

The Russell County Commission  
Meeting Minutes  
May 13<sup>th</sup>, 2015  
9:30 A.M. EST

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

The invocation was given by Robert Dickenson, Pastor of Shiloh Baptist Church.

The Pledge of Allegiance was led by Commissioner Corbett.

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 roll 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 Kenneth Funderburk and County Assistant Administrator Vickie Perry, who kept the minutes.

A quorum was established

Chair Martin requested a motion to approve the April 22<sup>nd</sup>, 2015 meeting minutes. Commissioner Pugh motioned to approve the minutes and was seconded by Commissioner Epps. The vote was unanimous.

The New Russell County Extension Coordinator Jennifer Davidson was present at the meeting. She gave the Commission a brief history of her experience as County Agent of Columbus. Mrs. Davidson will begin her position as Russell's County's Extension Coordinator June 1<sup>st</sup>, 2015.

Sewer Committee Representative David Ellis reference the April 28<sup>th</sup> Joint Meeting with the Planning Commission, the County Commission and the Russell County Sewer Authority, which purpose was to discuss solutions to a failing septic system in the Fort Mitchell area belonging to Cole Phillips. A proposed committee was presented at the meeting which consisted of Mark Clark, Mr. E.L. Torbert, Russell County Sewer Authority's Engineering firm, Commissioner Epps, Bill Friend, Russell County Engineer Larry Kite, and George Martin. The committee was charged with working with Mr. Phillips and his engineer and to report back to the Commission results of the meeting. Mr. Phillips does not accept their proposal. Therefore, negotiations will have to take place. It is up to the Commission whether they would like this committee to go forward or reappoint another committee to negotiate with Mr. Phillips.

Commissioner Pugh motioned to allow the Committee to proceed and they work with Mr. Phillips to bring back an offer to the Commission. Commissioner Pugh stated

whether Mr. Phillips is willing or not, he felt like the Commission would be remiss if they do not take an opportunity to do something even if it cost the County some money to get involved. The County has to at some point for sewage. So my motion is to allow the committee to go do its work, make an offer and then it will be up to the Commission or Mr. Phillips to turn the offer down.

Chair Martin asked if Commissioner Pugh is all right with the committee that Mr. Ellis named. Commissioner Pugh stated he was ok with the committee Mr. Ellis requested at Monday night's work session as long as his non-voting number can be a party to listen to what is going on. Seconded by Commissioner Epps.

Commissioner Lee stated that we have a Sewer Authority, why does the Commission need another committee? Could the different engineers meet with the sewer board and accomplish the same thing? At least they would have a little teeth in it coming from a board instead of an appointed committee. To me whatever the Committee comes back should go to the Sewer Board and they should make the recommendation to the Commission.

Commissioner Pugh agreed with Commissioner Lee, but the Sewer Authority can also meet. They are not held by the Commission's Committee and if they want to work with our Committee or sit in on those meetings, he saw no problem. They are open meetings. The Sewer Board should step up and say that they want to talk to Mr. Phillips also.

Commissioner Reed made known he thought we are wasting time, because the Commission is not going to put up any money. Where is the money going to come from?

Commissioner Corbett asked Mr. Ellis what his opinion was of the committee. Is the Committee good and will there be any progress? Is this a viable alternative to what is being done now?

Mr. Ellis said that he had mixed emotions and was not sure if the Commission should have a negotiating committee with a smaller number of people just to meet with Mr. Phillips. He was not trying to keep the Sewer Authority out of it, which is the reason he placed three members of the Sewer Authority on the committee.

Commissioner Corbett stated what he did not want to happen is Mr. Phillips come to the Commission and say that he was promised something. That is a concern since the committee consists of a large number of people. As long as it is controlled he said that he would support the committee. He also announced that he did not want people to think the Commission is going to do something that they are not.

Mr. Ellis understood Commissioner Corbett's comments and stated the opportunity is there and Mr. Phillips has the property that is needed. This property had already been looked at when discussions took place for a proposed decentralized system. Mr. Phillips

said that he should be offered something. As of now he feels he is expected to give his land and money.

Commissioner Corbett stated that the County would maintain the system.

Commissioner Lee added that Mr. Phillips needs to know that it is very expensive to maintain a system and the Commission doesn't expect him to give the County the same amount of money that it would cost him to build his own.

Mr. Ellis stated that had not been discussed with Mr. Phillips.

Commissioner Lee agreed it would have to be something.

Mr. Ellis replied that is all he understands right now is that he gives everything and the Commission gives nothing.

Attorney Funderburk informed the Sewer Authority is the board for the county and the County does not have authority over that Board. What the Commission is doing is appointing a committee essentially work and tell the Sewer Board what to do, so the legal process is the Authority will have to work that out. Then the County will have to figure out how much Mr. Phillips will have to pay and who collects it. At this point the committee can't override the authority of the Utilities.

