

The Russell County Commission  
Meeting Minutes  
November 28<sup>th</sup>, 2018  
9:30 A.M. EST

An adjourned meeting of the Russell County Commission was called to order.

Reverend Steve, Associate Pastor of Summerville Baptist Church gave the invocation.

Commissioner Reed led the Pledge of Allegiance.

Chair Martin thanked Cable T.V. of East Alabama and the Citizen of East Alabama for their coverage of the Commission Meetings. She also welcomed Elected Officials, Department Heads, Media and Guests.

Administrator Horne called the Commission Roll. Members present were; Chair Martin, Gentry Lee, Ronnie Reed, Cattie Epps and Chance Corbett. 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 a motion to approve the meeting minutes for November 14<sup>th</sup>, 2018. Administrator Horne requested to table the meeting minutes which had not been proofed. Chair Martin motioned to table the minutes. Seconded by Commissioner Reed. The vote was unanimous.

**BUSINESS ITEMS:**

County Engineer Shawn Blakeney presented the Gammage Road Project ERRPR-9010 (983) & Funding Agreement for approval. This project was let at the beginning of November. He would like to award the contract to Corner Stone Civil Contractors LLC from Tuscaloosa, Alabama who was the lowest bidder. The project was awarded for Six Hundred Thirteen Thousand nine hundred and sixty-eight cents (\$613,968.86). The Federal funding portion will be four hundred ninety-one thousand one hundred seventy-five and nine cents (\$491,175.09). State will refund the County for twenty-five thousand (\$25,000) for a previous project. The County's portion of the project is ninety-seven Thousand seven hundred ninety-three and seventy-seven cents. Commissioner Epps motioned to approve. Seconded by Commissioner Reed. The vote was unanimous.

Election of Commission Chair was opened for nominations:

Commissioner Reed nominated Peggy Martin for Chair.  
Commissioner Epps motioned to close the nomination. The vote was unanimous.  
Peggy Martin remained Chair.

Election of Vice Chair was opened for nominations:

Commissioner Reed nominated Cattie Epps for Vice Chair.

Commissioner Lee selected Chance Corbett.

Commissioner Corbett motioned to close the nominations.  
Cattie Epps received 3 votes and became Vice Chair for the coming year.

**ADMINISTRATOR ITEMS:**

Administrator Horne presented the 2019 County Holiday Schedule for approval. She noted that one of the Commission Meetings will fall on Christmas day in 2019. Commissioner Lee pointed out that typically the meeting would be held on December 26<sup>th</sup>. Chair Martin motioned to approve the holiday schedule as noted. Seconded by Commissioner Reed. The vote was unanimous.

Administrator Horne discussed the approved 2018 floating holiday. The State of Alabama approves Mardi Gras day for those counties that observe the holiday. Russell County Commission approves that holiday as a floating holiday to be designated at the discretion of the County Commission. The Governor has approved additional holidays for this year, the approved holiday remains to be set for use this year. She has received feedback requesting the Commission consider designating New Year's Eve as floating holiday. Commissioner Lee motioned to approve using the floating holiday for New Year's Eve. Seconded by Commissioner Reed. The vote was unanimous.

The County Commission Meeting Schedule for 2019 was presented for approval. Commissioner Lee motioned to approve. Seconded by Commissioner Reed. The vote was unanimous.

Administrator Horne requested approval for the 2019 Severe Weather Preparedness Tax Holiday Resolution. Tax exemptions for emergency items begin Friday, February 22 at 12:01 a.m. and ends Sunday, February 24<sup>th</sup>, 2019 at 12:00 a.m. for the unincorporated area of Russell County. Chair Martin motioned to approve the resolution. Seconded by Commissioner Reed. The vote was unanimous.

Administrator Horne requested the Commission to surplus the radio tower and equipment located on Prentiss Drive property. She would like to place the equipment out for bid with the bid opening to be set for December 20<sup>th</sup> at 2:00 p.m. Administrator Horne would also like to work with the County Attorney on the bid specs to make sure to cover all the liability issues, because part of that will be to remove the tower.

Attorney Funderburk stated removal of the radio tower, proper license and insurance will be part of the successful bid process.

Commissioner Epps motioned to accept the Administrator's recommendation. Seconded by Commissioner Reed. The vote was unanimous.

Attorney Funderburk announced to the Commission that mediation with the City will be Friday, December 7<sup>th</sup>, 2018 at the Russell County Judicial Center. They should meet him a few minutes before 9:00 a.m. on the fourth floor. He gave the Commissioner a summary of the process.

Discussion took place about the voting procedure if the County and City did come to an agreement. If today's meeting would be recessed instead of being adjourned the Commission could vote at the Judicial Center instead of returning to the Commission Chambers or waiting to schedule another meeting.

