

The Russell County Commission  
Meeting Minutes  
August 10th, 2011

Public Comments:

Clifford Simpson discussed a road safety problem on Wright Road.

Roger Martin gave an update on a landfill project the City of Columbus is currently working on for correcting and cleaning closed landfills that boarder the Chattahoochee River. He also gave an update on the Mill Creek Water Shed Plan, which the Commission gave their support earlier in the year.

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

The Invocation was given by Francis Musasizi, Assistant Pastor at Mother Mary Catholic Church.

The Pledge of Allegiance was led by Commissioner Epps.

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

Chair Martin requested a motion to approve meeting minutes of July 27th, 2011. Commissioner Reed motioned to approve the minutes and was seconded by Commissioner Dudley. Commissioner Epps abstained from the vote since she was absent at that meeting. The other 6 commissioners voted to approve the meeting minutes.

Commissioner Pugh stated residents, businesses and contractors have called him requesting the status of Clarence Burt's sewerage in Russell County. He motioned to have a letter created and sent to Clarence Burt requesting a more detailed update on his sewerage project for Russell County. The County could then decide if it should look for alternate solutions for a sewerage system. Seconded by Commissioner Dudley. District 1 ( Lee) voted, yes; District 2 (Pugh) 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, no. 6 yes, votes and 1 no vote the motion passed.

Coach Mike Parker gave an update on the Russell County Sports Complex and progress that had been made on the playground area and the multipurpose field project now taking place. He also discussed requests from some citizens for an additional recreational area located in the Fort Mitchell, due to the growth in that area. He made the Commission aware another grant for \$50,000 is available to help with lighting for the Sports Complex. He asked for the Commission's support before applying for the grant's pre-application. Commissioner Dudley motioned to approve the pre-application. Seconded by Commissioner Lee. A vote was not necessary the resolution for the pre-application will be brought back to the next meeting with cost of the project for the Commission's review.

Judge Harden requested a departmental budget transfer for the replacement of computer equipment that had been damaged by a virus. The transfer request is as follows:

GENERAL FUND 001			
PROBATE JUDGE-51300			
DECREASE	001 51300 214	MINOR EQUIPMENT	\$1,500.00
INCREASE	001 51300 211	OFFICE SUPPLIES	\$1,000.00
INCREASE	001 51300 251	TELEPHONE	\$ 500.00
TOTAL			\$1,500.00

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

County Engineer Larry Kite presented his recommendation for the full depth reclamation of Capps Road bid to be awarded to Kimes and Stone. Their bid price was \$4.80 per square yard and with an estimated quantity of 14,500 yards the total project cost is projected for \$69,600. Commissioner Dudley motioned to accept the recommendation of the County Engineer. Seconded by Commissioner Pugh. The vote was unanimous.

Larry Kite also presented the results for the semi annual Oil and Lubricant Bids. He recommended awarding the bid to McPherson Oil, who was the only company to place a bid. Commissioner Dudley motioned to accept Mr. Kite's recommendation and was seconded by Commissioner Screws. The bid was unanimous.

Larry Kite also requested a budget transfer for tires that are needed for trucks in the engineering department. The transfer request is as follows:

GASOLINE-111			
ENGINEERING-53100			
DECREASE	111 53100 304	CONTRACT SERVICES	\$7,500.00
INCREASE	111 53100 215	TIRES & TUBES	\$7,500.00
TOTAL			\$7,500.00

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

Coroner Sumbry also requested a budget transfer for his department as follows:

CORONER-52400

DECREASE	001 52400 214	MINOR EQUIPMENT	\$1,500.00
INCREASE	001 52400 212	FUEL & LUBRICANTS	\$800.00
INCREASE	001 52400 250	COMMUNICATIONS	\$700.00
TOTAL			\$1,500.00

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

Sheriff Taylor requested departmental budget transfer as follows:

SHERIFF-52100

DECREASE	001 52100 239	OTHER REPAIRS & MAIN	\$4,500.00
INCREASE	001 52100 250	COMMUNICATIONS	\$4,500.00
TOTAL			\$4,500.00

JAIL-52200

DECREASE	001 52200 219	OTHER MISC SUPPLIES	\$10,000.00
INCREASE	001 52200 218	FOOD FOR INMATES	\$10,000.00
DECREASE	001 52200 541	EQUIP & FURN	\$6,000.00
INCREASE	001 52200 212	FUEL & LUBRICANTS	\$6,000.00
DECREASE	001 52200 304	CONTRACT SERVICES	\$30,000.00
INCREASE	001 52200 306	MEDICAL & DENTAL	\$30,000.00
TOTAL			\$46,000.00

DECREASE	001 55400 214	MINOR EQUIPMENT	\$1,300.00
INCREASE	001 55400 212	FUEL & LUBRICANTS	\$1,300.00
TOTAL			\$1,300.00

Commissioner Screws motioned to approve the transfers. Seconded by Commissioner Epps. The vote was unanimous.

