

The Russell County Commission
Meeting Minutes
September 23, 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.

A quorum was established.

Chairman Dudley requested a motion to approve the meeting agenda. Commissioner Martin motioned to approve the agenda. Seconded by Commissioner Reed. The vote to approve was unanimous.

The invocation was given by Wesley Price Pastor of the Cottonton Baptist Church.

The Pledge of Allegiance was lead by Commissioner Martin.

Chairman Dudley welcomed elected officials, department heads, media and visitors.

Chairman Dudley requested a motion to approve the September 9, 2009 meeting minutes. Commissioner Martin made a motion to approve the meeting minutes. Seconded by Commission Reed. The vote was unanimous.

William Alexander, Director of Homeland Security / EMA, presented the Russell County Natural Hazards Mitigation Plan Resolution, which makes the plan current for next 4 years. Commissioner Lee motioned to approve the resolution and was seconded by Commissioner Reed. The vote was unanimous.

James McGill reviewed past ball field construction at the Sports Complex and plans for new construction for fields 3 and 4. McGill stated there is approximately \$100,000 left in this year's budget. A cost analysis to construction fields 3 and 4 estimates \$130,000 to \$144,000. McGill is requesting for the Commission to include funds for these projects in the 2009/ 2010 budget. It is hopeful the difference in the remaining \$44,000 will be made up in public contributions.

The Commissioner discussed the problem of outside enforcement of rabies in the county. Commissioner Pugh stated animal control in this area should be under control of our animal shelter. This is a service this community can provide for itself and do it more compassionately than is being provided to us now. This Commission is working toward getting this set up, so this situation will not happen again in the future. The contract with this outside agency will expire December 31, 2009. At that time we will make an exertive effort to make the veterinarian of the new animal shelter appointed the County Rabies Officer giving the County control of our own area.

Commissioner Dudley affirmed we should not pay other counties thousands of dollars, when it should be revenue for Russell County's animal shelter as well as enforcement of rabies inoculations.

Commissioner Lee acknowledged there is a rabies outbreak in Russell County. The County Rabies Officer in this county did ask this enforcement group to come into the county. He should have informed the Commission before employing an outside agency giving us a chance to take care of the problem ourselves. Those who have received citations have admitted their animal had not been inoculated. Their complaints have been as to the protocol use by those individuals giving out the citations. This is also my complaint. The officer should actually see the animal in question, not a cage, bowl, etc.

County Engineer Larry Kite requested approval of ALADOT HRRR project agreement. Roads included in this stripping project are portions of Oswichee, Bayview and Greenburt Road. The total estimated cost of this federal aide project is \$50,760. The county is responsible for 10 percent (\$5,076) and has been included in the proposed 2009 / 2010 budget. Commissioner Epps motioned to approve the agreement and was seconded by Commissioner Martin. Commissioner Pugh asked to note this is in the 2010 budget, not in the current budget and to keep this in mind when we go to budget. Commissioner Lee asked to amend this motion, which if passed, it will not take effect until or unless this is funded in the proposed budget. Seconded by Commissioner Pugh. The approval for the amendment was unanimous. The Commission was polled for the HRRR Agreement and was unanimously approved.

Kite also requested approval for another ALADOT agreement for federal aide project, which was identified as a safety project, installing railroad signal improvements on Brick Yard Road , 1 mile north of Hwy 165. This is 100 percent federal aide project; no cost to the county. The county is agreeing only to the maintenance of signs, marking and legends, but not the actual signal; also approving the Chairman and County Administrator to execute the contract. Commissioner Lee made a motion to approve the agreement. Seconded by Commissioner Pugh. The vote was unanimous.

Mr. Kite requested to send a letter to the ALADOT requesting a new study of U.S. Hwy 431 and Ala. Hwy 165 intersection due to recent accidents; citizens would like the Commission request the state to review and make improvements to this intersection. There should not be a cost to the County.

Commissioner Pugh motioned to approve the road study request. Seconded by Commissioner Martin. The vote was unanimous.

James McGill represented the Parkman Family petition to establish a family cemetery on their property. Commissioner Lee motioned to approve the Parkman's request and refer it to the Russell County Health Department; seconded by Commissioner Martin. The vote was unanimous.

Sheriff Boswell submitted a transfer of a Restaurant Retail Liquor License for the Backroads Bar & Lounge, located in Pittsview, Alabama. After a background check of the new owners and reviews of no complaints at that location, Boswell stated he found no reason to contest the transfer. Commissioner Pugh motioned to approve the license transfer. Seconded by Commissioner Reed. District 1 (Lee) voted, yes; District 2 (Pugh) yes; District 3 (Martin) abstained ; District 4 (Reed) voted, yes; District 5 (Epps) voted, yes; District 6 (Dudley) voted, yes; District 7 (Screws) voted, yes. The motion carries.

