

Public Hearing  
Vacation of Unnamed Road  
June 22<sup>nd</sup>, 2011  
9:30 A.M. EST

Chair Martin called the public hearing for the vacation of an unnamed road in Allen Heights Subdivision to order.

County Engineer Larry Kite stated a public hearing was scheduled based on a petition received from a property owner for the vacating of a right-of-way which was an unopened road in the Allen Height Subdivision located in Section 32 Township 18 North Range 30 east Russell County. A legal description was advertised for 4 consecutive weeks in a local newspaper as well as a notarized affidavit from the newspaper verifying the advertisement. Copies of the receipts for the certified letters were mailed to notifying adjacent landowners and others of the property owner's intentions. All requirements have been met and a resolution provided for the Commission's approval.

There were no public comments; therefore, Chair Martin adjourned the public hearing.

The Russell County Commission  
Meeting Minutes  
June 22<sup>nd</sup>, 2011  
9:36 A.M. EST.

An adjourned meeting of the Russell County Commission was called to order. Members present were: Chair Martin, Vice Chair Gentry Lee, Tillman Pugh, Ronnie Reed, Cattie Epps, Mervin Dudley and Larry Screws. Also present was County Attorney Kenneth Funderburk and 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 and was seconded by Commissioner Reed. The vote was unanimous.

The invocation was given by Judd Stinson, Pastor of Summerville United Methodist Church.

The Pledge of Allegiance was led by Chair Martin.

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

Chair Martin requested a motion to approve the June 8<sup>th</sup>, 2011 meeting minutes. Commissioner Dudley motioned to approve the meeting minutes. Seconded by Commissioner Reed. The vote was unanimous.

A proclamation in honor of Alfonso Johnson's 80<sup>th</sup> birthday was created, but due to health issues Mr. Johnson was unable to attend the meeting. The proclamation commemorating his accomplishments was read and unanimously approved by the Commission and will be presented to him.

Chair Martin presented a Memorandum of Understanding from the Valley Partnership, being that since Russell County is a member of their organization, the County has another alternative for grant writing and the administration of grant awards. Fees would only apply if the County chooses to use their service. It is requested the letter be signed by the Chair and is only to let Valley Partnership know we are aware of their offer this service to their members. Commissioner Epps motioned to approve the Chair's signature to the letter and was seconded by Commissioner Screws. District 1 (Lee) voted, no; District 2 (Pugh) voted, no; District 3 (Martin) voted, yes; District 4 (Reed) voted, yes; District 5 (Epps) voted, yes; District 6 (Dudley) voted, no; District 7 (Screws) voted, yes. 4 yes votes and 3 no votes; the motion passed.

Homeland Security / EMA Director William Alexander stated due to severe tornado damage in Alabama; counties in Alabama can apply for additional grant funds. He requested approval for a resolution and to send out letters of intent for the Hazard Mitigation Grant Program (HMGP). These additional funds will go for the purchase of warning sirens and individual safe rooms. Authorizing the letters of intent will not commit the Commission to these grants, should the county be awarded the funds. If grants are awarded to Russell County, Mr. Alexander will come back to the Commission for direction. Commissioner Dudley motioned to approve the letters of intent and resolution. Seconded by Commissioner Screws. The vote was unanimous.

Probate Judge Alford Harden, Jr., presented the census statistics concerning redistricting of Russell County. Judge Harden requested to schedule appointments with agencies that have software and the statistics, to complete redistricting before the next years election. This will give ample time to inform citizens of new district lines and make them aware of new polling locations. After discussion and advice from the County Attorney, Commissioner Epps motioned to accept the Attorney's recommendation not to take any action at this time. Seconded by Commissioners Lee. The vote was unanimous.

Sheriff Taylor stated a check in the amount of \$9,168 was received from an insurance claim for payment of damaged Sheriff's vehicle. He plans to use this money, transfer funds and the balance of line 52100 550, to purchase 2 used vehicles for the Investigative Division. His transfer request is as follows:

Decrease	52200	550	Jail Motor Vehicles	\$1,452.00
Increase	52100	550	Motor Vehicles	\$1,452.00
			Total	\$1,452.00

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

Sheriff Taylor reported the Ambulance Committee met and reviewed the RFPs submitted by both ambulance companies, Care and Life-Line EMS, and a comparison chart was compiled from their proposals for presentation to the Commission. The chart reflects what both companies have to offer and their differences. The Committee recommends awarding the contract to Life-Line EMS.