Sheriff Taylor stated the Hurtsboro City Counsel approached him with a recommendation for a proposal contract between the Sheriff's Department and the City of Hurtsboro for a contract employee. After reviewing the cost (salary and a benefits package) for a full time deputy for Hurtsboro it was estimated to be \$39,517.00 per year.

The position is a full time Monday thru Friday from 8:00 a.m. to 5:00 p.m. Other times it would be patrolled by Russell County Deputies as permitted by time and calls as currently done. The Russell County Sheriff Department will still handle Hurtsboro's felony cases which is current procedure; as well as tickets being written by Russell County Deputies in the City of Hurtsboro will still continue to go to District Court. The Hurtsboro Counsel was informed if they paid the Commission the proposed amount and gave their vehicle to him, he would have the vehicle repaired and ask the Commission to pay the cost of the deputy's uniform and gear. This proposal has been reviewed by The Hurtsboro City Counsel who voted to approve the proposed contract and have it presented to the Russell County Commission. Sheriff Taylor stated there are known concerns about Hurtsboro's financial situation. Therefore, if the contract is approved he recommends allowing his department to keep the deputy if the contract should be terminated due to nonpayment. He would use that deputy as a replacement for the next deputy who leaves the department. Commissioner Screws motioned to approve the contract proposal and the Sheriff's additional recommendation. Seconded by Commissioner Reed. The vote was unanimous.

Homeland Security Director William Alexander stated Commission approved HMG grant applications which were submitted in June for Individual Safe Rooms and additional Weather Warning Sirens. Resolutions stating the County's intent must be approved and signed.

The Weather Warning Siren Resolution states the County wishes to apply for \$79,500 HMGP funds and will provide a 25% cash match as well as be responsible with any cost overruns associated with the project. This will provide 5 additional warning sirens to be located at:

- US Hwy 80 and Jenkins Road
- Grant Circle and Ivey Road
- South Herring Road and Pitts Road
- Leroy Road and Lindsey Road
- Hwy 165 and Owens Road

Commissioner Dudley motioned to approve the Resolution and was seconded by Commissioner Screws. The vote was unanimous.

The Individual Safe Room Resolution states that the County wishes to apply for \$63,375 in HMGP funds and will assure a 25% cash match of up to \$16,125 ( \$15,000 to be paid by individual homeowners and \$1,125 paid by the County). This application will assist 15 homeowners with the construction of individual safe rooms on their property. Commissioner Dudley motioned to approve and was seconded by Commissioner Screws. The vote was unanimous.

County Administrator LeAnn Horne presented her recommendations for Post Employment Benefits. While working to update personnel and procedures the Committee found inconsistencies with what the State Retirement System has set for their employees. The County's current policy allows anyone to work for the county and retire without a minimum service period, which the county pays the full insurance for the retiree. I would like that to be changed to a minimum of 10 years service which will

mirror the State Plan and that will go into effect for new hires. Commissioner Dudley motioned to approve Ms. Horne's recommendation of 10 years minimum service for employees to qualify for Russell County Retiree Benefits. Seconded by Commissioner Screws. The vote was unanimous. .

Administrator Horne also requested approvals for the annual budget transfers as follows:

MAINTENANCE-51970

DECREASE	001 51970 541	EQUIP & FURN	\$4,000.00
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INCREASE	001 51970 212	FUEL & LUBRICANTS	\$3,000.00
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INCREASE	001 51970 251	TELEPHONE	\$1,000.00
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TOTAL			\$4,000.00
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Commissioner Reed motioned to approve the transfer and was seconded by Commissioner Epps. The vote was unanimous.

BLDG INSPECTOR-52710

DECREASE	001 52710 250	COMMUNICATIONS	\$1,000.00
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INCREASE	001 52710 251	TELEPHONE	\$1,000.00
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TOTAL			\$1,000.00
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Commissioner Lee motioned to approve the transfers and was seconded by Commissioner Dudley. The vote was unanimous.

