

The Russell County Commission
Meeting Minutes
September 14th, 2011
9:30 A.M. EST.

Public Comments:

Chellene Lane from the Mark Dunning Industries, Inc. discussed her company and what it could mean to the county.

Mik Cole announced September 17, 2011 a tribute to J.C. Dukes will be held at the new playground which was a dream Mr. Dykes had for the Russell County Sports Complex to benefit county children. Recreational Director Mike Parker worked hard to fulfill the wish of Mr. Dykes.

Sheriff Heath Taylor kicked off the United Way campaign by announcing a dunking booth which will be set up to raise money for United Way. Hot dogs, hamburgers, potato salad and soft drinks will also be sold.

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 approving the meeting agenda. Commissioner Epps motioned to approve. Seconded by Commissioner Reed. The vote was unanimous.

The Invocation was given by Steven Gregg, Pastor at Trinity United Methodist Church.

The Pledge of Allegiance was led by Commissioner Lee.

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

Chair Martin requested an approval of the August 24th, 2011 meeting minutes. Commissioner Dudley motioned to approve the minutes and was seconded by Commissioner Reed. The vote was unanimous.

Chair Martin presented the 10th Anniversary National Day of Remembrance of 9/11/2001 Proclamation. Commissioner Dudley motioned to approve the proclamation and was seconded by Commissioner Reed. The vote was unanimous.

Commissioner Epps presented and read the Mt. Olive Primary School Proclamation. Commissioner Lee seconded Commissioner Epps' motion to approve the proclamation. The vote was unanimous.

Commissioner Lee discussed the Russell-Lee Neighbor Watch a program created to make citizens aware of what actions could be taken to protect their neighborhoods. Citizen Brad Wheeler detailed the neighborhood watch plan.

Expansion of the Russell County Utilities Board Members was discussed by County Attorney Kenneth Funderburk. Discussion will continue during today's executive session.

County Board of Equalization appointment was discussed by Chair Martin. The Alabama Department of Revenue has asked for 3 nominees for the County's position on the County Board of Equalization. The State will review the nominees and chose one to fill the position. The nominees are preferred to have real-estate knowledge. Three names were submitted: Commissioner Reed recommended Eunice Patrick, Commissioner Dudley proposed Tommy Raiford and Chair Martin suggested Robert Vance. Resumes were requested for the three candidates. Commissioner Lee motioned to close the nominations and was seconded by Commissioner Reed. The vote was unanimous.

County Engineer Larry Kite presented two revised agreements from the ALDOT for the County Road 4 Extension Project which is two separate projects; the bridge on County Road 4 and the road itself. The original agreements were approved in 2009. The purpose of the revisions is to allow transfer of funds between the two projects for supplemental work which is needed on the bridge in order to close out the project. Additional funds are not required by the County or State. He also requested to have the Chair sign those agreements. Commissioner Lee motioned to approve the agreements and for the Chair to sign. Seconded by Commissioner Dudley. The vote was unanimous.

Larry Kite also presented two resolutions to initiate Federal Aid Projects no: RCP 57-007-11 County Road 18 (Oswichee Road) for the widening, resurfacing and striping from County Road 43 to County Road 39. This project will utilize the County's annual Federal Aide allotment, which the County is required to make a 20% match.

RCP 57-009-11(Oswichee Road) to continue the widening, resurfacing and striping of this road from County Road 39 to Alabama Highway 165, this also a Federal Aide project, utilizing a Columbus/Phenix City MPO funding which will be contingent on funding being available. There is also a 20% County match for this project which will need to be approved in the 2011-2012 Engineering budgets. Mr. Kite requested for the Chair and County Administrator sign the resolutions required by ALDOT. Commissioner Epps motioned to approve the resolutions. Seconded by Commissioner Reed. The vote was unanimous.

County Administrator LeAnn Horne requested the proposed 2011-2012 budget meeting to be held Thursday, September 15th, at 9:30 a.m. EST.

Ms. Horne announced during the financing of the Judicial Center it was discussed to pay off the 2002 Warrant Series, which was budgeted for in the 2010-2011 budget. The time has arrived to pay off that debt. A resolution is required stating the County's intent to pay this warrant. The principal amount is \$1,000,000 dollars, with the interest being

\$10,759.11 and will pay off the remaining original Jail debt. This action is not affecting the Reserve fund and will save the County an estimated \$32,000 in interest. Commissioner Lee motioned to approve. Seconded by Commissioner Reed. The vote was unanimous.

Administrator Horne stated at an earlier Commission Meeting, a discrepancy was found in the County's personnel policy. It was decided that the County's retirement policy should reflect the State's policies as close as possible. Therefore, she presented the second reading for the retirement amendment which states: A county employee shall be employed with the County for 10 years; have been enrolled in the State Employees Insurance Board Health Plan (or County Commission health insurance designee) for 10 years to receive health insurance retirement benefits. This Change will only effect new hires from today's date forward. Commissioner Dudley motioned to approve the second reading of the Personnel Policy Amendment. Seconded by Commissioners Reed and Epps. The vote was unanimous.

Administrator Horne asked for the minutes to reflect and for all departments to be aware of the Attorney General's Opinion 2011-090 issued on August 22, 2011, retirement contributions should no longer be submitted on overtime pay and subsistence allowances. This change takes place immediately. No changes or adjustments will be made to prior contributions. Commissioner Lee motioned for the Attorney's Opinion to be placed in the Official Commission Minutes, seconded by Commissioner Reed. The vote was unanimous.

County Attorney Kenneth Funderburk recommended going into executive session to discuss pending litigation which requires action and also to discuss the Utility office which probably will not require action. Commissioner Dudley motioned to move into executive session. Seconded by Commission Reed. The vote was unanimous.

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

County Attorney Kenneth Funderburk recommended the Commission adopt 2 proposals concerning the Revenue Commission suit. His first recommendation is to agree that the County in pursuit of the law is in charge and has control over the Mapping / Appraisal Department and that it is a separate department from the Revenue Department. The second recommendation is to agree the Revenue Department is separate from the Mapping / Appraisal Department and should be able to hire with out Commission approval, but the Commission is still in control of their budget. If the recommendation is approved it will be sent to the Attorney representing the County. Commissioner Screws motioned to approve Mr. Funderburk's recommendation. Seconded by Commissioner Reed. 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.

Commission Lee motioned to recess the meeting until Thursday, September 15, 2011 at 9:30 a.m. Seconded by Commissioner Epps. The vote was unanimous.

The meeting was recessed.