

The Russell County Commission  
Meeting Minutes  
December 27th, 2017  
9:30 A.M. E.S.T

An Adjourned meeting of the Russell County Commission was called to order by Chair Peggy Martin.

The invocation was given by Reverend Gregory Scott, Pastor of Phillips Temple CME.

The Pledge of Allegiance was led by Commissioner Ronnie Reed.

Chair Martin welcomed elected officials, department heads media and guests. She also thanked Cable T.V. of East Alabama and the Citizen for their coverage of the Commission Meeting.

Administrator Horne called the Commission roll. Members present were Chair Peggy Martin, Vice Chair Carl Currington, Gentry Lee, Ronnie Reed, Cattie Epps and Chance Corbett. Larry Screws was absent. Also present was the County Attorney Kenneth Funderburk and County Administrator Horne who kept the minutes.

A quorum was established.

Chair Martin requested a motion to approve the meeting agenda with an additional item request from the County Engineer.

Commissioner Epps asked about a discussion item that was taken off at the last meeting which concerned the Vice Chair. She would like to have placed under discussion for clarification.

Commissioner Currington motioned to approve the agenda with changes. Seconded by Commissioner Reed.

Commissioner Currington explained to Commissioner Epps what was on the last meeting agenda because he took it off the agenda.

Commissioner Epps stated that item was listed under discussion. Commissioner Currington stated that he would discuss the topic at the Wednesday meeting. When the Commission met on Wednesday the item was taken off. She just wanted some clarification on what was going on with that item.

Commissioner Currington stated that he asked to have it removed, because he had changed his mind.

Commissioner Epps said that during the time of discussion that there were proclamations and resolutions which needed to be signed. Commissioner Screws signed those documents as Vice Chair. She asked why that would have happened if Commissioner Currington was already voted in as Vice Chair?

Commissioner Corbett asked Commissioner Epps if she could be specific as to which documents she was referring to and when they were signed?

Commissioner Epps could not remember, but thought it was at the last meeting after Chair and Vice Chair had been elected.

Attorney Funderburk stated that the item that was taken off the agenda was taken off by the person that had placed it on the agenda. No discussion can take place about any item that has been removed from the agenda.

Commissioner Lee thought that the proclamation that Commissioner Epps had question was approved in November, but was not presented until December. If Commissioner Screws had signed it in November, then it was correct.

Commissioner Epps just wanted to know who is the Vice Chair. It was agreed that Commissioner Currington was Vice Chair.

Commissioner Corbett stated that there is a motion and second to approve the meeting agenda. Since the Vice Chair item was just discussed should it be dropped from the agenda.

Commissioner Epps stated that it did not need to be discussed.

Administrator Horne polled the Commission. The vote was unanimous.

Chair Martin requested a motion to approve the December 13<sup>th</sup>, 2017 meeting minutes. Commissioner Currington motioned to approve. Seconded by Commissioner Reed. Commissioner Corbett abstained from the vote; the remaining five voted to approve the minutes.

Sheriff Taylor and Russell County School Superintendent, Brenda Coley presented a request for a School Resource Officer. The School System would like to add a position to the schools; a safety director. The School system will contribute funds for the new position and are already contributing \$70,000. They are requesting the County to join in securing the schools and pick up a deputy. Sheriff Taylor state he did not expect he would need funding for that in this budget year. If by the end of the fiscal year he sees that he will need additional funding, he hopes the Commission would do so for the salary of a regular deputy.

He requested approval to add to his budget a School Safety Director, which will be paid for by the School System. Commissioner Lee motioned to approve Sheriff Taylor's request. Seconded by Commissioner Reed.

Commissioner Corbett asked if there should be budgetary steps or positions into the motion.

Administrator Horne stated that we are good with that and the position and a salary would not have to be set.

Sheriff Taylor stated a check from the School Board should be received soon, upon approval of the Commission. That should cover the additional slot that he was requesting.

Administrator Horne acknowledged the line for this position will be monitored and if it looks as if it will go over the amount paid by the School Board then it will be brought back to the Commission.

