

The Russell County Commission
Meeting Minutes
March 23, 2011
9:30 A.M. EST

Public Comments: Roger Martin updated the Commission on the Camp Landfill located on the riverbanks of Georgia. The City of Columbus will completely close this landfill and stabilize 1,760 feet of riverbank. He also encouraged the Commission to support the Mill Creek Project.

Billy Alexander shared his concerns about animal control. He resides in the City.

An adjourned meeting of the Russell County Commission was called to order. Members present were: Chair Peggy Martin, Vice Chair Gentry Lee, Tillman Pugh, Ronnie Reed, Cattie Epps, and Mervin Dudley. Larry Screws was not present due to employment requirement. Also present was the County Attorney Kenneth Funderburk and the County Administrator, who kept the minutes.

A quorum was established.

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

The invocation was given by Wayne Burns, Director of Missions at the Russell Baptist Association.

The Pledge of Allegiance was led by Commissioner Epps.

Elected officials, department heads, media and visitors were welcomed.

Chair Martin requested a motion to approve the March 9th, 2011 meeting minutes. Commissioner Dudley motioned to approve the minutes and was seconded by Commissioner Reed. There were 5 votes approving the minutes. Commissioner Epps abstained because of her absence at this meeting.

A Proclamation of Recognition for Rita Meredith was read by the County Administrator. Mrs. Meredith after 20 years of service with the Alabama Extension Office employee is retiring March 30th, 2011. This proclamation will be presented to her at a retirement reception by Commissioner Lee. Commissioner Dudley motioned to approve the proclamation and was seconded by Commissioner Reed. The vote to approve was unanimous.

Chair Martin gave a brief report about a joint meeting of City and County officials concerning the Jail contract. The meeting results were to have the Attorney's of both governments meet to discuss the contract.

Commissioner Lee explained there was a miscommunication at the work session Monday night. He was not proposing that the Russell County Sewer Authority bring a recommendation or a proposal to today's meeting, but for the Commission to formally request the Sewer Authority to study the new unpublicized sewer plan and to return in 3 weeks to make a presentation. He further stated there is no request for funding. The authority is only requesting the Commission's blessing for the project. Commissioner Lee stated that is a motion. Seconded by Commissioner Pugh.

Commissioner Epps stated it was her understanding that the Russell County Sewer Authority were only asking for Commission support, so they could move ahead with the installation of a system. This project has been under discussion for the last (11) eleven years. It is the time to go forward with sewer for the County.

Commissioner Lee announced, we are not obligating Russell County Commission funds for a sewer project and I want that to be clear from the beginning on that.

Commissioner Epps recommended that the Sewer Authority not come back with a recommendation, but to begin work on the sewer project.

Commissioner Lee agreed they need not come back for an approval, just go forward with their plans.

Commissioner Pugh stated he would like for the Sewer Authority to make a report for the Commission and the public, regardless of whether the Commission takes action or not. The purpose of establishing committees is for the Commission to be updated on information and progress of projects so we are able to answer questions that might be asked by the public of us. The Sewer Authority has commented that they have received mixed directions from the Commission and want to set the record straight by presenting to us

Attorney Funderburk informed the Commission the sewer issue falls under the Planning Commission. In order for any authority or private, company to raise money such as a bond Issuance to pay for the installation of a sewer system, bonding authorities and the underwriters require resolutions for mandatory hook-up and in this case the authority for approval is the Russell County Planning Commission.

The County Administrator polled the Commission; the vote was unanimous.

Katie Dylewski, a representative from the Alabama Cooperative Extension System presented the Mill Creek Watershed Project Implementation. Mill Creek is listed on the State Waters Impaired List. This is due to impaired nutrients and problems with sediment which enters the creek. Much of the impairments come from storm water run off that directly ties to urban development. Management practices have been suggested to Smith Station and Phenix City for the improvement Mill Creek's water quality. The Co-op is presently applying for a grant for implementation through the Alabama Department of Environmental Management, section 3:19 funding, which focuses on non-point source pollutions. This is Federal funding; therefore, Ms. Dylewski requested a letter of support from Russell County for the project. Commissioner Epps motioned to approve a letter of support. Seconded by Commissioner Reed. The vote was unanimous.

Business License Enforcement Officer Bill Friend asked for approval to refund penalties of less than a dollar to two businesses; which tried to purchase business license but, were turned away due to computer failures in the Probate Office. Commissioner Reed motioned to approve the refunds and was seconded by Commissioner Lee. The vote was unanimous.

Bill Friend also requested to serve warrants on several business owners who are presently operating without a business license. There have been numerous notifications and warnings, but there have been no response from those business owners. Commission Lee motioned to approve the recommendation of Mr. Friend. Seconded by Dudley. The vote was unanimous.

Sheriff Heath Taylor recommended restructuring the Sheriff's Department to maximize enforcement on the roads. Sheriff Taylor's recommendation includes the creation of (3) three new positions that would not require additional funds this year for salary line items. These positions would be held by people already in the department; also, a staff member with a higher grade salary left the department and will be replaced by grade 1 salary personnel. Therefore, no additional funds are needed. The proposed positions are: Lieutenant over training, Lieutenant over Court Security and a Staff Sergeant to be assigned to the Sheriff's Office. This will place approximately (5) Deputies on the road at night which will create a quicker response time at night and a better work flow for the staff. The part time nurse, who was recently hired, decided the position would not work for her and did not wish to stay employed. Dr. Warr suggested combining the part-time R.N. slot and the part-time clerk position to create a full time clerk. As it is now, a part-time clerk can not keep up with inmate's medical records, files and information due to overcrowding issues. A full time clerk's salary is less than both of the positions together. Commissioner Lee motioned to approve the Sheriff's request. Seconded by Commissioner Reed. The County Administrator requested when it was determined who will be placed in the new positions for that information to be provided to her office indicating the grade, step and salary, so we can keep the

salary schedule in compliance with state examiners requirements. The vote was unanimous to approve the Sheriff's restructuring of positions.