County Attorney Kenneth Funderburk discussed Act # 343 which he states on July 18<sup>th</sup>, 2011 at 5:00 p.m., Commissioners Screws, Epps, Martin and the County Administrator LeAnn Horne and himself met with the Alabama State Revenue Director Bill Bass, State Revenue Commissioner Ms. McGee to deal with questions regarding the Mapping / Appraisal Department. Based on those discussion and previous discussions with Mr. McAllister who is handling the litigation for the County, the recommendation is the County to proceed to complete the process of taking over the control of the Mapping / Appraisal Department pursuant to the 1976 Law Act # 343. Background for this is, the State Revenue Commissioner is in charge, actually oversees and is the primary authority on mapping and appraising. That department is separate from the accessing and collecting department. The only money the Mapping / Appraisal collects is from the sale of maps. Auditor's check to see there is no money for personnel, which is contributed by the State and are reimbursed. That money is not to be used to run the other department. Those budgets are separate anyway, so by that action they made that recommendation. When personnel are hired, the State Revenue Department will work with the County to make sure those candidates are qualified pursuant to the State rules and regulations. They are very specific on employees in that department. They will work with us to make sure the County is manned properly as we proceed. That means the County Commission has the authority as it has exercised for many years up until last year. With the County having that authority the Commission can decide to let the local Revenue Commissioner make those decisions or the Commission can take it back

and make those decisions itself. This Commission has the authority to contract out that service as the State does. The State is the ultimate authority; therefore, if they are unhappy they can come in run the department or contract it out or tell us to exercise our rights to be over the mapping / appraisal department. My opinion is based on consultation with counsel; the law puts this authority with the Commission and the State is requesting the Commission to exercise its authority. Therefore, I recommend you exercise your full authority under Act No. 343 which states the Russell County Commission shall employ sufficient appraisers, mappers, clerical personnel and other personnel to maintain on the current basis the appraisal and mapping of all real property and evaluations of personal property within the County and further... it work as required by this statute with the State Revenue Commissioner and make sure those employees are properly qualified. Commissioner Reed motioned to approve the County Attorney's recommendation and was seconded by Commissioner Epps.

Commissioner Pugh: If I'm correct there is a September 6<sup>th</sup> date in court that will probably settle this matter.

Attorney Funderburk: What you are doing is at the direction of the State. Their recommendation was to do it as soon as we could get this item on the docket and is the advice of Counsel. We were advised to do it.

Commissioner Pugh: I can tell you, if the State personnel came here; at no time have they tried to contact me or anyone with this Commission and advised me of anything other than what I have heard at the table today.

Commissioner Lee: Basically what you are saying is the action that was taken a year ago was Ok. We can choose how or who we want to run it and we chose to let the Revenue Commissioner run it. What you are recommending now is that we change that, but we don't know what route we are taking? I did not hear that.

Attorney Funderburk: We do know.

Commissioner Lee: Are we going to seek a Chief Appraiser to run the office?

Attorney Funderburk: Yes. The Commission will have to advertise and you may take a temporary action to separate those departments, which are separated physically now. Yes, you will then have to put someone temporary in charge.

Commissioner Lee: Have we talked about the qualifications of the person who will be placed over the Mapping / Appraisal Department? Will they have to be a certified appraiser or an appraiser with 5 years experience?

Attorney Funderburk: The State is going to work with us to make sure we advertise the qualifications, so whoever fills that position is qualified. That is what the Revenue Commission stated.

Commissioner Lee: I know you advised us that this doesn't have anything to do with the pending litigation. I've been hesitant on voting on anything, when there is pending litigation which could or could not affect it.

County Attorney Funderburk: Let me clarify. We have been advised by our counsel to take this action, so I can tell you we need to comply. Clearly the Commission went part of the way to take back control, but not all of the way. Even though there is litigation and this is the reason we are doing it now, in public, because it has been recommended and I agree.

District 1 ( Lee) abstained; 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. With 4 yes votes, 2 no votes and one abstention the motion passed.

Attorney Funderburk recommended an executive session regarding the Jail Project. Sheriff Taylor will be at the session to help explain this matter so the Commission so it can decided if there should be a response or not. Commissioner Reed motioned moving into executive session. Seconded by Commissioner Screws. The vote was unanimous.

Before executive session Chair Martin announced "Night with the Stars" which will promote Habitat for Humanity. This event will be held August 12<sup>th</sup> at 6:30 p.m. EST. at Central High School.

James McGill gave an update on BRAC and the West Gate Project.

Commissioner Lee motioned to reconvene the meeting. Seconded by Commissioner Epps. The vote was unanimous.

Attorney Funderburk stated he did not have any recommendations.

Commissioner Lee motioned to adjourn the meeting.

Meeting adjourned.