Commissioner Reed: Why are you recommending Life Line?

Sheriff Taylor: I am not recommending Life Line on my own, The Ambulance Committee's vote was to recommend Life Line based on several things you see on the charts provided for you. The Ambulance Committee's recommendation is no reflection on service from either company. Our paramedic service to the community is the same. Area Operations Manager, Bruce Koshkin has done everything the County has asked of him to do. My opinion is he has restrictions on him, because his company is based in New York. I think there are limits to what he can say or do with the company. That is no reflection on him personally. I think he has provided us with professionalism both in the field and the office. This contract award is simply based on several things that were discussed that were wanted by Commission for the county and as a committee that we wanted to provide this service to our citizens. We think that Life Line EMS, at this time, fits the county's needs. Care Ambulance has had this contract for 5 years. The new contract is only a two year term. The Ambulance Committee feels if we give Life Line the opportunity to provide this service, in two years we will re-evaluate. Based on everything the Committee was given; the books that were turned in, the comparison chart and the cost savings to the citizens was considered. Again I think this is an issue where Care is a New York based company. The mere cost to the citizens is extremely less with Life Line and when we look at that that comes into play. What will our citizens have to pay? Does everybody have insurance? I think not. In this economic situation, that becomes a major factor. Another big issue was Life Line will provide a local dispatch center with repeaters for the Sheriff's Department and for the local firefighters which is important. If I have a problem with that company and their dispatch they are here in Russell County. If we have a problem with Care's dispatch and their issue is they are out of Montgomery and then it goes to another region until it gets back to Home Office in New York. From my perspective, as far as that one issue goes; I think you can deal with a local company here in the County easier that you can with one in New York or Montgomery.

Commissioner Lee: Several times it has been stated that Care is a New York owned company, where is Life Line's ownership.

Sheriff Taylor: I think the corporate office is in Columbus, the office for Russell County is on South Seale Road. The owner of the company is a Russell County resident.

Commissioner Lee: I just want to clarify some things and do not want to mislead anyone when the fees were stated they were considerably higher for Care. That is not exactly true. Some of the fees were higher some are considerably lower. The emergency fees are higher with Care.

Sheriff Taylor: Approximately \$200 higher per call.

Commissioner Lee: The non-emergency fee is \$150.00 per call higher. The BLS non-emergency is a little lower and the mileage fee is more by 50¢ by Life Line. Just wanted to make sure it was known.

Commissioner Pugh: Did the committee consider putting them on rotation and if so what was the decision?

Sheriff Taylor: We did. I think the Committee's decision was if we were to do that, it would cause more problems. We are providing a location in Seale for a company. When you go to rotation, they would have to move their stuff out one week and then somebody moves in for one. I hope these two companies will continue serving the county. If Care chooses to stay in the 8<sup>th</sup> Street location, and you give the contract to Life Line. We are not saying Care has to move out of their location. They can stay where they are, but what had been discussed prior to the RFP going out is the office that they are in will simply have to be rented by whomever. Whether it is Care or a new company. The County owns the building and it was discussed a fee would be charged for the building that they occupy in the city. If they choose to stay there, they will negotiate a rental fee with the Commission and the County Administrator. It has nothing to do with the Sheriff's Department. I hope Care will stay in the county and if there is a situation where either of the two can not answer a call, they call the other ambulance company so we can provide service for our citizens. That is all I care about; getting an ambulance to the citizens.

Chair Martin: Would they pay utilities also if they rent the 8<sup>th</sup> Street building?

Sheriff Taylor: I would image that would be part of the rental agreement. That is up to the Commission and the Administrator. The County owns the building.

Commissioner Dudley: Who provides primary operation in Phenix City?

Sheriff Taylor: To be honest, I think both. I think Care is the provider by a handshake situation with the City. I'm not positive. That was brought up during the

Committee meeting and was discussed. I was under the assumption there was a contract with one of the two companies with the City the same way the County does. I understand that is not the case. I understand they have a handshake agreement with the City and that is all there. I don't have a positive answer for that, because I have not discussed it with anyone at the City to know exactly what the situation is.

