

The Russell County Commission
Meeting Minutes
February 13, 2019
9:30 A.M. EST

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

The Commissioners and audience gave the invocation.

Commissioner Reed led the Pledge of Allegiance.

Citizen Thomas Logan reported concerns about the road he lives on, Lakeview Drive, Cottonton, AL. He informed the Commission that the Cottonton Community needs some attention and asked them to schedule maintenance of roads for that area.

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.

County Administrator LeAnn Horne established a quorum. Members present were; Chair Martin, Gentry Lee, Carl Currington, Ronnie Reed, Vice Chair Cattie Epps, Chance Corbett and Larry Screws. Also, present was the County Attorney Kenneth Funderburk.

APPROVAL OF MINUTES:

Commissioner Epps motioned to approve the January 9th, 2019 and January 23rd, 2019 meeting minutes. Seconded by Commissioner Reed. The vote was unanimous.

RESOLUTIONS AND PROCLAMATIONS:

Commissioner Martin introduced Mr. Payne who represents the Association for the Ft. Mitchell National Cemetery. He presented a certificate to the County Commission. Mr. Payne, Chair of the Ft. Mitchell, stated this certificate is on behalf of the Ft. Mitchell National Cemetery Director and support committee members. The certificate is for your support of the Wreaths of Across America. Mr. Payne thanked the Commission

BUSINESS ITEMS:

Commissioner Martin requested a donation for the CVCC Foundation Hall of Fame Sponsorship. Chair Martin was requesting from the contingency fund \$500 towards this foundation. Commissioner Lee motioned to approved. Seconded by Commissioner Reed. The vote was unanimous.

Commissioner Corbett stated there was a position that is coming up for appointment on the DHR Board. Upon a vacancy Mr. Oscar Tuff, a citizen of Russell County, stepped-in and filled that expiring term. It is time for that position to be renewed. Mr. Tuff had provided a letter stating that he would like to be reappointed to that position for a full term. I have checked, he is a very good person. He is a reserve deputy with the Sheriff's Office and a nice guy. From what I can tell, he has made almost, if not every meeting and really enjoys being involved. At this time, Commissioner Corbett made a motion for Mr. Oscar Tuff be reappointed to that position on the DHR Board. The term is six years. Commissioner Martin seconded. Commissioner Lee stated that should be a nomination, but we can handle it this way. County Administrator polled the Commission. The vote was unanimous.

Commissioner Corbett stated that he has realized the County has a need to have an agency designated in the County for receiving applications and approving historic markers within the County. We have been floating along for a while since the Chattahoochee Historic Commission closed. Commissioner Corbett reported it was passed on to a group in Columbus. He stated he has had made a couple of phone calls

and has not received a call back for the Caldwell Gospel Singers homesite on County Road 22 is one. I began working on trying to find out what the proper way to handle historic markers was. I actually went and spoke to the Russell County Historical Commission for which our Sheriff Heath Taylor is the President of, and our Supernumerary Sheriff Thomas Boswell is the Vice President, Revenue Commissioner Naomi Elliot and Commissioner Lee are also on the Historic Commission. They agreed the right place for this procedure would be the Russell County Historical Commission. They will receive the applications, do research and make sure the information on the historical markers is correct. Then we would have an approval process before they are actually put up in the County. That way we prevent people from just sticking up historical markers for no reason or at will. I spoke with them, I spoke with the Sheriff because it was mentioned on Monday night, we would like to have someone here from the group. The Sheriff is out of town, so he was not able to be here today but fully supports this as does Sheriff Boswell along with the rest of the Committee. I would like to make a motion that all request for historic markers in the County, that the applications be forwarded to the Russell County Historical Commission for approval. Seconded by Commissioner Lee. The vote was unanimous.

