

The Russell County Commission
Meeting Minutes
May 27, 2009
9:30 A.M. EDT.

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. Also present were County Attorney Kenneth Funderburk and County Administrator LeAnn Horne, who kept the minutes.

The Chairman welcomed elected officials, department heads, media and guests.

The invocation was given by Alan Griffith, pastor of Emmanuel Baptist Church.

The County Attorney Kenneth Funderburk and Commissioner Martin led the singing of the Star Spangled Banner.

The Pledge of Allegiance was led by Commissioner Reed.

Chairman Dudley requested adding James McGill, regarding a sewer request, and the Animal Shelter Board, to the agenda. Commissioner Martin motioned to approve the May 27th, 2009 agenda. Seconded by Commissioner Reed. The vote was unanimous to approve.

Chairman Dudley requested a motion to approve the May 13th, 2009 meeting minutes. Commissioner Lee motioned to approve the minutes and was seconded by Commissioner Martin. The vote was unanimous.

Commissioner Epps discussed the problems presented by annexation of county areas into the city and recourse options for county residents not wishing to annex into the city.

Commissioner Epps also discussed the NACO drug prescription program offered to county residents.

Commissioner Martin left the meeting due to a family illness.

Micheil Cole made a presentation for the Phenix City/ Russell County Animal Shelter, which is a joint venture of the City and County. The topic of the presentation was rabies control and a proposal for the enforcement of animal immunizations.

Sheriff Boswell requested endorsement for application of a State ADECA Grant. The grant consists of leftover Katrina money. Only agencies eligible to apply are those who have not been awarded money on prior occasions. The Sheriff's

Department has applied for these funds twice, but due to set priorities, funds were awarded to other agencies. The \$25,000 grant is for police equipment with a 10% match, which the Sheriff's Department will be responsible for. If awarded to Russell County, the grant will fund cameras for Sheriff's vehicles. Commissioner Lee motioned to approve endorsement of the grant application as requested by Sheriff Boswell. Seconded by Commissioner Reed. The vote was unanimous.

Revenue Commissioner Naomi Elliott presented the final settlement report for the Revenue Office. The 2008-2009 report is as follows:

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|-------------------|----------------|
| Revenue Collected | \$20,000,000 |
| Errors | \$1,361,198.21 |
| Litigation | \$4,436.84 |
| Insolvents | \$5,055.76 |

Mrs. Elliott requested the Commission accept her report and authorize the Chairman to sign all necessary state reports. Commissioner Epps motioned to approve Mrs. Elliott's request. Seconded by Commissioner Reed. The vote was unanimous. (Report is on file in the Commission Office.)

County Administrator LeAnn Horne presented a budget proposal for the joint project: Phenix City / Russell County Animal Shelter. There have been several meetings between the City/County and the Animal Shelter Board members. The shelter board submitted a proposed budget. The City and the County made a counter proposal, in-lieu of equipment surplus that is being used by the current animal shelter that will be transferred. Board members have looked at the surplus items and chosen equipment items. Another budget proposal was negotiated and is before the Commission to review. The current operating fund for the Phenix City Animal Shelter is \$182,000 yearly. The County does not have any historical financial data, so the figures used were based on the City's budget, since they have been operating the current shelter. The staff will be absorbed by the city and positions found for them, since they will not be utilized by the current shelter board. The board requests a one-time start-up funding allowance, as well as an operating budget for the remaining 2008-2009 fiscal year. This projection is based on a letter received from the Shelter Board on May 19, 2009, stating there will be 6 to 8 weeks before start-up, so we based our budget projections for July 1, 2009. A \$40,000 start-up fee has been requested for the one-time purchase of equipment and other items that will not be utilized or transferred from the current shelter. The county and the city will put in an equal amount for operating expenses, (that is) \$21,000. The total is \$61,000 in unbudgeted funding. The city has worked closely with us on the budget and they are in agreement. The total would be \$122,000 for the remaining 2008-2009 year for the board to operate the new animal shelter. There are still more details to work out with the City.

Commissioner Lee: Is the \$61,000 in addition to what has been already budgeted?

Ms. Horne: I did not change the contract line which is currently budgeted at \$45,000 for this year. We have approximately \$20,000 remaining; with the uncertainty of the move of the current shelter and ... I'd rather not pull from that line at this time of the transitional phase. There may be some left over.

Commissioner Reed motioned to approve the recommended budget amendment by the County Administrator and was seconded by Commissioner Epps. The vote was unanimous.

Ms. Horne: The Sales Tax Holiday will begin 12:01 a.m. August 7 and end 12 midnight, August 9, 2009. It requires, by state law, approval by the Commission and the Chairman's signature. This is a tax free holiday for certain purchases. Commissioner Reed motioned to approve the Sales Tax Holiday. Commissioner Screws seconded the motion. The vote was unanimous to approve.

County Attorney Kenneth Funderburk: Previously the Commission has authorized a lawsuit to be filed against the Bond Safeguard Insurance Company, bonding company for North American Land Corporation developer for River's Reach Subdivision, to either finish the subdivision or pay to have the development work completed. The bond requires the Commission to send a resolution as a prerequisite to filing the lawsuit. The resolution will be held for 30 days from the date signed by the Chairman. Within those 30 days, their engineer should make progress toward completing the development; if not this resolution will be sent and legal proceedings will begin. The Commission will receive reports on actions taken to resolve this issue. Commissioner Epps motioned to approve the resolution as recommended by Mr. Funderburk. Seconded by Commissioner Reed. The vote was unanimous.

Mr. Funderburk recommended going into executive session for the school tax issue. Commissioner Lee motioned to go into executive session. Seconded by Commissioner Reed. The vote was unanimous.

Announcements were made before going into session:

The Association of County Administrators recognized Ms. Horne for her ten years of service as Russell County Administrator and for being on the board of directors with the Association of County Administrators.

James McGill discussed tap fees for sewer lines in the Ladonia area. There are several businesses requesting to hook into the sewer line, due to septic tank failure and possible health code violations. There is impact fees for the Russell County Commission, which are large sums established for larger franchises in the area. Smaller businesses need to tie into the system and are requesting the fees be reduced or waived. The Commission asked to place this item on the next Commission meeting for review.

The Commission went into executive session.

Commissioner Dudley requested a motion to reconvene the meeting from executive session. Commissioner Lee motioned to reconvene; seconded by Commissioner Reed. The vote was unanimous.

Mr. Funderburk recommended continuing to pursue additional legal actions, before the Commission enters into the final rounds of negotiation with the School Board. Options will be brought to the Commission for review before bringing the final recommendation to the Commission for approval. Commissioner Reed motioned to approve the recommendation of the County Attorney. Seconded by Commissioner Epps. The vote was as follows: District 1 (Lee) voted, yes; 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) abstained.

Commissioner Epps motioned to adjourn the meeting.

Meeting adjourned.