Commissioner Dudley: I don't have a dog in the fight.

Commissioner Epps: Since we have heard the information from the Sheriff who is representing the Committee that the Commission has approved, I will offer the motion that we accept the recommendation of the Sheriff and his Committee.

Commissioner Reed: I serve on the E 911 Board and we receive all the complaints about the ambulance service. We have not gotten any complaints about the ambulance service. I'm in favor of leaving things as they are.

Commissioner Lee: Madam Chair, we have had a motion made, let's get a second and then discuss it.

Commissioner Screws: I second the motion.

Commissioner Reed: I have not gotten any complaints about Care Ambulance service, so I'm really in favor of leaving it like it is and in fact I think we should wave the fees on the 8<sup>th</sup> Street building. The County doesn't have to pay the ambulance service a penny out of the budget; so, wave the fees for who ever get the contract.

Commissioner Epps: If the Commission appoints a committee to do research and that committee that does a thorough researching and are trying to improve the county, why are you not using their information or their recommendation?

County Attorney Funderburk: There is a problem with rotation. Care has a building that they are not paying for. Through some system of rotation you can not move them in and out of the building in order not to be favoring one or the other. You will have to erect a building for whichever one you choose and if they are not in that building then the one that is in the building will have to pay rent. Just bear that in mind.

Commissioner Lee: Both companies under different leadership have worked in Russell County at one time or another and both have done an excellent job. This is why the Commission appointed a committee to study this, because this decision needed more deliberation than County Commissioners are legally required to meet and talk about. I agree with Commissioner Epps, since we appointed the committee and looking at the comparison chart the main difference are the fees charged and may be what led the committee to their recommendation. I don't know. I want to make it clear it has already been alluded to; the only thing we are

deciding is who our primary 911 calls go to. There is no money involved, neither company is paying us and we are not paying them. Even though I have had good experience with Care, and if you have been in the county for 5 years, you are going to hear complaints and I'm sure if Life Line is awarded this contract bid and services the area for 5 years they are going to hear a complaint. That is the nature of the business. There is no way you won't hear a complaint, but I have heard few complaints on either company. That being said, I will have to go along with the committee's recommendation, because I don't have a reason not to.

Commissioner Pugh: I can remember when this county was paying for the rotation of ambulance service and was costing this county over \$30,000 a year. Care stepped in and did a service for this county. I hate to throw them out with the bathwater, but I'm also obligated to also look at the committees concerns and recommendations. I wish these two companies could get together for the betterment of the community and maybe come up with a joint person to run the office and they could do some type of rotation that would help both companies. I will vote on what ever comes up this morning.

Sheriff Taylor: If the Commission wants to give that directive to the two ambulance companies, I'm open for that. My issue for me, not speaking for the Committee, but I think they have the same sentiments that I do, is simply providing ambulance services to our citizens. If they want to do a joint venture and come to me with that plan. I will bring it back to the Commission and present it to the committee when they meet again. I'm all for that. The problem we have to make sure of is at midnight tonight, someone has to be our primary 911 company. If you want to look into what you are suggesting down the road and find a way that it could be feasibly done with the two ambulance companies, I'm open to that. But at midnight tonight, we have to have a primary ambulance service and go forward from there. That would be my recommendation to us.

Commissioner Pugh: I thought it would be to allow the current company 30 days or at least one meeting, to give both businesses the opportunity to work together; if they could not then I will take the recommendation of the Committee and I won't delay it any. I would like to give them the opportunity to work it out and they can come back with a satisfactory answer that we could live with. That maybe having certain personnel that both pay to stay in the position of the working satellite and their crews move in and out, but have stationary dispatch people in there.

Commissioner Dudley: I have participated in procedures with these men and women and they are all professionals. Things do come up at times that compound or make something happen that should not occur, but the fact is they are required by law that if they operate they must have E.M.T.s and Paramedics on all ambulances. Whoever is in that business, if you don't have it you can't operate. I think it is the consensus in favor before the Commission votes on the issue; it would be very positive for all of us and fair to these businesses to consider the 30 day plan that has been discussed.

