

The Russell County Commission  
Meeting Minutes  
April 8<sup>th</sup>, 2009  
9:30 A.M. EST.

Public Comments were made concerning the proposed Deep South Landfill. Fletcher Tolbert, Owen Ditchfield and Mr. Mohammad spoke against the proposed landfill.

Mr. Webber discussed the bingo amendment.

Paul Godwin asked for his company to be included on the EMA's rotation list for oil and fuel spill clean-up.

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, Cattie Epps and Larry Screws. County Attorney, Kenneth Funderburk and County Administrator LeAnn Horne were absent; Robert Lane and Vickie Perry, Assistant Administrator, kept the minutes.

Chairman Dudley requested to add a resolution opposing the Deep South Landfill to the agenda after he requested an approval for the agenda. Commissioner Reed motioned to approve the agenda and was seconded by Commissioner Epps. The vote was unanimous.

Marvin Minton, Pastor of the Crawford Road Baptist Church provided the invocation.

The Pledge of Allegiance was led by Commissioner Screws.

Chairman requested a motion to approve the March 25, 2009 meeting minutes. Commissioner Martin motioned to approve the minutes and was seconded by Commissioner Reed. The vote was unanimous.

J.W. Brannen presented a resolution to have Senator Ted Little, offer an amendment to SB471 for the inclusion of Russell County to this bill. Brannen: This bill establishes destination. We believe that this refers to those counties as a common destination for the economic development portion, stating they will not disturb the charity bingo that is currently established in the counties. We want to make sure Russell County is included as a destination. Commissioner Reed motioned to approve the resolution. Seconded by Commissioner Epps. District 1 (Lee), voted, yes; District 2 (Pugh) voted, yes; District 3 (Martin) voted, no; District 4 (Reed) voted, yes; District 5 (Epps) voted, yes; District 6 (Dudley) voted, yes; District 7 (Screws) voted, yes. 6 votes, yes; 1 vote, no. The motion stood. (The resolution is on file in the Commission Office.) Carried six votes yes and one no.

Sheriff Boswell requested approval of a Resolution for the expansion of the Russell County Jail. Boswell: The grant we are requesting application for has a project deadline of April 27<sup>th</sup>, 2009 and is for 100% funding, requires no match. This project will cost approximately 2.5 to 3 million dollars. We have 24 months to complete the project after the awarding of the grant, which will be this fall. This will add 100 beds to the jail. There will be some administrative fees for Lee/Russell, who will be administrating the grant. The jail will need staff additions after the facility is complete. Commissioner Reed motioned to approve the grant application. Commissioner Martin seconded the motion. The vote was unanimous. (The resolution is on file in the Commission Office, also The Sheriff's Office.)

Kimberly Davis, spokesperson for landowners near the proposed Deep South Landfill site, presented a petition supporting restrictions for proposed legislation on landfill development near the Chattahoochee River. There are 168 signatures on the petition supporting the restrictions. (The resolution is on file in the Commission Office.) Commissioner Epps motioned to approve the resolution prohibiting any new landfill developments in Russell County at all. Epps: The people have spoken. We have three landfills already; I feel we do not need another landfill in Russell County. Seconded by Commissioner Reed.

Commissioner Lee stated: I understand that the proposed legislation is limited to just the rural portion of Russell County. My amendment would be to ask our legislation to remove that so that it would include all of the Chattahoochee River that boarder Russell County. Seconded by Commissioner Screws. The vote was unanimous to approve the amendment.

The vote to approve Commissioner Epps ' motion was unanimous.

William Alexander, Director of Homeland Security, Russell County has received a \$5,300 grant for the EMA office. Alexander: We request to place these funds as follows:

General Fund 001						
EMA(52300)						
Decrease	001	52300	219	Other Misc. Supplies	\$5,300.00	
Increase	001	52300	541	Equipment & Furniture	\$5,300.00	
					Total	\$5,300.00

Commission Lee motioned to approve the requested budget amendment and was seconded by Commissioner Martin. The vote was unanimous.

Mr. Alexander gave an update on grants that have been applied for.