Commissioner Pugh disagreed with Attorney Funderburk. This Board can negotiate with anybody over any Authority that we appoint. All I want to be able to say is that this Commission has looked at sewage in all areas in that area and if it is feasible then the board can come back and report. If it is then the Sewer Authority can look at and approve it or not approve it at their meeting. I want it to come through this board so we will know, because the public has perceived that this Commission has turned sewage down in the Fort Mitchell area. This is the opportunity to show people we are trying to do whatever comes up and look at those opportunities to get sewage for the county.

Commissioner Epps thought the committee was not put together to overrule anyone. The committee has representatives from all areas including Water and Sewer authorities and was created to negotiate with this private entity that needs sewage anyway. The Committee is to see how the County can fit in and if the County can put in sewage for Mr. Phillips to tap on. I'm trying to do what is best for the citizens and what is best for the County. If the Commission doesn't get together and do something then we are not doing what we were elected to do. If our citizens see we are trying to get something done in this area, then we will probably get much more support from the citizens. This Board was not to override anyone.

Mr. Ellis agreed with Commissioner Epps and he met with the Russell County Sewer Authority before he appointed a committee.

Chair Martin asked Assistant Administrator Perry to poll the Commission. The vote was unanimous.

The Ambulance Building was not discussed due to architect Scott Holmes was unable to attend today's meeting. Commissioner Screws asked this item be placed on the next meeting agenda.

Coroner Sumbry requested an amendment within his budget as follows for vehicle repairs:

**GENERAL FUND 001**

**CORONER-52400**

<b>DECREASE</b>	001 52400 211	OFFICE SUPPLIES	\$ 300.00
<b>DECREASE</b>	001 52400 212	FUEL & LUBRICANTS	\$1,500.00
<b>DECREASE</b>	001 52400 214	MINOR EQUIP	\$1,300.00
<b>DECREASE</b>	001 52400 251	TELEPHONE	\$1,000.00
<b>INCREASE</b>	001 52400 234	MOTOR VEHICLE REPAIRS	\$2,000.00
<b>INCREASE</b>	001 52400 252	POSTAGE	\$ 300.00
<b>INCREASE</b>	001 52400 250	COMMUNICATION	\$1,500.00
<b>INCREASE</b>	001 52400 251	TELEPHONE	\$ 300.00
<b>TOTAL</b>			<b>\$4,100.00</b>

Coroner Sumbry also requested that the Commission approve for his office to make amendments within his budget as needed for emergency situations without having to wait for the Commission to meet for approval.

Commissioner Pugh motioned to approve the budget amendment with the understanding that all Department Heads, not just the Coroner's Office will get proper purchase orders prior to having repair work, which is part of the County Policy. Seconded by Commissioner Reed.

Commissioner Lee asked if the second part of Coroner Sumbry's request included in Commissioner Pugh's motion.

Commissioner Pugh said no.

Coroner Sumbry: The van is in need of repair and needs to be repaired as soon as possible. Families should not have to wait and if I need something like body bags, it is unfair for families to have to wait for two (2) weeks for the Commission to meet to have this as a discussion based on an as need, when I need it the most during that period of time.

Commissioner Lee: If it is in your budget you don't have to wait.

Coroner Sumbry: If it is within the budget. But, if I have spent that money then I need something to rely on, instead of waiting to get a purchase order for 2 weeks until the money is restored into the budget. The City has reimbursed the county but it had not made it to the office. The purchase order had been requested, but funding was not available at that time. In my opinion a family should not have to wait.

Commissioner Corbett reminded Coroner Sumbry that the Commission is able to call an emergency meeting if needed.

Commissioner Reed told Coroner Sumbry that if the transport van needs replacing then he needs to include the purchase of a new van in his 2015-2016 budget.

Coroner Sumbry requested for the Commission tour his facilities to review what his office needs are.

Chair Martin requested Assistant Administrator Vickie Perry to poll the Commission. The vote was unanimous.

Sanitation Manager Carl Currington requested a budget amendment as follows:

**GARBAGE FUND 511**

<b>DECREASE</b>	511 54100 172	LANDFILL	\$20,000.00
<b>DECREASE</b>	511 54100 271	BLDG INSURANCE	\$3,000.00
<b>DECREASE</b>	511 54100 234	VEHICLE REPAIRS	\$15,000.00
<b>DECREASE</b>	511 54100 156	MEDICAL/SVC	\$500.00
<b>INCREASE</b>	511 54100 211	OFFICE SUPPLIES	\$500.00
<b>INCREASE</b>	511 54100 214	MINOR EQUIP	\$1,000.00
<b>INCREASE</b>	511 54100 215	TIRES & TUBES	\$5,000.00
<b>INCREASE</b>	511 54100 219	OTHER MISC SUPPLIES	\$15,000.00
<b>INCREASE</b>	511 54100 222	DATA PROCESSING	\$1,500.00
<b>INCREASE</b>	511 54100 234	VEHICLE REPAIR	\$15,000.00
<b>INCREASE</b>	511 54100 265	REGISTRATION/TRAINING	\$500.00
<b>TOTAL</b>			<b>\$38,500.00</b>

Commissioner Screws motioned to approve the requested amendment and was seconded by Commissioner Pugh. The vote was unanimous.

