

*The Russell County Commission
Meeting Minutes
March 14, 2012
9:45 A.M. EDT.*

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

A quorum was established.

Chair Martin requested a motion to approve the meeting agenda. Commissioner Dudley motioned to approve the agenda. Seconded by Commissioner Reed. The vote was unanimous.

Raymond Cochran, Pastor of Franchise Missionary Baptist Church gave the invocation.

The Pledge of Allegiance was led by Commissioner Dudley.

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

Chair Martin requested a motion to approve the February 8, 2012 meeting minutes. Commissioner Epps motioned to approve the minutes and was seconded by Commissioner Reed. District 1 (Lee) voted, yes; District 2 (Pugh) voted, no; 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.

Chair Martin requested a motion to approve the February 22, 2012 meeting minutes. Commissioner Dudley motioned to approve the minutes. Seconded by Commissioner Reed. The vote was unanimous.

The resolution approving the County-wide Comprehensive Plan was presented. Commissioner Screws motioned to approve the resolution and was seconded by Commissioner Dudley. The vote was unanimous. County Administrator LeAnn Horne thanked the Commission, the Russell County Planning Commission and Goodwyn, Mills and Cawood, especially Mr. Watts. This has been a very tedious process and this document will serve the Commission and the public well in the future.

Chair Martin stated she would like to honor former District 3 Commissioner Dolly Wilson who recently passed. A proclamation was created for her and will be presented to her family. The proclamation was read by Administrator Horne.

Chair Martin announced the Health Department which was named for Dolly Wilson but the Commission found that at that time a government building could not be imprinted with an individuals' name until their death. The Commission will communicate with the Health Department to recognize it as the Dolly Wilson Health Department. Commissioner Lee motioned to approve the proclamation and was seconded by Commissioner Reed. The vote was unanimous.

Commissioner Pugh motioned to create a resolution to be presented to John Mitchell who has been honored the rank of Eagle Scout. A ceremony in his honor will be held at a local church and Commissioner Pugh would like to present the Resolution to Mr. Mitchell at that time. Seconded by Commissioner's Epps and Reed. The vote was unanimous.

Commissioner Reed provided a 911Board report.

RDS Representative, Yolanda Watkins discussed the renewal 2012 Business License Contract. In 2011 RDS was successful in collecting \$200,331.00 from business that had not purchase County Business License in 2011. RDS fees are 35% of revenue collected which did net the County \$130,215. The rate of the renewed contract is the same 35%. Commissioner Lee motioned to approve the contract renewal seconded by Commissioner Reed. The vote was unanimous.

Recreational Director Mike Parker requested an amendment to the Multi-Purpose Field Project for the Sports Complex. The amendment for permanent pitcher mounds instead of purchasing portable mounds. A resolution is required by ADECA for the project change. Commissioner Dudley motioned to approve the amendment. Seconded by Commissioner Screws. The vote was unanimous.

Commissioner Pugh discussed the Homeland Security / EMA position that became vacant due to the transfer of former director William Alexander to the Sheriff's Department. He stated the previously the policy was that the Commission would first look within the department for qualified employees to fill positions and then look at other qualified county employees who are applying, taking outside applicants last. After discuss concerning how positions had been filled in the past Commissioner Pugh motioned for the Chair to establish a committee to review applicants for the Homeland Security / EMA Director position and that the committee look within that department first, second the county employees and last the public for applicants. Seconded by Commissioner Reed. The vote was unanimous.

Judge Alford Harden Jr. recommended procedures for revoking business licenses for those which have been purchased with a worthless check and collection attempts have failed. His recommended procedures are as follows:

- o Phone call to both telephone numbers is unreturned or avoided*
- o Certified letter to person and /or company is unacknowledged, returned or not claimed*

- o *Payment arrangements have not been made*

Commissioner Lee motioned that when a worthless check is given for payment of a business license and has been returned for insufficient funds, the County Business License is revoked immediately and the business notified. If the owner returns to make the check good, they will incur late fees. Seconded by Commissioner Reed. The vote was unanimous.

Commissioner Lee also motioned that anytime money has been credited into the Probate Judge's Account for the sale of County Business License and the Probate Office has already paid the County and the payment becomes a worthless check: the County is allowed to refund the Probate Judge's payment. Seconded by Commissioner Screws. The vote was unanimous.