Sheriff Taylor stated that during recent negotiations with Ft. Mitchell Water Manager David Ellis and the Ft. Mitchell Water Board, the Sheriff's Department was approved to the old Ft. Mitchell Water building as a new precinct. The Ft. Mitchell Water Board requirements for use of the building are to pay half of the utility bills. Inmate labor will be used to make repairs to the building; therefore, the only cost to the county would be paint. Care Ambulance would also like to station a truck there during peak hours, which is another benefit to the County. Commissioner Epps motioned to approve opening the Ft. Mitchell Precinct. Seconded by Commissioner Reed. The vote was unanimous. Commissioner Epps requested for the Sheriff to place a car in the area to slow traffic down when the schools take in and release students for the day.

Commissioner Pugh presented the Chattahoochee River Resolution and stated it is not his intent to tell Muscogee County or Columbus what to do concerning contamination on their side of the river, but he would like to inform those governments of findings brought to the County's attention during the public hearing for the denied landfill. Commissioner Pugh then motioned to approve the Chattahoochee River Resolution. Seconded by Commissioner Lee.

Commissioner Reed asked County Administrator Horne to read the resolution.

Commissioner Epps: What is the real purpose of the resolution? If they have a public hearing, as we did about the landfill and we were concerned, then we would have the opportunity to go to their public hearing to speak. What would be the benefit of sending this resolution to Columbus?

Commissioner Pugh: It is our duty as good Commissioners of this county, to make neighboring governments aware of problems that were found. It's only an attempt to share information with them.

Commissioner Lee: The Resolution is placing a demand on the Columbus Consolidated Government. Facts were brought to us and out of courtesy we are informing a neighboring government. These issues were made public. This resolution is not stating we think they have not done a good job, just we have learned that others think they are not. It's just information so they can check into those issues. As reported this morning, they have already taken action on one of the landfills that had been discussed. I hope if Columbus has a public hearing and acquires information concerning Russell County, they would let us know.

Commissioner Reed: I think this will cause a trouble and I will not support the resolution.

Chair Martin: I stated earlier that a letter to their Attorney and the Mayor would suffice. I think we are throwing rocks and we need to take the higher road and be diligent about the River on both sides. We have heard today from the River Warden Roger Martin, they are already taking action to clean up and we should leave it to them now. They have a good start. We need that side of the river working with us concerning our road on Hwy 165 and not pointing fingers at them. I'd rather send a letter. 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. Three votes yes, three votes no. The motion failed.

Pastor Johnnie Robinson and Danielle Warren requested Commission support in the form of a letter and also as a grantee for the Emergency Shelter Grant should the House of Restoration not be able to match the grant requirement of \$200,000. Commissioner Lee stated the County has supported the House of Restoration in this venture for many years and there has never been a problem. Therefore, he motioned to approve their request. Seconded by Commissioners Reed and Epps. The vote was unanimous.

County Administrator LeAnn Horne announced that due to the overall financial good condition of the County as well as the claim history our Liability Self Assurance Fund has written a (refund) check to the County for \$42,000, which will be deposited to County funds.

County Attorney Kenneth Funderburk stated that we do a good job of getting our claims to the insurance company, but working with the attorneys and insurance companies sometimes it is necessary to tweak procedures, because they have people who receive information and if is not written Law Suit on those documents they are not aware what they have received. We have been asked by liability Attorneys to set up a procedure where only the Chairman and the County Administrator are authorized to receive claims and law suits. If the County is made a party and someone is trying to serve us, they have to serve the Administrator or Chairperson. Commissioner Lee motioned to approve the Attorney's recommendation. 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) abstained. 4 yes votes and 2 abstentions, the motion passed.

Chair Martin announced:

Opening Day at the Russell County Sports Complex is April 2 at 9:00 a.m. EST. Continue prayers for health of J.C. Dykes, who has been a dedicated worker and supporter of the Russell County Sports Complex.

"Don't Drop it on Alabama" sponsored by P.A.L.S. will be held during the week of April 16-23.

EMA/Homeland Security Director William Alexander announced a disaster drill that will take place on the Amphitheater on March 24, 2011 at 5:00 p.m.

Sheriff Taylor reported to the Commission and public House Bill 218 at the Legislative level, which deals directly with the State Department of Corrections having the ability to add another felony. This addition would be Class D felony, which will only be 24 months and will place all of the repeat offenders back into the County Jail. The Chief Justice is trying to pass laws that will take prisoners out of the State System and place them back in the County Jail. Currently the County sends someone who is charged with a felony we send them to the state prison. This law creates a Class D Felony, if passed, or a misdemeanor which would keep them in the County Jail. He advised to contact our representatives concerning HB 218. This will affect all Alabama counties, but especially Russell County due to the growth being experienced now. If this bill passes and there is another joining bill with it that talks about a 364 day minimum if they serve 120 days, basically looking at letting 4000 inmates out of DOC the day that bill passes. 4000 criminals will be back on the street in the State of Alabama. Please let it be known to our representatives, we do not want HB 218 and please kill that bill.

The meeting was adjourned.