Jimmy Adams presented a request to purchase of an advertisement for the Annual Exchange Club Horse Show for the amount of \$500. Commissioner Pugh motioned to approve the purchase and was seconded by Commissioner Screws. The vote was unanimous.

Planning and Economic Development Specialist for Lee/Russell Council of Government,

Barbara Scott stated that the process for updating the Multi-jurisdiction Hazard Mitigation Plan is complete. It has been approved by FEMA and by AEMA. Mrs. Scott requested the Commission adopt the update of the Hazard Mitigation Plan. If approved today the plan will be current for 5 years. Commissioner Screws motioned to approve the plan update. Seconded by Commissioner Epps. The vote was unanimous.

Special Enforcement Officer Bill Friend stated that his request for serving warrants to a business owner who had not purchase licenses for his two (2) businesses had been resolved since presenting his request at Monday night's work session. There was no action for the Commission to take. (See note after Administrator's items.)

Assistant Administrator Perry gave results of the 50 Ton HVAC Bid held April 20<sup>th</sup>. Two (2) bids were received. The lowest bid was received from Trane in the amount of \$67,657.81. Commissioner Lee motioned to award the bid to Trane. Seconded by Commissioner Screws. The vote was unanimous.

The next work session falls on a state holiday therefore the Courthouse will be closed. Commissioner Lee motioned to cancel the work session and was seconded by Commissioner Reed. Commissioner Corbett requested not to place controversial items on the agenda since there would not be a work session to discuss those in depth. The vote was unanimous.

After the Administrator's items were presented Commissioner Pugh discussed the need to take action on Warrants for No Business License. Therefore, Commissioner Pugh motioned to place this item on the May 27<sup>th</sup> meeting agenda to make sure this matter has been cleared up. Seconded by Commissioner Corbett. The vote was unanimous.

Commissioner Epps thanked the Commission for conducting the meeting in an orderly manner though she had heard of all the controversy that supposedly going to take place.

Commissioner Epps also thanked Carl Currington again for all his work and the service he has given the community. She commented on people's positive reaction to the distribution of the 96 gallon garbage cans to sanitation customers and being able to provide those with only a \$1.50 increase to the monthly garbage bills.

Attorney Kenneth Funderburk gave an update regarding police jurisdiction. To straighten this issue out will require a constitutional amendment. The County and City may agree to move the limits back to the city. Mr. Funderburk stated he thought the City was interested in moving it back, but if the County is interested it will take a constitutional amendment. There is confusion because the law says one thing and local law says another. There is also litigation that official can't set a line but it does and the only way to straighten all of that out is with a constitutional amendment. This was also done in Lee County.

Commissioner Corbett stated if the Commission plans to move in that direction; he wanted the Sheriff to go ahead and start looking at this so the Commission will not be surprised and what predictions will be.

Commissioner Pugh asked if I would be possible to get figures to show what the City expenditures are within police jurisdiction at this time and determine what 50% of their 50% is to see what economic impact it would make on the County.

Attorney Funderburk agreed and declared that Administrator Horne and City Manager Hunter would need to meet. This will have a bearing on sales tax collected.

**ANNOUNCEMENTS:**

- Chair Martin informed the public that the Courthouse will be closed Monday, May 25<sup>th</sup> for Memorial Day.
- Commissioner Corbett announced the Historic Tuckabatchee Masonic Lodge Ribbon Cutting will be May 16<sup>th</sup> at 10:00 a.m. everyone is invited. The Masons have volunteered to provide food for all that attend.
- Chair Martin urged employees to participate in the Russell County Commission Annual Health Screening to be held Thursday May 14<sup>th</sup>, 2015 from 1:00 to 4:00 p.m. in the Atrium and from 5:00 to 7:30 p.m. at the Russell County Sheriff's Department. If the County reaches the goal on 80% we will receive a \$10.00 discount for each employee for the Fiscal year 2015/2016 and this discount will amount to \$31,000.00
- Commissioner Screws announced that on Monday night District 7 awarded three students scholarships of \$1,000 each and look forward increasing that next year. He thanked business and individuals who donated to make the scholarship program possible.

Commissioner Pugh motioned to adjourn the meeting.

The meeting was adjourned.