioner Pugh discussed clarification of the Commission Meeting Schedule; I thought that when we set the agendas by law the meeting dates that were adopted would begin the following meeting. I motion to start the new Commission Meeting Schedule, with the meetings to be held on Wednesday at 9:30 effective immediately.

Chairperson Martin asked, is this to begin in December, 2008?

Commissioner Lee stated, make sure the media is notified of this change and I will second the motion.

Commissioner Epps replied that the meeting will fall on December 10th; this is the orientation meeting for all new Commissioners. If they attend the orientation, they will not be present that meeting.

Commissioner Screws suggested leaving the schedule as is due to only being two meetings left before 2009. Then begin the new schedule January 2009.

Commissioner Pugh withdrew his motion.

It was stated the new meeting schedule will begin January 2009 as originally published.

County Administrator, LeAnn Horne, presented a request to sponsor the annual Christmas float for the December 13th, 2008 parade. Sponsorship is \$350.00 which will be paid from the Contingent Fund. Commissioner Lee motioned to approve and seconded by Commissioner Dudley. The vote was unanimous.

Larry Kite, the County Engineer presents:

- A correction for the opening date set for the annual bids. The date was set for November 18th, but had been incorrectly advertised and is requesting the opening date changed to December 1st, 2008 at 3:00 p.m. EST. A motion was made by Commissioner Lee to approve and seconded by Commissioner Epps. The vote was unanimous approving the date change.
- Request to advertise for bids annual materials and supplies, also budgeted equipment items, backhoe loader and a vibratory asphalt compactor with the requested opening date of December 17th, 2008 at 3:00 p.m. EST. in the Commission Chambers. Commissioner Lee motioned to approve the bids and was seconded by Commissioner Dudley. The vote was unanimous.
- County Road 4 right-of-way acquisition. This approved project is currently in the process of acquiring the right-of-ways. A majority of the property was previously acquired by the County, but due to an alignment change at the west end of the road, there are two additional tracts that are needed. The owner of tract B, John Mayer, has agreed to swap the required right-of-way for an old existing right-of-way. The County will need to quick claim the old tract back to Mr. Mayer. The owners of tract C, Thomas and Bessie Brown have agreed to sell the tract for \$8,750.00, fair market appraisal value. The request is to approve and proceed with the acquisition, also authorize the Chair sign the quick claim deeds. The amount was budgeted and approved for this year's budget. A motion was made by Commissioner Lee to approve the request of the County Engineer to swap right-of-ways and purchase the additional right-of-way. Seconded by Commissioner Screws. The vote was unanimous.
- The proposed paving of Isbell Road. A request by a developer to pave a portion of this road to Owens Road approximately 800 feet south, placing 3 inches of asphalt which meets our Subdivision Regulations. The County Engineer is proposing to perform the required grading and base work with the developer paying the cost of the asphalt. With Commission approval we can proceed with this project in a few weeks. Commissioner Epps motioned to accept the recommendation of the County Engineer. Seconded by Commissioner Reed. District 1(Lee) voted, yes; District 2 (Pugh) abstained; 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. The motion stood.

William Alexander, Homeland Security Director, request a budget amendment for money Phenix City reimbursed the County for sirens place in City Limits. This money was not budgeted and needs to be deposited.

Homeland Security/ EMA

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| Increase 001 44741 | 810 State Grants | \$8,000.00 |
| Increase 001 52300 | 541 Equipment & Furniture (over \$5, 000) | \$8,000.00 |

Seventeen sirens have been installed and an additional twenty five sirens have been received, bring the total to thirty seven covering the County. We met with contractors and the start date for installation of the last sirens is December 15th with the completion date of the first week of January. Commissioner Lee motioned to approve the amendment. Seconded by Commissioner Dudley. The vote was unanimous.

The County Administrator, LeAnn Horne, presented the Thanksgiving Holiday schedule approved by the Governor of Alabama, for Thursday and Friday as public notification.

Chairperson Martin opened nominations for Commission Chairman. Commissioner Lee nominated Commissioner Dudley for Chairman. Commissioner Reed nominated Commissioner Martin. Commissioner Epps motioned to close the nomination. Seconded by Commissioner Reed. Commissioner Dudley received 4 votes. Commissioner Martin received 2 votes. Commissioner Dudley will serve as the new Commission Chairman.

Nominations for Vice Chair were opened. Commissioner Pugh nominated Commissioner Lee for Vice Chair. Commissioner Epps nominated Commissioner Martin. Commissioner Martin was asked if she would accept Vice Chair. After her acknowledgement Commissioner Pugh withdrew his nomination of Commissioner Lee. Commissioner Lee accepted the withdrawal and motioned to accept Commissioner Martin as Vice Chair by acclamation. Seconded by Commissioner Screws. The vote was unanimous.

Chairperson Martin stated currently we have three listed for the Commission Office who are authorized check signers; The Administrator, Commissioner Dudley and I. We are to have four listed on the signature cards. Commissioner Pugh motioned to have Commissioner Lee as the fourth signature. Seconded by Commissioner Dudley. The vote was unanimous.

Commissioner Lee motioned to adjourn the meeting.

The meeting was adjourned.

Attest: _____
LeAnn Horne, County Administrator

Signed: _____
Mervin Dudley, Chairman