

The Russell County Commission
Meeting Minutes
January 10,2018
9:30 A.M. E.S.T

An Adjourned meeting of the Russell County Commission was called to order by Chair Peggy Martin.

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

The Pledge of Allegiance was led by Commissioner Cattie Epps.

Chair Martin welcomed elected officials, department heads media and guests. She also thanked Cable T.V. of East Alabama and The Citizen News for their coverage of the Commission Meeting.

Administrator Horne called the Commission roll. Members present were Chair Peggy Martin, Vice Chair Carl Currington, Gentry Lee, Ronnie Reed, Cattie Epps and Chance Corbett. Larry Screws was absent. Also present was the County Attorney Kenneth Funderburk and County Administrator Horne who kept the minutes.

A quorum was established.

Chair Martin presented the Posthumous Proclamation to the Family of E.L. Torbert. The County Administrator read the proclamation. The proclamation was approved at the prior meeting by the Commission.

Commissioner Epps stated that she did not see any of the family present at this time for the presentation of the Armay Miles Proclamation. Commissioner Epps requested for approval of the proclamation and she would present it to them later. Commissioner Corbett seconded. Proclamation was approved by unanimous vote. Commissioner Lee reminded the commissioners that resolutions and proclamations should be presented for approval at a meeting prior to presentation to the family, per policy.

BUSINESS ITEMS:

Wanda Hardie, Director of Sanitation, presented the disposal agreement with Lee County. She stated that she had spoken with Mr. Mike Mitchell and he agreed to a three-year waste disposal contract with an annual two percent (2%) increase. This would be for a total of \$20.00 to with Salem Landfill. Mrs. Hardie explained this does not change the citizen's rates. This is an effort to reduce operational expenses as she stated Monday evening and in the spreadsheet provided to the Commissioners this morning. Commissioner Lee motioned to approve contract. Commissioner Corbett seconded. Commissioner Corbett stated he appreciated the information provided and

he stated for the record; based on the one-year contract presented it was \$21.00 vs the \$20.00 presented today. Also based on the report provided there are savings to the county of based on reduced maintenance, fuel, tires and through reduction one position of about \$38,000 a year to the county. This sounds great. Does sound like a good plan for the county and your people. The question I have it is only one driver is needed for the county. Is that a position we are going to eliminate or not rehire. Mrs. Hardie stated that is a position she currently has now. However, she stated that she doesn't need that position if they are allowed to travel to Salem rather than Taylor County. Commissioner Lee stated it is vacant right now. Mrs. Hardie confirmed the vacancy. Commissioner Lee stated the three year contract provides a better deal and the ability to budget for future. Commissioner Corbett questioned is there any increases to the public. She indicated there are not. Commissioner Currington questioned: Are you cutting Taylor County out completely. Mrs. Hardie stated: "Yes, sir." Chair Martin stated that the County Administrator will sign the contract once approved. The motion passed. Commissioner Currington voting, no.

Chief Alexander presented applications for liquor license. He stated: "Sheriff's Dept. conducted a liquor license inspection for Americas Freedom Fuels One located at 850 Hwy 165, Ft. Mitchell, AL 36856 and Americas Freedom Fuels Two located at 3815 Opelika Road, Phenix City, Al 36870. These are existing businesses, they are changing their names. We find no reason to deny them their liquor license. We are asking this morning to approve it." Commissioner Lee motioned for approval. Seconded by Commissioner Corbett. Administrator Horne polled the Commission. The vote was unanimous.

Chief Alexander presented the Jail Food Bid results. He requested that the bid be awarded to Merchants for the food bid and Columbus Paper Products for the paper Products as low bidders. Chair Martin motioned to approve. Commissioner Reed, seconded. The vote to approve was unanimous by Commissioners present.

Commissioner Reed stated: He already has money in the budget for projects in his district. Commissioner Reed made a motion to utilize some of that money, up to \$200.00, for awards given during Black History Month. Commissioner Epps, seconded. Commissioner Lee questioned: He requested the attorney to tell him since this is not a commission approved function, is it acceptable to use county funds to pay for it. I am just asking for the attorney to give us a ruling. The County Attorney stated that to use county funds to pay for a project, it has to be a county commission approved function. Commissioner Reed stated the funds would be used to pay Mik O'Rourke to do the certificates to present to the kids visit and sing during Black History Month in February. The attorney asked if this was a private function? Commissioner Reed questioned what he was referring to. The County Attorney stated if it is a private function you cannot use county funds because it was not legal. Commissioner Reed stated: If he had to pay Mik out of his pocket, he would do so. Commissioner Reed stated he already has money in the budget. The County Attorney indicated just because money is in the budget doesn't mean it can be spent on private projects not approved by the Commission. Commissioner Reed stated: We need to get a law passed then.

