

Russell County Commission
Meeting Minutes
November 14, 2018 9:30 EST

An adjourned Russell County Commission Meeting was called to order.

The Invocation was given by Father Tom Weise, retired Catholic Priest of Mother Mary Mission.

The Pledge of Allegiance was led by Chair Martin.

Chair Martin thanked Cable T.V. of East Alabama and the Citizen of Alabama and welcomed Elected Officials, Department Heads, media and guests.

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

A quorum was established.

Chair Martin requested approval of the meeting agenda. Commissioner Lee motioned to approve the meeting agenda. Seconded by Commissioner Reed. The agenda was approved.

Commissioner Corbett stated before the meeting he was handed Wreaths Across America form, which was discussed at an earlier meeting and was agreed to place back on the agenda. The deadline is near for the program is near. He motioned to add this business item to the agenda. Seconded by Commissioner Lee. The vote was unanimous.

MINUTES:

Chair Martin stated there were three (3) sets of meeting minutes included in today's meeting packet: September 10th and 12th, 2018 Proposed Budget Minutes and the October 24th, 2018 Commission meeting minutes. Due to the length of the minutes, she asked if the Commission would like to table the minutes or what was their pleasure at this time. Commissioner Lee stated; the minutes were e-mailed to each Commissioner for review; therefore, he motioned to approve all three (3) sets of meeting minutes. Seconded by Commissioner Reed. The vote was unanimous.

DISCUSSION:

Commissioner Epps requested for the Commission to approve Mik Cole, consultant, to create a posthumous proclamation honoring the recently passed daughter of Phenix City Councilman Arthur Day. She would like for the proclamation to be presented at the next Commission Meeting to the family.

Administrator Horne reported the Department of Human Resources Board Appointment that will come to term in December. This position is presently held by Mr. Leonard Gates.

Commissioner Epps asked to have information concerning the time clock that has been in discussion. I think that would be listed as unfinished business. I guess that could be under discussion, but it is something that has already been discussed it just hasn't been finalized.

BUSINESS:

EMA Director Bob Franklin announced that the Phenix City Fire and Russell County EMA have applied for a Homeland Security Grant. This is a 100% reimbursable grant,

there is no funding match. If the grant is awarded to Phenix City / Russell County, the county's portion of the grant will go toward improvement of access control for the EMA Office in the amount of \$13,692.00. The Commission will need to also sign for Phenix City as well, because the County will be the administrator of the grant as well. Phenix City Fire will use their position for security measures to their fire stations in the amount of \$43,461. Commissioner Corbett motioned to approve application for the Grant and approve the Chair to sign documents. Seconded by Commissioner Lee. The vote was unanimous.

County Engineer Shawn Blakeney requested approval of the initial paper work for the Rutherford Road Project, which was a 2018/2019 budgeted project. The agreement is for resurfacing and traffic striping on County Road 49 (Rutherford Road) from the Barbour County line to Hurtsboro City Limits (9.43 miles). Commissioner Screws motioned to approve the agreement. Seconded by Commissioner Corbett. The vote was unanimous.

Engineer Shawn Blakeney also requested approval to accept the Wiregrass RC&D grant for lighting at the Crawford Park Walking Trail. The amount of the grant is for \$5,000. Commissioner Corbett motioned to accept the grant award. Seconded by Commissioner Lee. The vote was unanimous.

Commissioner Lee presented the next item: Commission Agenda Discussion and Comments. Commissioner Lee: At our last work session, there was a lot of discussion concerning this item. I have really thought about it since then. I didn't realize that in September 2013, when we changed the cut-off date for agenda items that this affected Discussion Items. Previously when we first adopted the rules, it was what I thought it was. I thought this just changed Business Items only. To clear things up, I'm going to make a motion that will add an agenda item after the Attorney. This will be at the end of the meeting agenda. This will be titled "Commissioner's Discussion and Comments". This will not make any changes to the current procedures; items must still be added for the regular discussion items. This can be anybody allowed to place items on agenda, it doesn't have to be just a Commissioner. It can be any Elected Official or Department Head. They will still have to do just like they are now, and I think the current procedure is Wednesday by Noon, under regular Discussion. My motion is to add "Commissioners Discussion and Comments" section to the end of the agenda before Announcements. Items discussed here do not have to be put on the agenda. They cannot be voted on at the current meeting. An item may be added to the Business section at the regular meeting if so desired. Other words, this is just a place to make the comments like Commissioner Epps just made could be made at this part of the agenda instead of the regular Discussion. Seconded by Commissioner Screws.

Commissioner Lee added: this will allow Commissioners to bring up... and our regular ethics is also in affect. You are not suppose to talk about a Commissioner anywhere in our meetings.