Commissioner Corbett stated that: It has been two years now Dr. White pointed out on Monday night, this Commission approved members supporting the creating (Mr. Screws requested full discussion be included) of a Bicentennial Committee for Bicentennial of Alabama which is December of this year. Several projects have come out of that bicentennial committee. The one project that came out was representing the history of Phenix City in the form of a statue to honor the late Albert Patterson who was the Attorney General. Most of you know the history associated with the Coulter Building in Phenix City. This project has been a very good project moving forward obviously funding was one issue they we were concerned about and how it was going to be funded. Dr. White went out and spoke with and worked with an artist. I think a donation actually paid for the small model of the statue. The bust of what the head of the statue will look like that is in front of you today. As I said a project that the committee has supported whole heartedly and will be a very big benefit for our community. The location that we looked at is the Coulter Building, which we hope one day be in a lot better shape. It is on 5th Avenue which is very close to the Old Post Office that we are remodeling. Also, the Courthouse and the Judicial Center. This is a prime location for this statue. Working on this there was an initial amount of money that had to be received before the artist could get started which was \$10,000. Then, the entire project for the statue cost is \$35,000. The Chamber of Commerce has stepped up and asked to pay the \$2000 for the bench. It is an eight-foot bench as Dr. White stated Monday night. A full-size bench which the statue will sit on. We fully expect people will sit and take pictures with the statue. In fact, if you will look at the screen, I actually have a few pictures of other benches similar that other cities have done for tourism projects. Now keep in mind, the money that I am proposing for this, which will come in a second, can only be used towards tourism. It is not like we could use it for anything else in the County. These benches have been something that has attracted people to an area and in fact, what we have seen in several cases that people would actually sit there and get their picture made.

This idea came from a visit when we did the Inner Cities Visit to promote tourism and economic development touring Greenville, South Carolina, in which we were looking at the people sitting and getting their pictures made.

Albert Patterson, being the figure he was, and with the history of Phenix City seemed to be a good choice for this and that area. The model is down here on the front table. It is a very good rendition of what it will look like or what we will hope it will look like when its done. The project as I mentioned had to have an initial infusion of cash to get it off the ground and get it going.

I reached out to Representative Blackshear and spoke to him about this project because we have been talking about tourism and areas that Phenix City was already developing down there near the river. I also talked with the Alabama State Tourism Office. They gave us a commitment of \$15,000 to help get this project off the ground. Again, the Chamber of Commerce has given \$2,000 for the bench.

The actual spot is on City property and will require the city's approval. Jennifer Lowman has been working with the city and with the City Manager. They seem to think this is a great idea as well. I would like to ask the Commission today to support this project by matching what the state has already committed to which would be instead of \$20,000 than \$15,000 from tourism money, to honor our history and improving an area that we own with so many buildings and property on 5th Avenue.

At this time, I would like to make a motion we use \$20,000 of County tourism money, solely dedicated to tourism for this project supporting the Bicentennial Committee. Commissioner Lee seconded.

Commissioner Reed moved to table this project. Commissioner Martin stated, we do have a motion on the floor with a second. Commissioner Lee stated A table takes Precedence, but you have got to have a second. Commissioner Epps seconded. Commissioner Lee stated you do not have comments on a table you just vote. Commissioner Epps: stated for an education moment and a teaching moment, if we may say so, he seconded, he offered the motion, Gentry seconded that motion. When it came down to Commissioner Reed, he said I move to table it.

Commissioner Lee and County Attorney Funderburk stated that is correct. Commissioner Epps stated she seconded it. Commissioner Lee stated: Now we vote. Commissioner Epps asked, we are now voting on the table, correct. Commissioner Epps stated she just wanted to make sure what they were voting on. Commissioner Reed stated we are voting on the table. Commissioner Martin asked which one are we taking on first?

Commissioner Lee stated, we have to do the table. Commissioner Corbett stated, we are going to vote the table down. Commissioner Corbett called for the vote. District 1, Lee voted no; District 2, Currington voted no; 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. Commissioner Corbett stated great job Commissioners. Motion to table approved.

Commissioner Lee stated I think we have four democrats up here now to tell the truth. Commissioner Corbett stated, it didn't have anything to do with that, we just don't want progress. Commissioner Martin stated we just want to be sure we have the funding.

Commissioner Screws stated, Madam Chair before we go on, I think we need to clear up something. One; Mr. Corbett is serving on this committee. He can't bring this because it is a conflict. Commissioner Corbett stated, absolutely not. I don't make any money on this committee. I don't get paid a dime; I volunteer.

Commissioner Screws stated you are voting to get money; you are voting to get money. Commissioner Corbett; stated it was for a good cause.

