

The Russell County Commission
Meeting Minutes
February 11th, 2015
9:30 A.M. EST.

The Russell County Commission meeting was called to order by Commission Chair Peggy Martin.

The invocation was given by Ritchie Ashburn, Pastor of Silver Run Baptist Church.

The Pledge of Allegiance was led by Commissioner Screws.

Probate Judge Alford Harden made a public comment concerning same sex marriage and the issuance of marriage license in Russell County. Two weeks ago The Federal District Court Judge in Mobile, Alabama struck down same sex ban on marriages in Alabama. He issued an order that Alabama would no longer uphold the ban. The Russell County Probate Office was set up to issue a marriage license to everyone on Monday, February 9th, but Sunday night the Chief Justice of Alabama's Supreme Court issued that the Probate Judges in Alabama could not issue marriage license to same sex couples. Due to conflicting orders, and being that the Chief Justice is the Chief Judicial Official in this State, therefore, on Monday the Russell County Probate Office honored his order and continue to honor it at this time as well as the Federal order. After discussions with the County Attorney on Tuesday, and until this matter has been clarified, Russell County and other counties will no longer issue marriage license to same sex or heterosexual couples at this time. Judge Harden and the County Attorney believe this will protect the county from lawsuits, and Judge Harden hopes a ruling will come down by Thursday, no later than Tuesday, so the Probate Office can get back to business.

Charles Hollowell discussed the Ambulance Building. He suggested considering prefab or modular construction for this building, especially since there have been improvements on this type building that will allow upgrade at a later time if necessary.

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

The Commission role was called, members present were: Chair Peggy Martin, Vice Chair Cattie Epps, Gentry Lee, Tillman Pugh, Ronnie Reed, Chance Corbett and Larry Screws. Also present were Attorney Robert Lane and County Administrator LeAnn Horne, who kept the minutes.

A quorum was established.

Chair Martin requested a motion to approve the minutes from January 28th, Public Hearing and Commission Meeting. Commissioner Pugh motioned to approve the meeting minutes and was seconded by Commissioner Lee. The vote to approve was unanimous.

Commissioner Reed celebrated Black History Month by presenting citizens with achievement awards. Dr. Hardaway also sang in celebration.

Chamber of Commerce Economic Director James McGill gave a report on the Grocery Store Study that he contacted several months ago. The study will help negotiate and recruit grocery stores to the Ft. Mitchell area. There are several sites in this area which have good potential for housing a grocery store within a 13,000 square foot dimension. It is estimated that a grocery store of this size could generate \$75,000 a week, topping out at about \$96,000. This would be a great tax generator. There are several sites, which will allow for turn lanes, though all sites are not suitable for turn lanes. The number one site for a grocery store is the intersection of Hwy 165 and County Road 18. There is also a turn lane already available at this site. Commissioner Pugh motioned to accept the Grocery Store Study and was seconded by Commissioner Lee. The vote was unanimous.

Commissioner Lee motioned to allow Maintenance Director Richard Sellers, Bill Friend and Commissioner Pugh to discuss the location of the Ladonia Sports Complex Concession Stand and let them make the decision of where its placement would best serve the complex and the most cost effective way to add the restrooms. Seconded by Commissioner Corbett. The vote was unanimous.

Revenue Commissioner Naomi Elliott requested approval of the annual Ad Valorem Tax Resolution for 2015. The amount of the tax has not increased. Commissioner Screws motioned to approve the resolution and was seconded by Commissioner Epps. The vote was unanimous.

Commissioner Reed motioned to table the Water and Sewer Board appointment. The motion died because there was not a second. Commissioner Pugh motioned to reappoint Mr. E.L. Torbert to the Water and Sewer Board. Seconded by Commissioner Screws. District 1(Lee) voted, yes; District 2 (Pugh) voted, yes ; District 3 (Martin) voted, yes; District 4 (Reed) voted, no; District 5 (Epps), abstained; District 6 (Corbett) voted, yes; District 7(Screws) voted, yes. 5 yes votes, 1 no vote and 1 abstention the motion passed.

Commissioner Epps motioned to appoint Jimmy Jackson to the Russell County Utility Board. Seconded by Commissioner Screws. Commissioner Pugh questioned if this board is still needed since it falls under the County Administrator. Commissioner Reed suggested the board name should be changed from Utilities to Sanitation. The Commissioner was polled, the vote was unanimous.