Commissioner Reed stated: He has never heard of this law and we need to check with the ACCA. The County Attorney stated: That is my opinion referring to spend public funds on a private event. Commissioner Reed stated to Chair Martin he was going forward with the event. Commissioner Corbett stated: The spirit for what it is I do not have a problem. He recommended Commissioner Reed to change it to a County Commission function, approved by the Commission, names of recipient approved by the commission prior to presentation; then it would be a county function. Commissioner Corbett stated: If it is a county function approved by the county commission approving a list of participants for the proclamation or certificates then that would become a county function. Commissioner Lee stated: It would be presented with all Commissioners names on it; not just one commissioner. The County Attorney stated: Yes, that would qualify as a County Commission approved function. Commissioner Reed stated: If he had to take money out of his pocket to pay for it; we are going to do this anyway. Commissioner Lee stated: We have a motion and a second. Commissioner Epps stated: I am directing my comment to Commissioner Reed. If you can change this to become a county event instead of a personal event they are telling us then it can be used for that purpose. Only thing you would have to do is change it from a personal event to a county event. It was your idea and a good idea. So if we can use the money that you have in your budget by changing it to a county event then it serves the same purpose. Commissioner Reed: Let me tell you something Commissioner Epps; I have been doing this 5 to 10 years and this is the first time it has come up. Commissioner Lee stated: This is not the first time, Commissioner Dudley was Chair and a resolution was passed for these type activities to be done during commission meeting times. They need to be done prior to the regular commission meeting if not a commission approved project. However, recently they are coming at 9:30 at the commission meeting time which actually is in violation of our policy. So, it has come up before. Commissioner Corbett stated: The only way I can equate this is to say Commissioner Epps brings a resolution to the board like she did a little while ago. We approved that as a Commission body and presentation to that person. If Commissioner Reed wants to do that; all he has to do is present a list of recipients to the Commission body for approval and that is all he would have to do and it will become a county function. If I chose to give out 50 certificates for whatever reason without Commission approval, it becomes a private / personal function, not Commission. I do not think anyone is against for what it is for. I am for it and I know others would approve I'm sure. If the attorney states it needs to become a county function to expend funds; then, I think we have to.

Commissioner Reed stated: He does not have a list of names at this time. He plans on going to the school and getting their names but does not have them today.

Commissioner Epps questioned: Can we not approve it, and Commissioner Reed will bring back the names. The County Attorney stated: if it is approved by the Commission it becomes a commission function. Commissioner Lee indicated that they do not need particularly the names of the Choral Group members just the name of the Choral Group. We would need the names of the individuals or citizens who would receive recognition/certificates. Commissioner Reed stated: He would provide the names when it is time to approve for the citizens. Chair Martin questioned: Shall we go for the vote? Commissioner Lee stated: I can't vote if we do not know who we are giving it to.

Commissioner Reed: He stated this would be for the kids at the Russell High School. Commissioner Martin made a motion to move this to the next meeting. The County Attorney recommended approving the county function and/or program. He stated: you can do that now if you are ready. Commissioner Martin motioned for it to be a county event. Commissioner Lee reminded that there is a motion and second on the floor. Commissioner Reed amended his motion and stated for this to become a county event. Commissioner Epps, seconded. Commissioner Lee stated and the names will be presented prior to presentation for approval. Today we are just approving the event. Commissioner Reed indicated that they make things so hard it is pitiful. Commissioner Corbett stated: I have stated three times or more that I support this event. However, I have been questioned why this is not a county function or event. Let's just go ahead and make it a county function which is the right way to do it. The vote was unanimous. Commissioner Lee stated: Now, with that let's understand the names have to come back before the certificates are created for approval. Commissioner Reed stated: I will have the names before the next meeting. Commissioner Lee stated: I just want it to be legal. Commissioner Reed stated: It is just \$200.00 and I don't mind paying it if that happens.

Chair Martin recognized the family member of Mrs. Armay Miles who arrived. Commissioner Epps stated: The daughter of Mrs. Armay Miles, one of the daughters, has arrived and would like to present this. I would request that the Administrator read the Proclamation. Presentation was made by Commissioner Epps.

Chair Martin recognized Scott Holmes, Architect, to discuss renovations to the Old Post Office. Commissioner Corbett stated: In the past, the commission approved for the Old Post Office lower floor (basement) to be utilized for a museum. The attorney has been working with the museum board to get that organized and finalized so that we can start putting items in there. The upstairs rather than us going in there and piece mill that work since it is outside the scope of what county forces can manage; I think it is prudent for the county to hire an architect to design the upstairs, upgrade the building and address the courtyard area that was proposed in the RFP's that the commission requested before. That is the direction I believe Scott wants to discuss with us now.