Commissioner Screws stated I asks that we ask the Ethics Committee to give us a recommendation because I don't feel comfortable voting; my wife is on the committee too. Commissioner Corbett stated, she is the President of CVCC. Commissioner Screws stated she is on this committee though. Commissioner Lee stated, it is just excuses. Commissioner Corbett stated, this is unbelievable.

Commissioner Screws asked for the attorney to give us clearance, give us an understanding of what we can vote for.

County Attorney Funderburk stated, it wouldn't hurt to get a clearance. He can't speak if it is ethics or not, but the comments do not need to come along with the tabled vote. County Attorney Funderburk stated, the comments were inappropriate. Commissioner Lee stated, it is voted to table now. Commissioner Corbett stated, why are we even talking about it? Let's move on. Commissioner Martin stated, it is tabled, and we will move on.

Chief Alexander requested for the Sheriff's Department to send out the annual food bids on February 15th and have them returned on March 7th. Commissioner Epps motioned to accept the recommendation from the Sheriff's Department. Commissioner Reed seconded. The vote was unanimous.

Alan McClure with the Engineering Department reported on the annual bid results. The packet was given to the Commissioners on Monday night. Alan stated, the Russell County Highway Department recommends that the annual bids be awarded as listed below. They were determined to meet bid specifications and are lowest responsible bidders.

Bid 001-19 Striping Awarded to Ozark Striping
 Bid 002-19 Liquid Asphalt Split Bid- Ergon Asphalt Emulsion/Hunt Refining Split
 Bid 04A-19 Bituminous Paving Split Bid- East Alabama Paving/Robinson Paving Parker
 005-19 Grassing Parker Grassing
 Bid 006-19 Aluminized Pipe Split Bid-Harvey Culvert Co/Ferguson Water
 HDPE Pipe Thompson Supply Co
 Bid 007-19 Aggregates Split Bid- Columbus Quarry/Birmingham Vulcan/
 Martin Marietta
 Bid 008-19 Concrete Pipe Split Bid- Harvey Culvert Co. /Foley Products
 Bid 009-19 Truck Hauling Split Bid- Hilton Cooper Cont., /M&M Trucking
 Bid 010-19 Motor Grader Blade Bid-Thompson CAT Tractor and Equip.
 Bid 011-19 CRF Maltene Base Corrective Asphalt Materials
 Bid 012-19 Crushed Con. Agg. M & M Trucking
 Bid 014-19 Fencing Split Bid-Georgia Wholesale/ResCom Fencing

Emergency Manager, Bob Franklin, requested to Bid three Storm Shelters. This is the same five that were bid last year. Because the money came in a little higher than what we were expecting we backed those down to the first three we had on the list which will be Ft. Mitchell, Seale and Hurtsboro. We want to move forward on those three. We want to do the bid opening on March 1st, here in the Commission Chamber at 10:00 a.m. Commissioner Screws motioned to approve. Seconded by Commissioner Reed. The vote was unanimous.

County Administrator LeAnn Horne stated at this time I am recommending to fill the vacancy of the Director's slot, for the construction and Maintenance Department for Russell County. His name is Mr. Leon Watson. As I stated Monday evening, he has over 32 years of experience and holds several licenses in both Alabama and Georgia. He holds his home builders license. He has extensive training and is very knowledgeable in all types of computers and alarm systems. He is multi-crafted. He would certainly serve the Commission and County well for years to come. His salary will be \$59,900. That is a reduction of what he is currently making. Also, like all other county employees, he will have a six-month probationary period. He will be evaluated at the end of six months if the Commission so desires to approve. Commissioner Reed made a motion to approve. Seconded by Commissioner Epps. Commissioner Lee asked what is the budgeted amount for that position? County Administrator LeAnn Horne stated \$59,982. However, I do want to point out that we recently hired an assistant to the Director with that position, we saved over \$10,000. We did make a reduction in salaries. Commissioner Epps asked what is the policy of the employees taking vehicles home? Are all Department Heads entitled to take a vehicle home, part timers and full timers? I just need clarification because when someone calls me, I will need to have a correct answer and not just one I make-up to make everyone feel comfortable because we are using tax payer's money when we are using County vehicles. County Administrator Horne stated we have a vehicle policy that is in the personnel policy book, I will be glad to give you a copy of that so you can have it on hand in the event you receive calls, or you can refer them to Carolyn to assist. The Department Heads govern their respective departments. Commissioner Epps stated the next question she has is do we have part time Department Heads in the County? County Administrator Horne stated we have a retired individual who came back and can only work a certain amount through the year because the State of Alabama has limited their income. County Administrator Horne stated that I wouldn't say that he is part time at all. County Commissioner Epps stated does part time employees take home county