Commissioner Epps: Madam Chair before going into announcements... I discussed on Monday night that I would do some research on the Department of Human Resources. I am going to ask the Administrator to call, because the information that I received when I was talking with a person on this Committee. I understand that there are some who are not serving there and is unable to serve. The only one that I knew that we were talking about is Ms. Caroline. I understand there are others on there, so we need to research and make sure that they need a replacement, because of health reasons or other reason hat they are unable to serve. If the Administrator will do that before we get back, so we will know if we will have to replace some other person.

Chair Martin: So, she needs to ascertain if they want to remain?

Commissioner Epps: Right. I did my research on that and found out some stuff that the Commissioners need to know. I'm not for just pushing someone aside because we need clarification whether those persons or person can serve on that committee. Maybe they don't realize that they need to be discontinued to be replaced.

Commissioner Corbett: Madam Chair, I believe that everything that I have learned is we are not allowed to take people off Boards until expiration of their time. I will not entertain, and I will not sit at this table and talk about people's health conditions.

Commissioner Epps: That is not what I am saying. What I'm saying is that I was told that we have a person that say they cannot serve, but maybe they don't understand they have to let us know that they need to be. So, we need to find out. I know because in my conversation they talked about needing a quorum, having to have a quorum and someone is not there. It is just that if we have someone, may not have had clarification that if you get to the point that you can't serve then you should send a letter in and contact someone in the Commission Office or the person that appointed that person to that position serve. I don't want to remove anyone I am saying that we need clarification.

Commissioner Corbett: Madam Chair, I would like to ask the Attorney. I really need your thoughts on this. Too many times we are saying someone is out due to a medical condition and we are saying what the medical condition is and we are now saying that they may not be able to serve. We need to be very careful in what we are doing. Especially for people that are our employees, but I don't want to be in this Chamber talking about people medical conditions or anything about their status. I think that is improper and illegal. Do you agree?

Attorney Funderburk: Yes. Let me just say this generally. You have an Administration Office and if you want to remind the public of something those are issues that they need to contact the Administrative Office of the County. It is really not public information that needs to come across this table, unless they actually resign. People must have enough sense on these Boards, if they have a question, they need to call the Administration Office to find out what their course of action is.

Commissioner Corbett: I guess my question is more referred to, we have actually sat here and said so and so is out due to this kind of surgery and that is absolutely improper to say that. I think that we should star calling that out if someone says that.

Attorney Funderburk: It is legally a problem

Commissioner Reed: Madam Chair, the best thing we need to do is to drop that subject. If a person is unable to serve, they have sense enough to send in a letter saying they are going to step down. We need not go any further.

Commissioner Lee: It would be up to the Director of that Committee to contact their members if they know whether they attend the meetings, we don't. That Director need to contact them and find out if they are willing to keep serving. If they are then they keep serving. There is nothing that we can do about that. We can't force people to attend the meetings. It is not up to us to contact them.

Attorney Funderburk: The general administration of the County, all administrative questions like that should come through the Administration. They should only come before you if you should have to replace them if they have resigned.

Commissioner Epps: Thank you for the information. I did not bring this subject up for a long drawn out discussion. Thank you for the information. We are all here to learn and I am still of age that I can continue to learn.

Administrator Horne: Madam Chair, I would like clarification for future procedure with the new agenda policy. Not that this is a big issue. I don't mind doing that, but any item assigned for myself, the Engineer or Department Head, does it not require a vote? This was just for discussion purposes, but according to Open Meetings Law that any assignments under Discussion require a vote.

Commissioner Lee: No, under this it should be Commissioner's Comments, not really discussion. I think if you read in the Open Meetings Law that this was taken from, during this time, while the Commissioners are making comments, they can't make any assignments to you, the Engineer or anybody else. So, it would not take a vote. If they want to do something like that then they would do it under the regular Discussion Items. This is just Commissioner's comments. Commissioner Epps just a comment, not on the agenda.

Commissioner Epps: That is all.

Commissioner Lee: it needs to be Comments and not Discussion.

Administrator Horne: So, any assignments will require a vote.

Commissioner Lee: Any assignments, yes. We can't make assignments during this period. This is just comments. If there is something that needs assignment, then it would be taken up at the next meeting under business.

Administrator Horne: I just want to make sure that was right.