Commissioner Corbett: Madam Chair, discussion. On the surface I'm not arguing with this. I will probably even vote for it. My only concern is, I don't know why we are having a Work Session if we are going to put things on here that we can just bring up without any prior discussion at the Regular Meeting. My hope and goal was, when we did this way back then, was to put things on the agenda that, as Commissioners and the Public, so we all know what is going to be on the agenda. Especially the media. When we get to the Work Session that we discuss it openly. When we get to the regular meeting, we are acting on items that we have already discussed. I do not think that it is positive for this County or Commission to put an item on the agenda and we just bring up what ever we want to at Wednesday's meeting without any prior notice. If we are going to do that why even have a Work Session.

I understand that things have to be added, I was fortunate enough this morning to actually do the exact process that it takes to do that with the Wreaths Across America. That was to make a motion and if it passes it gets added to the agenda. I don't know why we would want to leave a catch all type discussion section on for Wednesday and

not give the opportunity to even talk about it at the Work Session and then just come to the Regular Meeting and just start talking about it.

The other piece of it is, as a Commissioner, I would love to know and be prepared for something that we are going to discuss especially in public. That is what the agenda helps me do. I would prefer it go back the other way, but everybody has the ability to come up and make a motion.

Commissioner Lee: On this particular item, we can discuss it we want to but it is basically for one Commissioner to talk about it. The rest of the Commissioners don't need to participate. If they want to put it on the agenda for the next meeting, they can. Then we all can discuss it.

I just think that as Elected Officials in a meeting should be able to make comments, if they want to, about anything they want to.

Commissioner Reed: I totally agree with Gentry Lee. If a person doesn't want to come to the Work Session, they don't have to. They are not required to.

Commissioner Corbett: It's not the requirement to come to the meetings.

Commissioner Lee: With our cut off Wednesday at noon, sometimes things come up after then, so if you want to change the cut-off until Monday at noon. We would probably need this.

Attorney Funderburk: I need to make the comment on the procedure and the discussion. You do need to clarify this because it goes into the minutes since this is not in writing. The Commissioner mention that the Public can make comments. If you change that you are going to have to change your procedure, since the public and the procedure is limited to 3 minutes.

Commissioner Lee: the motion that I'm making is only to allow for the Commissioners to make comments. Commissioner's Comments and Discussion, not Public. There will still be Public Comments at the beginning of the meeting on Wednesday. If a Department Head, Commissioner or Elected Official has something to discuss, then they go through the current procedure that we still go through now.

Chair Martin: Commissioner Lee, repeat where you would like this to be placed on the agenda.

Commissioner Lee: It will go at the end of the agenda right after the Attorney. Nothing there can be voted on at all, even for a unanimous vote. If you want to put it on the agenda to be voted on; then, it has to be done by procedures we have in place.

Commissioner Epps: Madam Chair, under discussion we don't vote on anything anyway. Its just a general discussion.

Commissioner Lee: We can vote on it though.

Commissioner Epps: I think it says we must have a unanimous vote to get it on Business Items. Discussion is just what it says, discussion. We can discuss anything without having put it on the agenda, because a lot of the time if you put something on the agenda you are saying the Public will see it. When you send that out, they are probably going to know what we are talking about. Example: there is not a place on the agenda for unfinished business, so it will have to go back under discussion. There is not a space for something that has been tabled, so it must go back under discussion.

Commissioner Lee: Commissioner Epps, unfinished business is listed under business the way we adopted the agenda. Discussion is different, because you have to have a unanimous vote if you vote on anything under discussion.

Commissioner Epps: I think the changes are going to come in now because we are at the end of this month, we will be changing the Commission Chair. Any changes we need to do, we need to go on and make them now.

Commissioner Corbett: Madam Chair, I agree with something that Commissioner Epps said and that is we all need to know. I keep hearing, this is the way we use to do it, and this is what you do. I made the motion back in 2013; so, I knew exactly what the motion said. It was simply as a matter of being open to the public and media. If you are a business in Russell County and you want to get the agenda for the Russell County Commission Meeting, you can have it e-mailed to you. If I'm a business owner, I may look at this every week and there is nothing on there that affects me. But we are saying that Wednesday morning, that we can add a discussion line that I can come up here and talk about that business if I want to and they would have no idea. To be open and to be forth coming to our citizens, business owners and everyone out there, I think if we are going to talk about an item at this table it should be on the agenda with the procedures with which we set out and Commissioner's approved. Even discussion, if I were a business owner I would like to be here during that discussion. If we are going to talk about Pop's Store, I would not want it to get to the end of the meeting and during Commission Discussion Item and then a Commissioner say I don't like Pop's Store they should be doing this and that. I would like to say why is Pop's Store on the agenda and then I could dedicate my time to come to the meeting, so I'm prepared to listen to it. Not only would I be at the meeting, I would be at the Work session too, so I could hear the real discussion.

Hopefully we get ourselves to the point that where we get professional again so when we come to the meetings on Wednesday all we are really doing is acting on what we discussed in the Work Session. I don't agree with being able to bring up things that have not been brought up in the Work Session or that have not been added by unanimous vote. Such things as Wreaths Across America, non-controversial that we add at the last minute, because we forgot that needed to be done.