Mr. Alexander stated: EMA Coordinator Kathy Russell has taken the position as Lee County's EMA Director. She starts this position April 15, 2009. This will leave her present office vacant. In order to continue receiving federal funds, I am requesting the Commission approve designating me, the EMA Director as well as Homeland Security Director. Her vacant position would become Deputy Director. Commissioner Martin motioned to approve Mr. Alexander's request and was seconded by Commissioners: Reed and Screws.

Commissioner Pugh: Mr. Alexander, you are amending the office to Deputy Director. You're not asking us to appoint someone to this office?

Mr. Alexander: That is correct. I will assume both positions Director of Homeland Security / EMA and a Deputy Director would be hired.

Commissioner Screws: To clarify, the Deputy Director would also cover both areas as will you, if you are absent.

Mr. Alexander: They will and that position would be in-line with other Alabama counties.

Commissioner Pugh: I trust the hiring of the Deputy Director will also involve this Commission.

Mr. Alexander: I will bring that individual before the Commission for introduction.

Commissioner Pugh: If a deputy is to be hired, I think the Commission should have some input.

Commissioner Reed: He has done an outstanding job and he has the right to hire whoever he wants for that position. He is a department head; just as the County Engineer or the Tag Commissioner does the hiring in their departments.

Commissioner Pugh: I don't have a problem with Mr. Alexander being appointed and assuming both jobs, that is the way it should go, but this Commission should have something to do with hiring the deputy director. They will be the one to take Mr. Alexander's place one day and we need to make sure the most qualified and should go through a fair process.

Chairman Dudley: I concur with you 100% in that regard and that is the reason we are beginning to discuss a Personnel/Human Resource Department.

Commissioner Epps: I want to address the hiring of a person. According to the personnel policy that we have adopted, the department head has the authority to hire whoever will be working in their department. Mr. Alexander has the same right to hire his employee as the Engineer has the right to hire his assistant engineer and as Mrs. Colbert does. There is not a difference here. He gave us this information so we would know what is going on in his department. I have been here, not as long as Mr. Lee has, but I have not known a department head come before the Commission and request the Commission to hire someone to work with them in their department. They have hired someone and brought them to introduce them to the Commissioners. He has done an outstanding job. Let him just do his job.

Commissioner Pugh: I am giving you my personal feelings and I feel like what I'm telling you is what people in my district expect us to look at. If I understood your motion correctly, maybe you directed it as giving you the right to hire that person. That is why I made my comments.

Chairman Dudley: What is the salary range of deputy director?

Mr. Alexander: \$42,400 there would not be a match there maybe less, if depends on the individual.

Commissioner Lee: You're talking about deputy director; I would assume that would come in at a lower salary.

Mr. Alexander: Other counties in the area, the salary would be in the area of \$34,000.

Chairman Dudley directed Mrs. Perry to poll the Commission. The vote was unanimous, approving Mr. Alexander as Homeland Security/EMA Director.

Chairman Dudley requested the Commission to appoint (2) people to serve on the Valley Partnership Board. These are 4-year terms and appointed members must be a taxpayer in residing in the jurisdiction of the body making the appointment of the Board. It is recommended one member to be a Commissioner. Dudley: With that in mind, I would like to appoint Commissioner Martin. I recommend the second member to be the County Engineer, Larry Kite. Commissioner Lee motioned to approve the appointments to the Valley Partnership and was seconded by Commissioner Screws. The vote was unanimous.

Commissioner Reed motioned to appoint himself to the 911 Board. After discussion Commissioner Reed decided to withdraw his motion and leave Samuel Mannis as the 911 member until a later meeting.

Commissioner Lee suggested bringing the appointments for the East Alabama Mental Health Board back at a later meeting.

Commissioner Epps request to replace her District 5 appointment for the Personnel Review with Willie James McCoy.

Commissioner Lee appointed Gary Head for his District 1 member to the Planning Commission. Commissioner Epps appointed Ferdinand Crawford to fill her District 5 position on the Planning Commission. The nominations were accepted; no opposition.

Chief Mapping /Appraisal J.W. Brannen request a budget transfer within his budget as follows:

Appraisal Department (120 51985)		
Decrease 120 51985 201	Data Processing	\$3,500.00
Decrease 120 51985 242	Gas/Water	\$2,000.00
Decrease 120 51952 250	Communication	\$3,500.00
Decrease 120 51985 265	Registration/Training	\$2,000.00
Increase 120 51985 241	Electricity	\$11,000.00

Commissioner Martin motioned to approve the budget transfer. Seconded by Commissioner Reed. The vote was unanimous.