Sheriff Taylor informed the Commission that typically in a budget year if one or two employees leave and those positions are not filled, he felt in this budget year the difference could be covered and next year it can be budgeted.

Commissioner Epps asked how the Director would work into the School System. Would he rotate within the system?

Sheriff Taylor explained that the Director's position will be over the whole school system as far as their security plans, training the teachers, implementing a lot of the absentee and truancy issues for the school system will be incorporated in their duties. There will actually be 3 ½ people to the school system. The ½ is a part time deputy assigned to the school system, who covers the elementary schools. The two deputies' full time will cover the middle school and high school. All three deputies will answer to the Director, who will also cover the whole school system for training and facilitating the truancy program.

Commissioner Corbett also suggested looking at other retired deputies who would like to return as part-timers to give more coverage for school safety. He would love to see an officer in every school.

Commissioner Lee asked Superintendent Coley if the Director will spend a majority of his time in a school.

Superintendent Coley stated he would be very visible. They believe that would be a deterrent and an asset to the school system.

Administrator Horne polled the Commission. The vote was unanimous.

EMA Director Bob Franklin reminded the Commission about the Hazardous Mitigation Grant awarded to the County one year ago to reimburse homeowner for installation of storm shelters on their property. The Grant reimburses 75% of the installation cost of the shelters up to the maximum of \$4,000. Five individuals took advantage of the grant. It has been verified that the five homeowners have installed and paid for the storm shelters. Documentation has been sent to the State and the County has received refunds for four of the homeowners. Mr. Franklin is expecting to receive the last check any day. He is requesting for the County to pay each of the homeowners the 75% reimbursement supplied by the State. A list of homeowners and amounts they paid for their shelter were submitted to the Commission for review. Commissioner Lee motioned to approve the payments and was seconded by Commissioner Currington. The vote was unanimous.

Engineer Shawn Blakeney discussed damage that occurred on Owen Street in Hurtsboro during the last flood. This road has been closed for one year. At last week's Hurtsboro Town Hall meeting it was approved to fund repair of Owens road if the Russell County Engineering Department could do the work for Hurtsboro. The City of Hurtsboro will reimburse for the county's equipment time and material for the project if the Commission will approve their request. Commissioner Lee motioned to approve. Seconded by Commissioner Currington.

Commissioner Corbett asked what the time line of the project will be.

Mr. Blakeney stated that this is something that his work order crew can do in less than 2 days.

Administrator Horne polled the Commission. The vote was unanimous.

Attorney Funderburk presented the Supernumerary salary which deals with various recommendations on the interpretation of the law. Auditors may make recommendations although they do not want you saying that you are relying on those. Though we will have to rely on our own interpretation of what the recommendation was there is a difference in what is owed, the supernumerary for the sheriff, \$45,143.21 that is due based on our interpretation of the law that is actually due and the issue is, is it due at one time or can there be payments? In review of our recommendations, the safe thing for the county to do is pay it, rather than separate it out where it will be subject to other interpretations, that we may not like. My recommendation is we pay it back and we pay it back in full. Commissioner Lee motioned to approve the Attorney's recommendation. Seconded by Commissioner Reed.

Commissioner Lee informed the public we are not the only county that has made this error. Other Alabama Counties that went on the Supernumerary at the same time, this was just an interpretation in the law that everyone agreed with, which was later challenged.

Discussion took place about how the error occurred. It was discussed that something of this nature should be looked at by the Attorney and the Commission body instead of just one person's or department's interpretation of how it should be done. Speculation is the error began, when the Sheriff received legislative salary increases and that were not apply to the supernumerary.

Attorney Funderburk reminded the Commission even if you have the Attorney General's opinion, State Auditors will let you know that their opinions are not law. The later AG Opinions are consistent to what the Commission is doing.

Commissioner Corbett stated that for the record the Commission is on legal grounds by paying this money back in one lump sum.

Attorney Funderburk agreed that Commissioner Corbett was correct.

Administrator Horne informed the Commission there the budget will be adjusted as follows: Taken from fund balance \$45,144.00 increasing to line 52100 119 Supernumerary salary line \$45,144.00, which will be shown in the minutes if approved today.