Announcements were made by Chair Martin:

- ❖ November 29<sup>th</sup>, 2018 at 10:00 a.m. EST, Russell County High School will host a Ribbon Cutting for the RCHS Renovations.
- ❖ December 1<sup>st</sup> at 9:00 A.M. EST the Commission is invited to a reception for the 2018 Bi City Christmas Parade at the Phenix City Utilities Department.
- ❖ December 5<sup>th</sup> at 11:00 A.M. Phenix City Housing Authority invites you to a ground breaking for Whitewater Village.
- ❖ December 6<sup>th</sup>, at 12:30 P.M. until 4:30 P.M. at the Russell County Extension Office will have a Private Pesticide Applicator Training /Test Class.
- ❖ December 15<sup>th</sup> at 7:30 P.M. the Maneuver Center of Excellence Band presents TIS the Season at the River Center for the Performing Arts.

Commissioner Corbett announce December 15<sup>th</sup> will be Breakfast with Santa at the Masonic Lodge from 8:00 a.m. until 11:00 a.m.

Commissioner Epps announced the on December 5<sup>th</sup> and 6<sup>th</sup> the ACCA Conference will be held in Montgomery at the Renaissance.

Chair Martin motioned to recess the Commission Meeting. Seconded by Commissioner Lee who added that the meeting will resume at 9:00 a.m. on Friday December 7<sup>th</sup> at the Judicial Building.

The meeting was recessed.

After careful examination and considerations, the Commission authorized the Administrator4 to pay the following bills from the perspective funds.

#### November 2018 Checks

<b>General Fund 001</b>				
17799	11-01-18	Phenix-Girard Bank (Russell County Payroll) Salary 10/20/18 - 11/02/18	3030	\$408,291.17
17800	11-06-18	Heath Taylor	51810 322	\$13,450.00
17801	11-06-18	Tucso Atlantic Consulting	41250 018	\$1,500.00
17802	11-06-18	Heath Taylor	51910 322	\$100.00
17803	11-09-18	Juvenile Drug Fund	59248 700	\$7,500.00
17804	11-09-18	Operations Fund Phenix-Girard Bank	3020	\$100,880.78
17805	11-09-18	Heath Taylor	51910 322	\$125.00
17806	11-15-18	Phenix-Girard Bank (Russell County Payroll) Salary 11/03/18-11/16/18	3030	\$348,562.44
17807	11-21-18	Operations Fund Phenix-Girard Bank	3020	\$125,869.15
17808	11-26-18	R.C. Fire Department Association	3040	\$79,150.00
17809	11-29-18	Phenix-Girard Bank (Russell County Payroll)	3030	\$353,215.54

		Salary 11/17/18-11/30/18		
17810	11-29-18	Blue Cross & Blue Shield of Ala	52100 122	\$1,103.62
17811		VOID		
17814	11-30-18	Phenix-Girard Bank (Russell County Payroll)		\$24,553.00
		<b>Contingent Fund 282</b>		
282	11-28-18	City of Phenix City	51100 253	\$450.00
		<b>Ft. Mitchell Senior Center</b>		
1222	11-06-18	Shelly Young	47210 000	\$125.00
		<b>Masonic Lodge Fund 104</b>		
1095	11-21-18	Trugreen	51100 499	\$90.00
1096	11-28-18	Lisa Key	47210 000	\$125.00
		<b>Gasoline Tax 111 Fund</b>		
13528	11-01-18	Phenix-Girard Bank (Russell County Payroll) Salary 10/20/18 - 11/02/18	3030	\$93,531.85
13529	11-09-18	Operations Fund Phenix-Girard Bank	3020	\$49,787.10
13530	11-15-18	Phenix-Girard Bank (Russell County Payroll) Salary 11/03/18-11/16/18	3030	\$74,817.42
13531	11-21-18	Local Government Health Insurance Board	53100 122	\$459.00
13532	11-21-18	Larry W. Kite, Jr.	53100 122	\$1,241.00
13533	11-21-18	Operations Fund Phenix-Girard Bank	3020	\$6,462.15
13534	11-26-18	Blue Cross & Blue Shield of Ala	53100 122	\$168.10
13535	11-06-18	Blue Cross and Blue Shield of Ala	53100 122	\$32.00
13536	11-29-18	Phenix-Girard Bank (Russell County Payroll) Salary 11/17/18-11/30/18	3030	\$74,658.87
13538	11-30-18	Phenix-Girard Bank (Russell County Payroll)	53100 122	\$12,230.00
		<b>Road &amp; Bridge 112</b>		
1294	11-02-18	Buster Sanders	51100 307	\$116.00
1295	11-02-18	Earkus Lee Jones	51100 307	\$8,275.00
1296	11-05-18	Stivers Ford Lincoln	51100 550	\$150,340.00
1297	11-07-18	Steve's Auto Repair	47100 000	\$990.55
1298	11-09-18	Operations Fund Phenix-Girard Bank	3020	\$12,057.48
1299	11-09-18	Beth Monk	51100 307	\$840.00
1300	11-16-18	Buster Sanders	51100 307	\$116.00
1301	11-19-18	Rebecca Boswell	51100 307	\$330.00
1302	11-26-18	Beth Monk	51100 307	\$866.00
1303	11-30-18	Buster Sanders	51100 307	\$86.00
1304	11-30-18	Kevin Hennessey	51100 307	\$375.00
1305	11-30-18	Richard Thomas	51100 307	\$570.00
1306	11-30-18	MGM Remodeling & Electrical	51100 307	\$2,750.00
		<b>RRR Fund 117</b>		
1193	11-28-18	Alabama Dept. of Transportation	53100 530	\$97,793.77
		<b>Reappraisal Fund 120</b>		
2197	11-01-18	Phenix-Girard Bank (Russell County Payroll) Salary 10/20/18 - 11/02/18	3030	\$24,680.12
2198	11-09-18	Operations Fund Phenix-Girard Bank	3020	\$564.95