Coroner Arthur Sumbry requested a budget transfer for vehicle maintenance and a stretcher for transport as follows:

<i>GENERAL FUND 001</i>			
<i>CORONER 52400</i>			
<i>DECREASE</i>	<i>001 52400 211</i>	<i>OFFICE SUPPLIES</i>	<i>\$1,900.00</i>
<i>INCREASE</i>	<i>001 52400 234</i>	<i>MOTOR VEHICLE REPAIRS</i>	<i>\$600.00</i>
<i>INCREASE</i>	<i>001 52400 214</i>	<i>MINOR EQUIPMENT</i>	<i>\$1,300.00</i>
		<i>TOTAL</i>	<i>\$1,900.00</i>

Commissioner Lee motioned to approve the budget transfer and was seconded by Commissioner Reed. The vote was unanimous.

Homeland Security/EMA Interim Director Bob Franklin requested an approval of the annual 2012 Cooperative Agreement Emergency Management Performance Grant (EMPG). Commissioner Screws motioned to approve the agreement and was seconded by Commissioner Dudley. The vote was unanimous.

Chamber of Commerce James McGill presented an update of the Fort Benning West Gate and CR24 connector project (RCP-57-000-000). This project (Military Construction Army Project Number 71427) has been in the process since November 2005 and will provide easy access from Fort Benning to Alabama.

Fort Benning has requested the following action be taken to further the process:

- o *Request for a right of entry for environmental analysis and survey work for the project.*
- o *Request an easement for the construction operation and continued maintenance of the road*
- o *Detailed scope of work and drawings*
- o *Formal land survey and legal description for the easement premises*

The Corp of Engineers, Savannah District will review the formal Report of Availability for the easement and execute the real estate instrument between the U.S. Government and the Grantee (County/State). The information required must be submitted by March 31, 2012. The cost of the studies will be \$5,000 to \$7,000. Commissioner Epps motioned to approve Mr. McGill's recommendation. Seconded by Commissioner Reed.

Commissioner Lee gave his position on the project: There are projects and roads all over the county that need improving; the Commission continues telling the County Engineer there is not enough money to fund those projects. He will not vote to fund a project which is 90% Federal Property and the County does not have control over. There are other needs in the county.

Chair Martin stated we have to look at the County's future and feel this project is worth the effort. The County should work with our neighbors. We have Fort Benning working with us and would like to keep the ongoing relationship. Russell County can not make advancement economically if we don't invest the \$7,000.

The Commission was polled by the Administrator: 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.

County Engineer Larry Kite announced there was \$300,000,000 available for road projects in Alabama. Counties and Cities must submit an application for Federal Aid Projects (ATRIP) by March 30, 2012. Projects must be let by December 3, 2012. There will be 2 more phases in 2013 and 2014 that denied projects can reapply. Mr. Kite identified projects that he felt would meet requirements, which are Federal Aid routes with a critical need such as major roads.

To apply for ATRIP funds a letter of intent and a resolution committing the required 20% matching funds. The 20 % cost is all that would be funded for 47 miles of roadway. Also at this time project costs are coming in approximately at 10 to 20% less than normal. The one-time allocation from the Alabama Trust Fund for next year should be close to \$500,000. Only half of that amount can be used for road and bridge unless it is used for a bond payment, then all of it can be used. After calculating with a 3% interest rate and a five year payback, with an added \$50,000 to that out of the Engineering budget; the remaining 4 payments will be \$231,854. I propose to absorb the \$231,854 in the Engineering budget. There is no guarantee the County will be awarded this funding. The Engineering Department is looking toward restructuring to afford more road improvements. Commissioner Epps motioned to approve the resolution and letter of intent for the match. Seconded by Commissioner Reed.

Commissioner Lee stated he could better support this request if the match was only \$1,000,000.

The County Administrator asked Mr. Kite to review points he raised:

- o Existing funding-She wanted to make sure the Commission was aware when the Commission goes into budget sessions, they are willing to make the necessary cuts, if the revenue is not available and the projects are approved. This Commission will step up to the plate and make the tough decisions that will need to be made in the budget to fund these projects if approved today.*
- o If the revenue is not in the budget they could not take away from local projects, but fund thru the RRR Fund.*

Larry Kite stated that is correct. Money that comes into the General Fund goes to gas tax, so if needed it could be paid from the RRR Fund which would not affect anything.