Scott Holmes stated: Their firm has completed an initial analysis of the building. The idea will be that this will be an assembly space. The building will require new HVAC, electrical, windows and upgrades in the bathrooms (toilets) due to accessibility issues for the public to utilize. I will draw up the plans and specs so that we can bid out the project. The plans will be brought back to the Commission for approval to bid. Plans will also include eliminating the office building next to the old Post Office and changing that area into a plaza area as the RFP indicated and we submitted to commission. Commissioner Lee questioned replacing the HVAC because it is fairly new. Mr. Holmes indicated; he would have to check the load and duct work to see if it is adequate. Commissioner Corbett stated: Based on the information reported by the Architect and previous approved RFP's, I would like to recommend approving the contract with Hetch Burdeshaw so that we can move forward on that building / project so that we are not sitting here six months from now and the project not moving. Chair Martin stated we did

place bids. The Commissioners stated: RFP's (request for proposals) were sent out and received by the Commissioners and presentations by the firms who submitted were conducted by the Commissioners. Commissioner Lee, seconded the motion.

Commissioner Reed questioned: Who will be donating these items for the museum? He wants the public to know who to donate items and to whom. Commissioner Corbett stated: The museum committee will handle accepting donations. The Commissioners will not have to go out and seek donations. They have a vision and they know what they are looking for to create the museum. The museum board will make those decisions and the Commission will not be telling them how to do their job. The County Attorney stated: We have talked about the museum. The County has approved that they can move in when they are ready. I do not think they are quite ready. I do not think we will have to do much to the downstairs for them. They are talking about amending the 501(c)3 and adding a couple of members from the Commission. Commissioner Lee stated: To answer your question; I am sure items can be submitted from all over the county and it will be up to the museum board to approve what items are displayed. Commissioner Reed stated that he doesn't like this idea. He stated we have paid over \$400,000 for this building and we need to find another way to get revenue back out of that building. I do not believe this will work to get the county's money back out of the building. Now, we have to pay an architect. Commissioner Lee stated: we will get some revenue back. Commissioner Reed stated: No, it will take a long time to get the money back if we do this project. Commissioner Lee stated: With renting the building out and the public viewing the museum, eventually the county will get revenue back. Chair Martin questioned the architect as to what percentage the contract would be with the approval of this contract. Mr. Holmes stated; it is based on the Alabama Building Commission. It is 7.0 or 7.6 percentage fee. Since it is a major renovation, they do allow you a 25% increase and that is in the contract presented so that will be 9% avg. Commissioner Lee stated: We are just approving the architect to create the plan and bid documents. We are not accepting the bid. He will bring those back to us later to approve and to bid. Mr. Holmes stated; that's how our contract works with you is that we will only bill you for the work that we actually do. The motion carried. Commissioner Reed voting, no.

County Administrator had no items to present.

County Attorney stated: He has had one deed signed. The other property he is working on clearing up and will keep you informed.

Chair Martin stated: Mrs. Robinson has a list of positions in your packet. She questioned Mrs. Robinson so there are no openings at this time. Mrs. Robinson indicated the affirmative.

Chair Martin announced the Martin Luther King and Robert E. Lee holiday is next Monday, January 15th, 2018. The Courthouse will be closed.

Commissioner Epps announced: The Martin Luther King March will begin January 13th at 10:45 here at the courthouse. Honorable Judge Price will be the guest speaker at Franchise Baptist Church. Monday, the Alabama Democratic Conference will be celebrating the Martin Luther King birthday celebrated in Hurtsboro, Alabama. That will begin at 10:00 central time; Reverend Fountain will be the speaker at that event.

Commissioner Epps asked that on the next agenda she would like to have Cole Phillips on the agenda. Also, Mrs. Carolyn Howard passed away at 108. I will come before the Commission with a proclamation to present to the family. I feel she should be recognized.

The County Engineer announced that on January 27 at 8:00AM they will be at the Fort Mitchell Fire Department constructing recreation equipment and all are invited to assist. The fire department will be cooking hot dogs.

Commissioner Epps announced on January 30 there will be a town hall meeting at her church. It is a community town hall meeting. We have a vision for the community. We want the community to have input also as to what the vision is. It will be held at the St. Johns Episcopal Church at 7:00 p.m. The church is sponsoring it; however, the public is invited.

Chair motioned to adjourn. Adjournment approved.