County Engineer Larry Kite: December of last year a project was brought before the Commission, Owens Road and Hwy 165 in Ft. Mitchell. I was understood that this project would involve the County acquiring some new right-of-ways. We were seeking the donation of these right-of-ways. This project was planned for early spring or early summer. It has become time to have the deed signed. The Commission needs to approve and sign: intent to vacate the existing right-of-way, once the new road has been constructed. The new road will shift 200 feet south of the present Owens Road. The improved intersection will permit better traffic flow and safety. The Commission is approving the intent to vacate the right-of-way after we will come to the Commission for the actual vacation after a public hearing and advertisements for 30 days. We will also send out notices to the affected property owners and utility owners. It was mentioned by the attorney; the law reads: once the right-of-way is vacated, the property reverts to the adjacent property owners. There are some individual lots that have been developed adjacent to the right-of-way. At this time I recommend to contact those owners to make sure there is not an issue with the County going forward with this project. Commissioner Lee motioned to approve the County Engineer's request. Seconded by Commissioner Epps. The vote was unanimous.

Chairman Dudley: The next item is to approve a personnel department committee appointment. It goes without saying on the behalf of all of us. As the County continues to grow as this Commission continues to work, certain things will have to be updated and addressed in reference to personnel, when I say in reference to that, there is nothing in stone. The idea of it is, improving the quality of services to the County's staff and at the same time very equitable and fair assessment to the people who are sitting at this table and to the people in elected offices. I have pick up some comments and it is amazing how we all hear something, pro or con, and take sides immediately. If someone suggests changing things or making adjustments it is amazing how people will line up. Many times people will line up, incorrectly, not being aware. If we, as a Commission, can grow the fact of improving a personnel approach to the personnel department, that we don't have at this time. If we can get it to grow to a point to develop to a human resource department, we all might be surprised at the advantages it might be to everyone. Nothing if it becomes any policy by virtue of what this Commission is able to hopefully do. It will include everybody being a part of it. It ill not be a dictatorial. Going back to that something, that one person sitting up here now, in reference to the personnel meeting we have. The mats is full now, but this is what we are going by now and I have added to it and it doesn't apply to personnel. Certain things as a Commission, as a growing Commission, growing with this community, tells us to be aware of many things, much bigger than us. When I say that that is tying into the fact, what we are talking about is our staff. If you put all our people together, we have a very large staff, but nothing is meant to be picking on anyone, in departmental or the like. The whole idea is to improve our manuals and guides to go by. With that in mind I want to appoint an ad hoc committee of several Commissioners to work me on that. I would like to ask Commissioners Screws and Martin. What ever we are able to do in reviewing the possibility. This will not b an effort of two or three people, it will involve everybody. What ever we can improve with it, it will also be done with legal advice. We can't do any thing against certain laws. I would like to ask those two Commissioners to work with me on establishing such a department.

Commissioner Epps: Are you talking about a personnel policy and procedures?

Commissioner Dudley: I 'm talking about a human resource department for Russell County.

Commissioner Epps: So this will be another page? I am trying to figure out what you are requesting.

Commissioner Dudley: Logic tells you, if we are able to agree on it, if we come up with it in the right way, nothing will be able to be done with this until time for the new budget year. The idea is to try to create a human resources department that we do not have at this time.

Commissioner Epps: Two or three years ago, someone came before the Commission with information and software to establish human resources board. At that time it was refused. These were trained

individuals. How are you going to set this up? Are you qualified to do this? In my opinion, if you are going to go to this, you will have to have someone who is certified and trained in personnel, in order to get this set-up correctly.

Commissioner Lee: We have a very capable person who does the payroll and does a good job. I don't know what we would do with a human resources department. We don't have authority over any elected official's department or the engineer's staff. So this would only leave the tag office, county commission office and Mr. Brannen's office. You are creating a department for 25 people. I don't mind reviewing or a committee meeting with other elected officials to see if they are willing to give away that authority and allow the County Commission to supervise. Carolyn does a good job with our deductions and payroll, other than that, I don't know what a human resources would do, unless we get legislation to allow all these people to work directly for the County Commission. I don't think you can pass it.