Sheriff Boswell requested an interdepartmental transfer as follows:

52100 Sheriff Department

Decrease	52100	239	Repairs & Maintenance	\$3,500.00
Increase	52100	241	Electricity	\$3,500.00
Total				\$3,500.00

52200 Jail

Decrease	52200	239	Repairs & Maintenance	\$15,000.00
Increase	52200	241	Electricity	\$15,000.00
Total				\$15,000.00

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

County Administrator Horne stated the next work session is scheduled on the Columbus Day holiday, October 12, she asked if the Commission would like to cancel the work session or schedule the work session before the regular Commission on Wednesday. Commissioner Lee motioned to cancel the work session. Seconded by Commissioner Martin. The vote was unanimous.

Ms. Horne presented 2 terms on the DHR Board scheduled to expire in October 15, 2009. Present members: Dee Braun and Jo Ann Laney have expressed they are willing to continue to serve.

Commissioner Lee motioned to reappoint Mrs. Braun and Mrs. Laney to the DHR board and was seconded by Commissioner Martin.

Commissioner Pugh stated to note the Department of Human stated Ms. Braun and Mrs. Laney have been good members have been diligent in attending and had recommended their reappointment. The vote for their reappointment was unanimous.

Ms. Horne stated due to the increase in electricity rates a budget transfer has been requested for the Maintenance Department as follows:

General Fund 001

51970 Maintenance Dept

Decrease	001	51970	231	Bldg & Land Repair	\$7,500.00
Increase	001	51970	241	Electricity	\$7,500.00
Total					\$7,500.00

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

Ms. Horne also requested a budget transfer for the Appraisal Department due to rate increases by the State, after the County adopted the 2008/2009 budget for retirement and health cost.

Appraisal Department Fund 120 51985

Decrease	120	51985	121	Misc. Services	\$2,796.00
Increase	120	51985	121	Retirement	\$2,076.00
Increase	120	51985	122	Health	\$720.00
Total					\$2,796.00

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

In regards to the 2009 / 2010, it was expressed at the work session that this Commission would like to go into recess to have further budget discussions; however, I would like to clarify some things. I am very protective of all my department heads and well as this Commission. I want to make sure the correct information is given to follow up on several comments. These department heads and elected officials along with this Commission have returned to this years budget over 1.7 million dollars. The County did not have to spend any reserve funds in this year's budget. Our expenses have not exceeded our revenue in general fund, so I would like to congratulate and compliment each elected official and department head for a job well done.

Commissioner Lee motioned to recess and reconvene Friday, September 25, 2009 at 9:30.

Commissioner Epps and Martin asked to amend the motion to reconvene after 12:00 p.m. on Friday.

Commissioner Lee agreed to amend the motion and recess until 2:00 p.m. EST. Seconded by Commissioner Martin. The vote was unanimous.

The Russell County Commission Meeting
September 25th, 2009, 2:00 P.M. EDT.

"Continuation of September 23rd, 2009 Meeting"

Chairman Dudley called the recessed (continued), September 23, 2009, to order.

Chairman Dudley requested to amend the agenda to include an executive session for a discussion with Judge Greene, after voting on the 2009 / 2010 Budget. Commissioner Martin motioned to amend the September 25, 2009 meeting agenda. Seconded by Commissioner Reed. The vote was unanimous.

County Administrator LeAnn Home stated the Commission has been presented with the proposed 2009 / 2010 budget. Presented to you today are two budgets for your consideration. One proposed budget represents a 3% COLA for all employees and the other proposal represents a 3% for all employees except elected officials and department heads. Other budget highlights are as follows:

The County Sales and Use tax projection for 2009- 2010 is less due to less consumer spending because of market conditions and also of city annexation of businesses. Interests earned on certificates of deposits have declined \$51,000. Other funds which are shared are down. The County Commission has suggested decreasing appropriations reducing the estimated total to \$200,000; the proposed amount is now \$457,465.

The proposed budget contains a 3% cost of living adjustment depending on which proposed budget the Commission approves. The County will need to suspend the county pay plan for 1 year, 2009-2010, if the decision is to move forward with the 3% COLA for employee raises. In the proposed budgets is \$28,000 allocated for a special school board election in 2010. This budget anticipates no new employee positions in any department. Recommended in this budget is a hiring freeze on all vacant positions as of October 1, 2009, with the exception of law enforcement.

This proposed budget freezes all capital construction projects, other than the Judicial Building renovations, roof, heating and cooling system. The budget includes a \$100,000 appropriation toward a two field construction project at the Sports Complex, when the \$44,000 match has been raised toward that construction project by private individuals.