I think we are opening it up for too much discussion. Let's be real about it. Anybody can discuss anything that they want to. Mrs. Epps said you must have a unanimous vote to do this and that. The policy that was changed, by unanimous by the way, was in order to add something after the deadline to the agenda it had to be brought up and received a second and have a unanimous vote. That was fair.

Commissioner Corbett continued: Commissioner Lee, if you say I really need to talk about this today. Make a motion, get a second and let's get a unanimous vote or as we have added items at the work session before we approve the agenda.

Commissioner Lee: Commissioner Corbett, if it was something you didn't agree with, I would not get a unanimous vote. I wouldn't be able to talk about it.

The motion that is on the table now, if a Commissioner mentions something about Pop's Store they want to respond to their comments; then put it on the agenda for the next meeting. Then Pop could be here and be in on the discussion at the next meeting.

Commissioner Corbett: I absolutely think this is the wrong action.

Commissioner Lee: We can change it if it gets out of hand.

Administrator Horne: I just need clarification, Commissioner Lee, if you would. At the end of the agenda items are not to be voted on, this is only for County Commissioners.

Commissioner Lee: Only for County Commissioners.

Administrator Horne: Alright and you said for non-controversial items.

Commissioner Lee: No, I didn't.

Administrator Horne: I thought that is what your previous document said.

Commissioner Lee: Nope. That's a determination of what is controversial to me may not be controversial to Ms. Elliott. I don't think there will be anything controversial.

Commissioner Corbett: Really? You open the door and say come in.

Commissioner Lee: We do that anyway, but now it would be legal. You couldn't vote on it, so you couldn't lose your job or lose your seat or lose your project, because of something that came up.

Commissioner Corbett: You sure couldn't defend your project or defend your job.

Commissioner Lee: If you were here you could defend your project at the next meeting.

Commissioner Corbett: That is if you were here or know about it.

Commissioner Reed: Madam Chair go ahead and call the roll.

Administrator Horne polled the Commission: District 1 (Lee) voted, yes; District 3 (Martin) voted, yes; District 4 (Reed) voted, yes; District 5 (Epps) voted, yes; District 6 (Corbett) voted, no; District 7 (Screws) voted, yes. 5 yes votes and 1 no vote. The motion passed.

Commissioner Corbett announced that previously Wreaths Across America was discussed. This program was created to purchase wreaths at Christmas to place on the graves of veterans at the Fort Mitchell Cemetery. The Commission had agreed that this is a good project and should consider participating. He motioned to spend \$1,500 out of the contingency fund to become a corporate sponsor to place wreaths on veterans' graves at Fort Mitchell. Seconded by Commissioner Lee. The vote was unanimous. The wreaths will be placed on the graves Saturday, December 15th at 9:00 a.m. This event is open to the public.

The Russell County Commission ratified the Sheriff's selection for the Property and Evidence Systems Bid received on August 10th to FilleONQ as the lowest responsible bidder and accept Sheriff Heath Taylor's recommendation for approval. Commissioner Corbett motioned to approve the bid award. Seconded by Commissioner Epps. The vote was unanimous.

Commissioner Lee requested clarification of policy concerning the Meeting Agenda Request Form. The form states that the Commission requires that the agenda item information for packets be turned in by Friday prior to the Work Session. Administrator Horne stated that for years it has been policy to have the Agenda Request by Wednesday, but information for the packet is to in by Friday.

Administrator Horne presented a resignation from a Department Head. It is policy for Department heads to submit a resignation for the Commission to accept. She requested acceptance of the resignation from the Maintenance Director, so she can move forward with publishing and advertising of the position. Commissioner Corbett motioned to approve the resignation. Seconded by Commissioner Lee. The vote was unanimous.

County Attorney Kenneth Funderburk recommended moving into executive session for his agenda item. Commissioner Epps motioned to approve executive session and was seconded by Commissioner Corbett. The vote was unanimous.

Personnel Director Carolyn Robinson has provided a new hire and open position report for October in the Commission packets for review.

Chair Martin made announcements before the executive session:

- ❖ Central Elementary and High School Campus located at 1500 17th Street Phenix City is now listed on the Alabama Register of Landmarks and Heritage.

- ❖ 2018 Bi City Christmas Parade will be December 1st, 2018.
- ❖ Tri-City Black Hawks vs Tokyo Gym Rats basket ball game will be held at the Mother Mary Mission at 7:00 p.m. on December 6th. Tickets are \$10.
- ❖ Commissioner Corbett announced that dying and damaged trees will be replaced at the Old Seale Courthouse. Funds for the tree replacement were provided by the Good Roots Grant award.
- ❖ Commissioner Epps announced the purchase of property by her Church, which is for the whole community. The new building will be called the Dream Center. The public is invited to the ribbon cutting on November 18th at 1:00 p.m.

Chair Martin recessed the Commission Meeting.

Chair Martin reconvened the Commission Meeting and made a motion to adjourn the meeting.

The meeting was adjourned.

Attest: _____

County Administrator

Signed: _____

Chair