Administrator Horne polled the Commission. The vote was unanimous.

Attorney Funderburk recommended going into executive session to discuss two and issues. Commissioner Currington motioned to move into executive session. Seconded by Commissioner Reed. The vote was unanimous.

The Commission returned to the Chambers. Commissioner Reed motioned to reconvene the Commission Meeting seconded by Commissioner Currington. The vote was unanimous.

Attorney Funderburk stated that based on the executive session he recommended the County purchase Lot 4 Block 8 Wilson Subdivision, which is the radio station next to the Russell County Jail in the amount of \$80,000, which is subject to clearing up an unsatisfied mortgage. He will also notify the seller that the Commission has agreed on this. If the Commission adopts the recommendation, he will notify them today. Chair Martin motioned to approve the Attorney's recommendation. Seconded by Commissioner Reed. The vote was unanimous.

Attorney Funderburk stated there is another property that is being gifted to the County by Mr. Jim Talbot. The property is lot 12 between Brick Yard Road and Abercrombie Road. He recommended accepting the title which has no debts. Chair Martin motioned to approve to make a deed. Seconded by Commissioner Reed. The vote was unanimous.

Chair Martin made announcements.

Chair Martin adjourned the meeting.

After careful examination and considerations, the Commission authorized the Administrator to pay the following bills from the perspective funds.

**December 2017 Checks**

<b>General Fund 001</b>				
17617	12-1-17	Phenix-Girard Bank Russell County Payroll Salary 11/18/17-12/01/17	3030	\$429,412.33
17618	12-11-17	Operations Fund P.G. Bank of PC	3020	\$313,462.37
17619	12-11-17	Heath Taylor	51910 322	\$9,125.00
17620	12-11-17	Heath Taylor	51910 322	\$125.00
17621	12-14-17	Phenix Girard Bank Russell County Payroll Acct. Sal. 12/02/17-12/15/17	3030	\$325,157.86
17622	12-15-17	Phenix Girard Bank Russell County Payroll Acct.		\$188.19
17623	12-18-17	Russell County Vol. Fire Dept. Association	3040	\$187,250.00
17624	12-22-17	Blue Cross & Blue Shield of Ala.	52100 122	\$1,103.62

17625	12-28-17	Phenix Girard Bank Russell County Payroll Acct. Sal. 12/16/17-12/29/17	3030	\$333,048.13
17626	12-29-17	Operations Fund P.G. Bank of PC	3020	\$139,187.38
17627	12-29-17	Phenix Girard Bank Russell County Payroll Acct.		\$19,514.00
		<b>Ft. Mitchell Senior Center 103</b>		
1213	12-29-17	Operations Fund P.G. Bank of PC	3020	\$240.00
		<b>Masonic Lodge 104</b>		
1061	12-01-17	Rodney Watson	51100 499	\$500.00
1062	12-06-17	Chance Corbett	51100 499	\$180.00
1063	12-07-17	Pine Hollow Landfill	51100 499	\$110.00
1068	12-14-17	<b>Gloria Jenkins</b>	51100 499	\$500.69
		<b>Gasoline Tax 111</b>		
13426	12-01-17	Phenix Girard Bank	3030	\$96,684.32
13427	12-11-17	Operations Fund Phenix Girard Bank	3020	\$28,776.34
13428	12-14-17	Phenix Girard Bank	3030	\$76,794.18
13429	12-15-17	Phenix Girard Bank	53100 124	\$363.54
13430	12-14-17	Larry W. Kite, Jr.	53100 122	\$1,356.00
13431	12-28-17	Phenix Girard Bank	3030	\$77,126.18
13432	12-29-17	Operations Fund Phenix Girard Bank	3020	\$29,265.06
13433	12-29-17	Phenix Girard Bank	53100 122	\$12,292.00
13434	12-29-17	Blue Cross & Blue Shield of Alabama	53100 122	\$1,216.04
		<b>Road &amp; Bridge 112</b>		
1173	12-11-17	Operation Fund Phenix Girard Bank	3020	\$20,554.99
1174	12-12-17	Shaun Moore	51100 307	\$,2925.00
1175	12-14-17	Mathew Marshall Jr	51100 307	\$600.00
1176	12-14-17	Kevin Hennessey	51100 307	\$720.00
1177	12-14-17	Richard Thomas	51100 307	\$1,020.00
1178	12-14-17	Mathew Marshall	51100 307	\$675.00
1179	12-15-17	Arthur Sanders	51100 307	\$512.00
1180	12-18-17	U S Bank	62116 299	\$274,346.88
			62123 299	\$217,383.13
			62125 299	\$409,901.75
1181	12-29-17	Operation Fund Phenix Girard Bank	3020	\$294,423.92
		<b>Capital Imp Fund 116</b>		
297	12-11-17	Operations Fund Phenix Girard Bank	3020	\$1,755.00
298	12-29-17	Operations Fund Phenix Girard Bank	3020	\$12,526.00
		<b>RRR Fund 117</b>		
1177	12-11-17	<b>Operations Fund Phenix Girard Bank</b>	3020	\$9,328.86
1178	12-29-17	Operations Fund Phenix Girard Bank	3020	\$19,148.80
		<b>Reappraisal Fund 120</b>		
2130	12-01-17	Phenix Girard Bank	3030	\$24,655.35
		Russell County Payroll Account		
2131	12-11-17	Operations Fund Phenix Girard Bank	3020	\$444.24
2132	12-14-17	Phenix Girard Bank	3030	\$20,590.86