Chair Martin: I think you can hear the consensus that both companies are providing service for our community and we appreciate that, but we are faced with this dilemma. The Committee did meet as the Sheriff has discussed. I think we should move on with the vote. I don't know about the 30 days. The contract expires.

Commissioner Lee: Let me state about the 30 days; if we were going to do that I think it would have been more fair to do that before the Sheriff announced who was recommended, because that puts one side not wanting to negotiate and the other side wanting to. I think that would be unfair. I wished we had gotten this report confidentially in executive session, before we had listened to the Sheriff, because now it is public and if we decide not to go with the motion which is to approve the Committee's recommendation, then we could go back and negotiate.

Chair Martin: We have to have a primary ambulance provider by midnight tonight.

Commissioner Reed: We could let Care continue with the service until midnight and I don't think there will be a problem with it, and put this off until the next meeting.

Attorney Funderburk: You need to approve or disapprove the primary company, and then you have the issue of the building since you can not favor one or the other by giving them a building. First, you need to approve the primary and then discuss the building.

Commissioner Pugh: If Commissioner Epps would add an amendment to her recommendation as to place the contract in force for 30 days and allow the Sheriff and the Committee to go back and work with the two different care givers, to see if they could work out a joint venture and present it back to the Commission in 30 days.

Attorney Funderburk: You have a building that is occupied by one company, Care. If you approve Life-line as the primary care unit then within 30 days they will have to vacate, enter into a lease, or work some arrangement where they both parties are using the 8<sup>th</sup> Street building under some form of contract; or it has to be rented to another business. You have to actually approve someone due to the expiration of the current contract and then deal with the building issue.

Commissioner Pugh: If Commissioner Epps made her motion in such a fashion that would allow the current users of the building to maintain their use and approve the other contract and not signing it for 30 days giving them the opportunity to negotiate. Then we could cover our bases.

Commissioner Epps: I don't mind making the amendment to the motion, but as the attorney says, we will have to worry about the building. We can vote, in my opinion.

We can amend the vote with a 30 day grace period so the two ambulance service can work it out and bring back a plan; with one to have 30 days to get in and the other will have 30 days to get out; if they want to rent the building.

Commissioner Lee: We have waited to the last day so we need to act.

Chair Martin: We have to so our citizens will be protected.

Sheriff Taylor: Let me add another problem; it is not necessarily, the building in town that is the issue. We are requiring a ambulance to be stationed at a specific location that we feel is best for accessing all areas of the county and we provide that location. The past committee and the current committee feels if we tell the company who's under contract to be in a centralized location and not give them the opportunity to rent their own place in that area; then, we need to provide a station location. So we have provided a place in Seale. It has been known by Care Ambulance that the city building owned by the County whether they win the contract or not, a rental fee will be required for its occupation for months. That is not an issue. The problem will be how to handle the Seale location if there are two companies. Do they move in or out on a 24 hour rotation or weekly rotation? Do they move all their equipment and supplies in and out because they are required to replenish medical supplies to the volunteer firemen and the Sheriff's Department? That is our concern because we are providing a Fort Mitchell and Seale location now. Will that be sufficient and cost effective for their business to move their supplies and equipment each rotation.

Chair Martin: Please poll the Commission.

District 1 (Lee), for the Committee's recommendation, voted, yes; District 2 ( Pugh) voted, yes; District 3 (Martin) voted, yes; District 4 (Reed) abstained; District 5 (Epps) voted, yes; District 6 (Dudley) voted, no; District 7 (Screws) voted, yes. 5 yes votes, 1 no vote and 1 abstention; the motion passed.

County Administrator Horne: May I make a recommendation along the line to what the County Attorney alluded to during to the discussion? The Commission allows the County Attorney, the Sheriff and I to meet with the ambulance companies and discuss a lease option on the city location.

Commissioner Lee: So moved. Seconded by Commissioner Screws. 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) abstained; District 7 (Screws) voted, yes. 6 yes votes and one abstention; the motion passed.