County vehicle purchases have been restricted for all departments except law enforcement.

County contract services have not been proposed to be renewed. All contracts will be terminated according to terms of existing contracts. County workers will take-on the additional duties in an effort to reduce expenses. The proposed budget provides for volunteer firefighters a \$75,000 appropriation to pay for insurance premiums for all volunteer fire departments.

The proposed budget reflects a 10% increase in county health insurance premiums with Blue Cross and Blue Shield of Alabama. The Commission really has no choice but to accept the increase since it is mandated from the State of Alabama. The Commission has agreed to absorb the \$34.00 additional cost for county employees.

The State retirement notified the county there will not be an increase provided for the employers to pay for retirees and no provisions were enacted in the regular session of the Alabama legislative session to provide for an increase for retirees this budget year.

The proposed budget does provide holiday pay and overtime pay for deputies and correctional officers, which was established by the recommendation of the Sheriff and approval of the Commission for past couple of budget years.

The Russell County / Phenix City Animal Shelter is new and an additional expense of \$50,000 over and above what is normally budgeted in the current contract. We also tentatively agreed to assist the Shelter with fencing and 2/4 horse stalls. The total appropriation is \$90,000 for 2009/2010 plus the in-kind cost to do the construction of those stalls and fence. The City has matched the County's appropriation.

Worker's compensation insurance is \$426,573 premium. County general liability is \$340,199 for all departments to include sanitation which is managed by the Utilities Board.

Russell County has not been hit as hard with the global financial market crisis due to local market conditions that have minimized the financial impact on us. The positive market indicators are contributed to BRAC and other important influx of industries sustainment and recruiting in our region. Nevertheless, county revenues did not see significant increases therefore each and every person and

department head should continue to be mindful of their spending during this budget year and do as good of a job as you did this budget year to manage your budget and return to our reserves what you did again this coming year.

With more Alabama State budget cuts being projected and pro-ration implemented. I advise you to move forward very cautiously in the 2009/2010 budget year. I suggest this Commission review revenues in March 2010 as discussed. Market conditions have been volatile this year making projections difficult however Russell County did meet the revenue projections and expenses were below budgeted revenues in general fund.

Currently, Russell County has adequate fund reserves that have built up over the years due to strong management. The General Fund balance is estimated at 4.5 million to-date. The total fund reserves are 7.6 million. The State Examiners request Counties to maintain at least 3 months in reserves, incase of an emergency, to manage operational expenses. Fund reserves exceed the three month suggested requirement thanks to all officials/department heads and Commissioners and the well management of our budget.

Chairman Dudley opened the forum.

Commissioner Reed: I motion to suspend the pay rule and approve the 2009 / 2010 Budget as proposed by Ms. Home.

Commissioner Lee: Which budget is Commissioner Reed referring to?

Commissioner Reed: The budget which includes the 3 % pay increase for all employees.

Chairman Dudley: Ms. Home has summarized the budget; I would like the Commission to discuss the budget since she has made this report. I interpreted, if it is the wishes of the Commission, to accept what was presented.

Commissioner Martin: I hope this will clarify; we give the 3% increase as designated by Ms. Home, and then review in March 2010 the entire budget again.

Chairman Dudley: That is right. To review it because certain people did not receive the 3% raise.

Ms. Home: There are two proposed budgets; one includes a 3% to all county employees and another that does not include 3% to department heads or elected officials.

Chairman Dudley: Is the motion for the budget with or without department heads or elected officials?

Commissioner Screws: I wish to offer the motion to accept the budget with the 3% less department heads and elected officials.

Commissioner Epps: I second the motion.

Commissioner Pugh: We have a motion on the table. We have proceeded with the motion failing or not?

Commissioner Lee: It did not get a second.

Chairman Dudley: I declare Commissioner Reed's motion null and void.

Commissioner Screws: Due to the first motion was not seconded and were unable to offer the second motion. I offer the motion: That this Commission accepts the budget based on 3% less for the department heads and elected officials at this time.

Seconded by Commissioner Epps.

Chairman Dudley: Called for discussion.

Commissioner Lee: I want to thank the Commission Staff, Commissioners, Department Heads and Elected Officials for working very hard in preparing the budget this year. It has been difficult. It maybe just a preliminary to what is to come in the future. Not only did we work hard in doing this, the department heads, elected officials and people in charge of spending the money were diligent this year with the county funds. They returned back to the Commission 1.7 million in unspent funds. I voted against the last two budgets, because the uses of fund balances were tending to rise. This year with the 1.7 million that was returned, we did not use the fund balance last year. The budget before us now uses \$1, 4 in reserves to balance. If these departments work as diligent as they have maybe part of that will be returned.