		Russell County Payroll Account		
2133	12-28-17	Phenix Girard Bank	3030	\$20,627.85
2134	12-29-17	Operations Fund Phenix Girard Bank	3020	\$3,140.41
2135	12-29-17	Phenix Girard Bank	51985 122	\$896.00
		Russell County Payroll Account		
		<b>Juvenile Drug Court Fund 195</b>		
1226	12-01-17	Tommy Powell	56900 199	\$895.71
1227	12-18-17	Tommy Powell	56900 199	\$895.71
		<b>Garbage Fund 511</b>		
1475	12-01-17	Phenix Girard Bank	3030	\$72,426.46
		Russell County Payroll Account		
1476	12-11-17	Operations Fund Phenix Girard Bank	3020	\$54,250.70
1477	12-14-17	Phenix Girard Bank Russell County Payroll Account	3030	\$50,706.65
1478	12-15-17	Phenix Girard Bank Russell County Payroll Account	54100 124	\$50.95
1479	12-21-17	Postmaster	54100 252	\$2,505.37
1480	12-28-17	Phenix Girard Bank Russell County Payroll Account	3030	\$50,0770.93
1481	12-29-17	Operations Fund Phenix Girard Bank	3020	\$72,112.12
60852-60865	12-5-17	Refund Checks	3040	\$347.25
		<b>Garbage Escrow Fund 513</b>		
015	12-06-17	Garbage Fund	3040	\$178.50
		<b>Russell Payroll 710</b> See Check Register in the Commission Office		
		<b>General Fund 718</b> See Check Register in the Commission Office		
		<b>Donation Fund 750</b>		
453	12-8-17	J.T.M. Corporation	51100 499	\$177.00
		<b>Law Library Fund 755</b>		
1019	12-01-17	Malone Office Environment	51100 499	\$142.25
1020	12-18-17	Berney Office Solutions	51100 499	\$25.67
1021	12-20-17	Alabama Judicial College Education Fund	51100 499	\$700.00
		<b>Worthless Check 761</b>		
499	12-06-17	Worthless Check Unit Office of District Attorney	51260 365 51260 362	\$1,429.98 \$2,655.69
		<b>Land Redemption Fund 786</b>		
		<b>Juvenile Service Fund 787</b>		
2229	12-20-17	Verizon	52600 499	\$131.46
		<b>County Tobacco Fund 797</b>		

438	12-22-17	Russell County Volunteer Fire Department Association	3040	\$22,514.07
439	12-22-17	Project Greene Light	3040	\$592.47
440	12-22-17	Task Force for Senior Citizens	3040	\$592.47

Attest: \_\_\_\_\_  
County Administrator

Signed: \_\_\_\_\_  
Chair