vehicles? County Administrator Horne stated it is up to their Department Head and their department. Commissioner Epps stated, so the policy is just to make clear, the policy is that a part timer can hold a position of being a Department Head and if that part timer holds that position then that part timer also has the right to drive the county vehicles home? Commissioner Corbett stated he thought a volunteer could if they chose not to get paid. Commissioner Lee stated one of the big things in the take home policy is where they are on call 24 hours. We have fought this for 25 years. If a person lives in Hatchechubbee and the car is in Phenix City and an emergency happens and that person has to drive all the way to Phenix City to pick up the vehicle with the equipment on it that is 40 minutes wasted. Commissioner Epps stated that is not what her question is. Number one does the county have part time employees; employees that work at their pleasure or the time they are needed to work? Now if that part time person is a Department Head then that Department Head should be on call 24-7. Commissioner Epps stated, my question is do we have part time employees working as Department Heads? Commissioner Corbett stated, she answered it. We have one. Commissioner Epps stated now with that being said that a part time does that part time employee have the right to drive a county car home? County Administrator Horne stated yes. Commissioner Lee called for a point of order please, this is not on the Agenda. She can put it on the Agenda next time. We are hiring a Maintenance Director who is full time. Commissioner Epps said okay that is why I brought it up because we are talking about hiring someone. In my opinion, which we all have one, I know there are more of ya'll than there is of us, it has been said that over and over. It was also said this morning. I am just trying to get clarification on what is going on. I understand the person you hired is a Department Head is that right or just an employee? County Administrator Horne stated Madam Chair, Mrs. Epps there are two things. First of all, the State of Alabama limited the income when a full-time person retires, and they elect to come back. We have part time deputies that drive vehicles. Yes, ma'am it is allowed but the Department Head makes that determination if they're on call when they are doing the schedule. It is in our policy. This person that I am hiring will be full time as according to our policy. I wouldn't say the person you are thinking of is part time limited by salary because of the State of Alabama. Yes, they are running the department because there is no one else and they had ran it previously for 12-15 years. They are back and they have hired a part time person, between those two they are making a full time. They are alternating who is on call and who is not. They are working together to make sure the county is covered. But yes, even contracted employees, as long as they're affiliated or contracted they are legally allowed to drive vehicles. Commissioner Lee stated that anyone who has a take home car has to pay for that. Commissioner Corbett stated other than public safety. Commissioner Epps stated thank you, County Administrator for that clarification. The vote was unanimous.

County Administrator presented the State of Alabama Alcohol license. This is an annual renewal per the code of Alabama Sec;28-3A-4, Code of Alabama the Alcoholic Beverage Control Board accept the fees that are to be collected by the stores and retail merchants. The rates have not changed to my knowledge. I recommend approving those so they can continue to collect those fees for us. Commissioner Martin moved that it be approved. Seconded by Commissioner Epps. The vote was unanimous.

County Administrator stated the next thing on the agenda is the Avenu contract, they are formally RDS who collects our sales and use tax, lodging taxes and business license. At this time, I would ask the Commission to allow her to get with the County Attorney and review the contract and make the necessary changes, send those to Avenu and bring it back for final approval. County Attorney stated there is a limited information I need to give you in Executive Session regarding the contract. County Attorney Funderburk stated we are just asking for the Commission to authorize he and the County Administrator to go over it. Commissioner Epps motioned to approve. Seconded by Commissioner Martin. The vote was unanimous.

County Administrator Horne stated she did send out the Tower Bids. We did not receive any bids and at this time if it is alright with the Commission, I would like to get with our maintenance department and possibly Bob Franklin to look into ways for the county to remove that tower. Commissioner Lee stated since there were no bids the

County can hire someone to take the tower down. No motion needed just make sure recorded in the minutes no bids received.