2199	11-15-18	Phenix-Girard Bank (Russell County Payroll) Salary 11/03/18-11/16/18	3030	\$20,615.64
2200	11-21-18	Operations Fund Phenix-Girard Bank	3020	\$3,694.51
2201	11-29-18	Phenix-Girard Bank (Russell County Payroll) Salary 11/17/18-11/30/18	3030	\$20,654.69
2202	11-30-18	Phenix-Girard Bank (Russell County Payroll)	51985 122	\$896.00
		<b>Juvenile Drug Court Fund 195</b>		
1248	11-01-18	Tommy Powell	56900 199	\$895.71
1249	11-16-18	Tommy Powell	56900 199	\$895.71
		<b>Garbage Fund 511</b>		
1558	11-01-18	Phenix-Girard Bank (Russell County Payroll) Salary 10/13/18-10/26/18	3030	\$70,522.74
1559	11-07-18	Paulette Colbert Tag Commissioner	54100 499	\$18.00
1560	11-09-18	Operations Fund Phenix-Girard Bank	3020	\$34,184.18
1561	11-15-18	Phenix-Girard Bank (Russell County Payroll) Salary 10/27/18-11/09/18	3030	\$53,727.56
1562	11-21-18	Operations Fund Phenix-Girard Bank	3020	\$27,464.37
1563	11-26-18	Postmaster	54100 252	\$2,534.29
1565	11-29-18	Phenix-Girard Bank (Russell County Payroll) Salary 11/10/18-11/23/18	3030	\$59,931.92
1566	11-30-18	Phenix-Girard Bank (Russell County Payroll)	54100 122	\$1,346.00
	11-07-18	Garbage Refund Checks 60994-61005		\$231.89
		<b>Garbage Escrow Fund 513</b>		
0023	11-26-18	Garbage Fund Phenix-Girard Bank	3040	\$104.00
		<b>Russell Payroll 710</b> See Check Register in the Commission Office		
		<b>General Fund 718</b> See Check Register in the Commission Office		
		<b>Donation Fund 750</b>		
465	11-09-18	Gasoline Fund	62106 299	\$100,000.00
466	11-09-18	JTM Corp	51100 499	\$7,433.75
467	11-21-18	JTM Corporation	51100 499	\$98.80
		<b>Law Library Fund 755</b>		
1048	11-09-18	LexisNexis	51100 410	\$1,179.87
1049	11-21-18	Malone Office Environment	51100 499	\$311.67
1050	11-21-18	LexisNexis	51100 410	\$773.02
1051	11-27-18	Berney Office Solutions	51100 499	\$3.71
		<b>Worthless Check 761</b>		
510	11-07-18	Worthless Check Unit Office of District Attorney		\$4,409.59

		51260 365	\$1,543.36	
		51260 362	\$2,866.23	
		<b>Land Redemption Fund 786</b>		
748	11-05-18	Naomi Elliott, Rev Commissioner	3040	\$53.35
749	11-05-18	Naomi Elliott Rev. Commissioner	3040	\$1,000.00
750	11-07-18	Naomi Elliott, Rev. Commissioner	3040	\$661.67
751	11-21-18	Naomi Elliott Rev. Commissioner	3040	\$185.73
		<b>Juvenile Service Fund 787</b>		
2249	11-09-18	Verizon	52600 499	\$130.76
		<b>County Tobacco Fund 797</b>		
471	11-26-18	Russell County Volunteer Fire Department Association	3040	\$21,532.66
472	11-26-18	Project Greene Light	3040	\$566.64
473	11-28-18	Task Force for Senior Citizens	3040	\$566.64

Attest: \_\_\_\_\_ Signed: \_\_\_\_\_  
 County Administrator Chair