Commissioner Corbett presented an agreement from Alabama State Historical Commission for acceptance of a \$5,000 grant for capital improvements of the Tuckabatchee Lodge 96 and Crawford Park Project. The grant will be awarded in two increments of \$2,500 in March and the remainder in September. Commissioner Corbett motioned to authorize the Chair sign the grant documents and return them to the Historic Commission. Seconded by Commissioner Epps. Administrator Horne added the grant funds will be placed in the revenue line of State Grants and in the Parks and Recreations budget in line 499 other. The vote was unanimous.

County Engineer Larry Kite requested to purchase of a John Deer JD 672GP Motorgrader from Warrior Tractor and Equipment in the amount of \$238,652.00 which is off the ACCA joint bid. He also requested approval of financing the motorgrader through BancorpSouth Finance. Commissioner Pugh motioned to approve the purchase and was seconded by Commissioner Screws. The vote was unanimous.

Mr. Kite updated the Commission concerning a Uniform Clothing bid opened in January at the Annual Material Bid. Mr. Kite had recommended awarding the bid to G&K Services for the uniform clothing bid. Later he found an error was made by G&K, which submitted their bid as per garment instead of per set of garments, as specified. Notices of the award had been sent out before the error was discovered. A notice was sent out to G&K stating that Mr. Kite was recommending for the Commission to recind the bid award. The County Attorney also recommended doing so, and to rebid the item or purchase the uniforms from another acceptable avenue. Mr. Kite did not want to go through that expense and time since the current contract for uniforms had expired. Therefore, he requested to utilize the rental uniform services through the National Joint Powers Allegiance, which is acceptable for counties in Alabama to use. They have the same prices from the same vendor, Unifirst, who was the true low bidder from the January bid. Commissioner Screws motioned to recind and reject the bid from G&K Services and allow the Engineering Department to approve Uni First as their uniform service provider. Seconded by Commissioner Lee. The vote was unanimous.

Special Enforcement Officer Bill Friend gave results of the bid opening held February 6, 2015 for backstops at the Seale Complex. Two companies submitted bids, Atlas Fence Company and Nolin Fence Company was the low bidder at \$15,550. He recommended that the Commission award the bid to Nolin Fence Company. Commissioner Screws motioned to approve Mr. Friend's recommendation and was seconded by Commissioners Pugh and Corbett. The vote was unanimous.

Administrator Horne recommended the Commission appoint a search committee for the Parks and Recreation Director position. It was previously agreed that each Commissioner may appoint one person to the board. The Commission announced the appointments as follows:

- District 1— Ray Hope
- District 2— David Ellis
- District 3— Todd Hughes
- District 4— Kelsey Parker

District 5— Gary Player
District 6— Roy Dixon
District 7— Vincent Wiggins

Commissioner Pugh requested that the Chair Martin be the point person to the committee to send out messages and to set a meeting date. At this first meeting they are to appoint a Committee Chair so they can begin setting their meeting dates and moving their agenda.

Attorney Robert Lane made a clarification of local bidders: State Code of Alabama Section 41-16-50 addresses the local preference which was mentioned at Monday's work session. Prior to advertising for bids for an item of personal property where the county is the awarding authority; the county may establish a local preference zone consisting of either:

1. Legal boundaries of the county "county wide"
2. Or the core-based statistical area in which the awarding authority is located. According to the County Administrator are basically Opelika, Auburn, Russell County, and Columbus.

Therefore, if the county wants to give local preference, they have to either establish jurisdiction to be either of the named areas. That is up to the commission to decide.

Commissioner Lee motioned to make the area the legal boundary of Russell County. The motion died for a lack of a second.

Commissioner Pugh motioned to make the bid zone the MSA area, metropolitan statistical area. Seconded by Commissioner Corbett. Discussion took place concerning the area that would qualify and bid laws for Alabama.

Attorney Lane explained that metropolitan statistical area is not the correct term to use under Alabama Statue. The term is core based statistical area; though they may be one in the same, but the statue requires core based statistical area specified. More discussion took place concerning what areas are defined in the core-based statistical area. The U.S. Census Map shows that area being: Russell, Lee, Chambers, Harris, Chattahoochee, Muscogee, and Marion Counties.

Attorney Lane also stated that bid laws are: if the bid is no more than 3% greater than the bid of the lowest responsible bidder, the awarding authority "County" may award the contract to the resident responsible bidder. The county is not mandated to award to the lowest bidder or resident bidder it is just an option.

Commissioner Lee clarified the bid area as being: Russell, Lee, Chambers, Harris, Chattahoochee, Muscogee, and Marion Counties. Administrator Horne polled the Commission. The vote was unanimous.

Announcements were made by Chair Martin.

The meeting was adjourned.