Commissioner Lee announced that would cut out maintenance of other paved roads.

Larry Kite agreed, but the roads submitted for Federal Funding would be paved at 20% of the cost. This is only a proposal; these can be changed out and replaced with other projects to reduce the match. That is up to the Commission.

Administrator Horne reminded that the General Fund would have to be reduced due to prior and existing commitments that must be paid by the Commission first.

Larry Kite stated that by taking money from the RRR would not affect the General Fund.

Commissioner Lee offered an amendment to the motion that the match be limited to \$1,000,000. Seconded by Commissioner Dudley. The Commission was polled District 1 (Lee) voted, yes; District 2 (Pugh) had stepped out of the meeting; 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 amendment for the motion was approved.

The Commission was polled for the resolution and letter of intent. District 1 (Lee) voted, yes; District 2 (Pugh) had not returned to the meeting; 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 approved the motion was approved.

Proposed projects for ATRIP application are:

Phase 1	Miles	Project #	Cost Est.	Match
Oswichee Road (CR 39 to AI 165)	5.3	57-009-11	890,000	178,000
Prudence Road (CR 49 to US 431)	7.8	57-014-12	\$1,320,000	\$264,000
Cotton Road (CR 137 to AI 165)	7.2	57-015-12	\$620,000	\$124,000
Old Seale Highway: Pittsview	3.1	57-017-12	\$385,000	\$77,000
Old Seale Highway: Seale (includes Cutchins)	3.6	57-018-12	\$760,000	\$152,000
Old Seale Highway: North	6.2	57-021-12	\$540,000	\$108,000
Seale and South Seale Road	1.3	57-019-12	\$420,000	\$84,000
Total	46.9		\$4,935,000	\$987,000
Phase 2				
Zion Hill Road		Contingent on Securing ROW		
Cutrate /Opelika Bridge Replacement				
Crosswinds Road/ Knowles Road				
Rehabilitate Bridge over Big Uchee Creek				
Replace Relief Bridge over Little Uchee Creek				
Huguley Road (CR33)		Contingent on Securing ROW		
Boswell Road (CR41)		Contingent on Securing ROW		
Coffield Drive		Contingent on Securing ROW		
Pitts Road Bridge		Contingent on Revised Design		
Phase 3				
To be Determined				

Larry Kite stated a meeting would be held this week which will determine if a bid for a communications upgrade is necessary. Commissioner Lee motioned to postpone that item and was seconded by Commissioner Screws. District 1 (Lee) voted, yes; District 2 (Pugh) had not returned to the meeting; 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; the motion was approved.

Special Enforcement Officer Bill Friend stated that recently his office was given the responsibility of enforcement for solid waste hook-up, collections for unpaid bills and garbage exemptions. Alabama code 22-27-3 states the Commission must appoint solid waste officers to perform these duties and requested the Commission officially appoint Don Hollins and himself as Russell County's Solid Waste Officers. Commissioner Lee motioned to approve the request. Seconded by Commissioner Dudley. The Commission was polled District 1 (Lee) voted, yes; District 2 (Pugh) had not returned to the meeting; 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 approved the motion.

Administrator Horne requested approval of \$250 for advertisement for the Annual Twin Cities Classic Horse Show. Payment for the advertisement would come from the Contingency Fund. Commissioner Lee motioned to approve and was seconded by Commissioner Dudley. The Commission was polled District 1 (Lee) voted, yes; District 2 (Pugh) had not returned to the meeting; 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 approved the motion..

Announcements:

Chair Martin announced the Old Seale Courthouse Historical Association has requested for Commissioners to submit recipes for a Cook Book being created as a fund raiser.

Commissioner Lee stated the Silver Anniversary of the Starlight Ball will be held April 21st at the Old Seale Courthouse.

Commissioner Dudley requested for the Old Seale Courthouse Association to look at providing a handicap entrance at the front of the Old Seale Courthouse. Commissioner Lee stated that the official handicapped entrance is at the back of the Courthouse where it is level and accessible for those unable to use the front entrance.

Chair Martin announced opening day for T Ball is March 24th at 9:00 a.m. at the Russell County Sports Complex.

The meeting was adjourned.