County Attorney stated they need to go into Executive Session and may need to come back for a vote.

Announcements were made. Commissioner Martin moved to go into Executive Session. Seconded by Commissioner Reed. The vote was unanimous to recess for Executive Session.

Commissioner Martin moved to move out of recess to reconvene. Seconded by Commissioner Currington. The vote was unanimous. The meeting was reconvened.

County Attorney Funderburk stated his recommendation that we file the declaratory judgment case in Russell County Jail Contract. Commissioner Reed motioned to take the recommendation from the County Attorney. Commissioner Martin seconded. Commissioner Lee stated he thought he heard him say he was going to file in Russell County. County Attorney stated yes. Commissioner Lee stated he did not know if that was a good idea or not. County Attorney stated for the record he is asking for the judges to recuse themselves. He is asking for them to do that and asking for some speedy relief on a couple of the questions. It will all be a matter of public record if not this afternoon, maybe in the morning. Commissioner Lee stated he comment is this issue has been tried to be settled in the City and the County and so far, we have not been able to come to an agreement. One side is either going to be in favor and the other side is not and we don't know what that is at this time. The only way you can resolve issues like this is to let a court decide. We have one opinion and the City has another opinion and we don't seem to be able to come together in the middle apparently. Hopefully the court will be able to make a decision and not just kick it back to us. The vote was unanimous.

Commissioner Lee motioned to adjourn. Seconded by Commissioner Reed.

Attest: _____

County Administrator

Signed: _____

Chair

RUSSELL COUNTY COMMISSION			
BANK ACCOUNTS			
2018/2019			
31 ACCOUNTS			
001	GENERAL FUND	59 06 540	PHENIX GIRARD BANK
002	CONTINGENT FUND	126068700	B B & T BANK
103	FT MITCHELL SR CTR FUND	1002018222	C B & T
104	MASONIC LODGE FUND	5900725	PHENIX GIRARD BANK
105	COURT COST FUND	59 55 836	PHENIX GIRARD BANK
111	GASOLINE TAX FUND	59 00 675	PHENIX GIRARD BANK
112	ROAD & BRIDGE FUND	10 016 1	C B & T
116	CAPITAL IMP FUND	59 00 287	PHENIX GIRARD BANK
117	RRR GAS FUND	126068670	B B & T BANK
118	SECONDARY ROAD FUND	126068689	B B & T BANK
119	MINERAL SEVERANCE FUND	126068530	B B & T
120	REAPPRAISAL FUND	59 06 607	PHENIX GIRARD BANK
194	CO LAW ENFORCEMENT FUND	1002018230	C B & T
195	JUVENILE DRG COURT FUND	1002272035	C B & T
511	GARBAGE FUND	59-00-543	PHENIX GIRARD BANK
513	GARBAGE FUND ESCROW	5900717	PHENIX GIRARD BANK
710	PAYROLL FUND	59 06 623	PHENIX GIRARD BANK
718	OPERATION FUND-CLOSE SEPT	59 00 667	PHENIX GIRARD BANK
718	OPERATION FUND-OPEN SEPT	59-000-89	PHENIX GIRARD BANK
750	DONATION FUND	126068697	B B & T BANK
755	LAW LIBRARY FUND	59 55 927	PHENIX GIRARD BANK
761	WORTHLESS CHECKS FUND	59 55 810	PHENIX GIRARD BANK
779	MV TECHNOLOGY FUND	125411444	B B & T
780	REV COMM SPEC FUND	59 06 631	PHENIX GIRARD BANK
781	REV COMM MANUF FUND	12 340 4	C B & T
782	MOTOR VEH SPEC TRAINING	59 00 303	PHENIX GIRARD BANK
784	MVL COMM SPECIAL FUND	1002018214	C B & T
785	90-92 MVL COMM FUND	135682	C B & T
786	LAND REDEMPTION FUND	125411452	B B & T
787	JUVENILE SERVICE FUND	126068549	B B & T
797	TOBACCO TAX FUND	59 00 295	PHENIX GIRARD BANK
798	BEER TAX FUND	126068557	B B & T