No vote.

Chairman Dudley requests the possible designation of parking space for emergency vehicles. After discussion, there was no vote.

Chairman Dudley requested a motion to move into executive session. Commissioner Screws motioned to convene into executive session and was seconded by Commissioner Pugh. District 1 (Lee) voted, yes; District 2 (Pugh) voted, yes; District 3 (Martin) voted, yes; District 4 (Reed) voted, no; District 5 (Epps) voted, no; District 6 (Dudley) voted, yes; District 7 (Screws) voted, yes. The meeting moved into session.

Chairman Dudley requested a motion to reconvene the meeting. Commissioner Martin made the motion and was seconded by Commissioner Screws. The vote was unanimous.

Commissioner Lee motioned to recess the meeting until 10:00 a.m. EDT on Friday April 10, 2009 in the Commission Chamber. Seconded by Commissioner Screws. The vote was unanimous. The meeting was recessed.

Continued Russell County Commission  
Meeting Minutes  
April 10, 2009  
10:00 A.M. EST.

The recessed Russell County Commission meeting was called to order. Commissioners present: Gentry Lee, Tillman Pugh, Peggy Martin, Ronnie Reed, Cattie Epps, Mervin Dudley and Larry Screws. Also present were Attorney Robert Lane and Assistant Administrator Vickie Perry, who took minutes.

Chairman Dudley requested a motion to move to executive session. Commissioner Martin motioned to convene into executive session and was seconded by Commissioner Screws. The vote was unanimous.

Chairman Dudley requested a motion to reconvene the meeting. Commissioner Martin motioned to reconvene the meeting. Seconded by Commissioner Pugh. The vote was unanimous.

Commissioner Lee: Based on the investigation and the discussion of the Russell County Commission, we recommend the County Administrator to reinstate Mr. Perry Monday, April 13<sup>th</sup>, 2009, making whole all salary & benefits retroactive since his first official day. Commissioner Screws seconded.

Chairman Dudley asked Commissioner to restate his motion.

Commissioner Lee: Based on the investigation and the discussion at the executive session of the employee; we the Russell County Commission recommend the County Administrator to reinstate Mr. Perry, Monday, April 13, 2009 making whole all salary and benefits retroactive from his first official date.

Commissioner Reed: Would it be in-line to in the description to put him in another department.

Chairman Dudley: No, that is not part of this.

Commissioner Screws: Can you request a date to make him whole.

Commissioner Lee: I don't know when his first date was; his attorney is in here. I will be glad to add that date.

Commissioner Screws: While we are thinking about that, can we request a date that all back pay is made?

Mr. Perry's Attorney: November 18, 2008.

Chairman Dudley: November 18, 2008 from that date forward.

Commissioner Lee: Based on the investigation and discussion at the executive session, we the Russell County Commission recommend the County Administrator; reinstate Mr. Perry, Monday, April 13<sup>th</sup>, 2009 making whole all salaries and benefits retroactive from the first official date, November 18<sup>th</sup>, 2008. Making whole; as far as salary and benefits, no later than that the next regular pay period.

Commissioner Screws: I second.

Chairman Dudley asked the Assistant Administrator to poll the Commission. The vote was unanimous.

County Engineer Larry Kite: Two articles in Thursday's Columbus Ledger and The Citizen concerning the City receiving stimulus funds, 1.7 million is actually 1.696 million. All these funds were for the City, but actually we are eligible to share among the entire MPO boundary, unincorporated areas of Phenix City, Lee County and Russell County. So we are eligible for some of the funds and we are pursuing the Opelika Road Project, which the Commission has previously approved. It is estimated at about \$225,000. We expect to have that approved; it is up to the MPO policy committee.

Commissioner Lee announces the Starlite Ball at the old Seale Courthouse on May 2, 2009 from 8p.m. until 12 a.m. Tickets are \$20.00 each.

Commissioner Martin stated she will be on vacation and will not be at the next Commission Meeting.

Commissioner Lee motioned to adjourn the meeting.

Meeting adjourned.

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

Signed: \_\_\_\_\_  
Chairman