If we had given the 3% across the board raise to all employees; it would only add \$21,000 to the entire budget. If the employees and their bosses work and use money as diligently as they did this previous year, then I was going to vote for the budget to include 3% increase to all employees.

The one before us now, I will probably not vote for though it is still a very good budget.

Commissioner Reed: I would like to comment Ms. Home for doing an outstanding job saving the county money. Some were worried about getting a pay raise; the Commission is not getting a pay raise out of this budget, the employees come first.

Chairman Dudley asked Ms. Home to poll the Commission. District 1 (Lee) voted, no; District 2 (Pugh) no; District 3 (Martin) voted, yes; District 4 (Reed) voted, yes; District 5 (Epps) voted, yes; District 6 (Dudley) voted, yes; District 7 (Screws) voted, yes.

The 2009/2010 budget was adopted with 5 yes votes, 2 votes no. The motion carries.

Commissioner Lee motioned to suspend the county pay plan for 1 year and adopt the salary schedule to reflect the budget that has just been passed and adopted. Seconded by Commissioner Reed.

Commissioner Epps stated we were to come back and review the budget in March and with Commissioner Lee's motion, maybe I do not understand about 1 year?

Commissioner Lee: We would have to suspend the pay plan which is our adopted pay plan which rewards our people for years of service up to a limit. Now most of our employees have exceeded that limit anyway. If we don't suspend the pay plan, which means some employees will get 3% and some will get 6%. By suspending the plan all employees that receive a raise will get 3%. We can always, at any time, adjust and amend the budget.

Commissioner Martin: I thought that is what we will be looking at in March 2010.

Chairman Dudley: That is what I thought also. Depending on revenues, we will review in six months.

The Commission was polled. The vote was unanimous to suspend the county pay plan for one year and adopt a salary schedule reflecting the 3% COLA for county employees excluding department heads and elected officials.

Commissioner Screws: I motion we amend the 2009/2010 budget, to add \$165,000 for roads in the Ladonia area and \$100,000 added to the engineering's budget for paving CR24 to Rd 49. They were left out of the original budget bringing the added total to this budget amendment to \$265,000. Seconded by Commissioner Pugh.

Commissioner Martin: We have funds to do this? We are voting to go into the reserves.

Commissioner Pugh: If we do not build the road at the intersection of Hwy 80 and Ladonia; the builder will annex that property into the City and the County will lose a revenue source of over half a million dollars per year. If we build the road; the builder will guarantee the County for ten years it will not be annexed in and we will receive revenue that will more than pay for it.

Commissioner Epps: Do we have a resolution that guarantees they will not annex into the City?

Commissioner Pugh: They have agreed to bind by written contract and also all land in the parcel the warrant in deed cannot be unless we set aside our money.

Commissioner Screws: Originally Co. Rd 49 was to be paved, but a section of the road was left out, that was county maintained. We are going back to complete paving of that section.

The Commissioner was polled: District 1 (Lee) voted, yes; District 2 (Pugh) yes; District 3 (Martin) voted, yes; District 4 (Reed) voted, no; District 5 (Epps) voted, yes; District 6 (Dudley) voted, yes; District 7 (Screws) yes. Six votes yes and one no vote. The motion carries.

Commissioner Screws: I motion approve the agreement that Commissioner Pugh has for the Hwy 80 intersection project. Seconded by Commissioner Lee. The vote was unanimous.

Commissioner Lee motioned to go into executive session. Seconded by Commissioner Martin. The vote was unanimous.

Commissioner Martin asked to remember the family of the Lee County Deputy James Anderson in your thought and prayers.

Commissioner Epps thanked the department heads and elected officials for not thinking only of themselves, but for others and working hard on this budget. Times are going to get better.

Commissioner Martin motioned to reconvene the commission meeting. Commissioner Screws seconded. The motion was unanimous to reconvene.

The County Attorney recommended for the County Administrator and Attorney to jointly work on locating and securing judicial office space. Also, to work the judicial staff on relocation of current offices.

The County Attorney also requested for the commissioners to approve/authorize Scott Holmes, current architect on judicial roof project, to enter into a contract with the commission on a new HVAC system for the judicial building along with proposing additional office space at a later time.

Commissioner Martin motioned to accept both recommendations made by the County Attorney. Commissioner Screws seconded. The motion carried with 6 votes yes. Commissioner Lee was not present at this time.

Commissioner Epps motioned to adjourn.

Meeting was adjourned by unanimous vote.

September Checks

General Fund 001

Attest: _____

County Administrator

Signed: _____

Chairman