Sheriff Taylor: The new contract is 2 years and the wording in the contract states either of the parties can terminate the contract with a 30 day notice. If these companies meet and decide to present a plan to us for participation of both ambulance services, then I don't see an issue in voiding the new contract and



entering into a new contract with both companies. I'm open to that if that is the pleasure of the Commission. Mr. Funderburk can tell how we better stand with the current contract and if that is feasible.

Commissioner Pugh: I would like to ask the Sheriff to bring this back before it runs out next time.

The Commission was polled, 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) abstained; District 7 (Screws) voted, yes. 6 yes votes and 1 abstention, the motioned passed.

Sheriff Taylor presented the Spillman Contract, which is an upgrade of the present software that will allow the City, County and 911 to see and share information. The software will affect the activities of the Jail, how the Sheriff's Office operates as well as provides GPS systems for the patrol cars for tracking. Therefore, making those facilities more efficient and provide better service to the community. The cost of the system is \$145,000 per entity, the City, County and 911 and a schedule has been worked out with the entities. A contract will be signed by all parties.

Commissioner Lee motioned to approve the purchase with the stipulation, before money is spent a contract between the three entities is to be signed by the Chair and person of their choice, so there will be a binding agreement for final payment. Seconded by Commissioner Reed. The vote was unanimous.

County Engineer Larry Kite gave an update on the request to review the speed limits on various roads. Mr. Kite presented his recommendations for Bethel Road and Island Creek Road which were to post speed limit signs of 25 mph for Bethel Road which is under improvements at this time, but was not realigned to straighten sharp curves the road possesses. Island Creek Road is in an older subdivision, but due to the lengths of the road and the rural nature of the lots, it was also recommended the speed limit should also be posted at 25 mph. If speed limits are approved for these roads, signs will be placed as soon as possible. Commissioner Screws motioned to approve Mr. Kite's recommendation and was seconded by Commissioner Epps. The vote was unanimous.

Larry Kite provided a resolution to vacate an unnamed road in the Allen Heights Subdivision. Notices were sent to adjunct property owners as well as advertised in the local newspaper for 4 weeks. The tract contains 0.10 acres+ lying in section 32, Township 18 North, Range 30 East, Russell County, Alabama. Chair Martin yielded her position to Vice Chair Lee to address the matter which affects District 3. Chair Martin motioned to approve the vacation of this section of road. Seconded by Commissioner Reed. The vote was unanimous.

County Administrator requested a clarification for the record concerning the payment schedule for the Spillman Contract. Sheriff Taylor stated, the first payment is due by 911 Board before the end of this fiscal year, The County will make payment March 2012, and the City will pay their portion in January 2013.

The project will begin today with the signing of contracts between the three entities. County Attorney Funderburk recommended amending the contract to reflect the payment schedule for each entity. Commissioner Epps motioned to amend the contract as recommended by the County Attorney. Seconded by Commissioner Screws. The vote was unanimous.

Commissioner Screws stated the HB 593 is an opportunity to generate extra funds through the sale of alcoholic beverages on Sunday after 1:00 P.M. He motioned to accept this bill and to allocate those additional funds to the improvement of dirt roads in the county. Seconded by Commissioner Reed.

After discussion on how to determine what revenue was generated from Sunday Beer sales; Commissioner Screws amended his motion to approve the HB 593 as presented. Seconded by Commission Reed. District 1 (Lee) abstained, District 2 ( Pugh) voted, no; District 3 (Martin) abstained, District 4 ( Reed) voted, yes; District 5 ( Epps) voted, yes; District 6 (Dudley) voted , yes; District 7 (Screws) voted, yes. 4 yes votes, 2 abstentions and 1 no vote, the motioned passed.

Chair Martin stated July 4<sup>th</sup> the Courthouse will be closed; also The Phenix City Exchange Club Annual Horse Show will be June 25, 2011 at 3:00 p.m. at Austin Sumbry Park.

Sheriff Taylor announced a meeting this morning will be held at the American Legion Post 135 in providing service for veterans with any community leader or citizen to discuss their involvement with how they can help. He also announced the ground breaking of the jail addition will be at 11:00 a.m.

Commissioner Epps announced FT Mitchell Volunteer Fire Department will have their 37th Annual Bar-B-Q, June 25th beginning at 11:00 a.m. until.

The Meeting was adjourned.