

The Russell County Commission
Meeting Minutes
May 28th, 2014
9:30 A.M. E.D.T.

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

An adjourned meeting of the Russell County Commission was called to order; members present were Chair Peggy Martin, Gentry Lee, Tillman Pugh, Ronnie Reed, Cattie Epps, Chance Corbett, and Larry Screws. 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 agenda. Commissioner Lee motioned to approve the agenda and was seconded by Commissioner Pugh. The vote was unanimous.

The invocation was given by Chair Martin.

The Pledge of Allegiance was led by Commissioner Reed.

Chair Martin requested a motion to approve the May 14^h, 2014 meeting minutes. Commissioner Pugh motioned to approve the meeting minutes. Seconded by Commissioner Screws. The vote was unanimous.

Mrs. Florence Bellamy reported the function of the Adult Protective Service Unit of the Russell County Department of Human Resources. Mrs. Bellamy thanked the support of the Commission. A proclamation was presented to the members of Adult Protective Service Unit for the World Elder Abuse Awareness Day that is recognized June 15th. Commissioner Reed motioned to approve the proclamation and was seconded by Commissioner Lee. The vote was unanimous.

Russell County Court Referral Services Program Director Sharon George and Alabama Department of Corrections Deputy Commissioner Jeff Williams and Judge Michael Bellamy requested a resolution of support for the program. Mr. Williams stated that there are 45 other counties in Alabama that have a community corrections program. In addition to the startup funding that we initially provided upon approval of this resolution and the program restarting the Department of Corrections will pay for those eligible offenders that are in a community corrections at a rate of \$10.00 per day. These individuals are obviously coming back into our communities anyway and to do so under supervision just creates safer communities for all of us to reside in. The courts of course, not the State or the Department of Corrections, determine who participate in that program. These are all local decisions. We basically support those decisions

financially and provide other in-kind support to the program as deemed necessary. Commissioner Corbett motioned to approve the support resolution and was seconded by Commissioner Reed.

Commissioner Epps informed Mr. Williams that she had a conference call with the NACo President and other county commissioners, which a program was discussed, called Big Brother's Keeper that is supported by the President, similar to this program and which there is funding for. She asked if Community Corrections and Court Services Plan fall under the Big Brother's Keeper Program.

Mr. Williams stated that the decisions of the Community Corrections Program is determined locally. If there are ways in which we can support efforts, not necessarily through that particular program, but if there are ways that we can support from the state level to strengthen a program that we ultimately understand will benefit the state as a whole. Then we sometimes, when funding is available, when the legislature is generous to us and there are funds available. We can fund a particular program or receive a request. We stand ready to support any efforts that we know will benefit and reduce recidivism.

Commissioner Epps detailed her conference call with NACo and most of the counties had a program similar to this one, but from information given to us, we could receive funding for this type program.

Mr. Williams announced that this community corrections program was not connected to any of the program she had discussed.

Judge Bellamy said if Commissioner Epps would let them know what it is and they would look at possible grant application.

The Administrator polled the Commission. The resolution for support of the Community Correction and Court Services was approved by unanimous vote.

Chair Martin gave an update to the Judicial Center Flag Pole Project. Removal of the current flag pole and replacement of a new flag pole at the new entrance of the Judicial Center is scheduled for this Fall.

Commissioner Pugh asked to have the wording "Russell County Judicial Center Main Entrance" placed at the top of the new front entrance and also on the East side of the building also have the same lettering for Russell County Judicial Center at the top which can be seen from the Columbus side of the river.

Commissioner Corbett discussed the Bay Area Food Bank, which began in Southwest Alabama to feed children while school was out for the summer. The food bank is looking for locations in Russell County to host the program. The application deadline was May 26th, but he did contact them to let them know that this was the first opportunity to introduce the program to the Commission body. The County is eligible to host up to five

(5) locations. Commissioner Corbett requested Administrator Horne to establish locations quickly. He gave requirements for the program and stated that there is no cost to Russell County Commission or anyone else.

Ft. Mitchell Water Manager David Ellis gave a report on recent sewer meetings. The Russell County Planning Commission will have a meeting June 17th, 2014 at 4:30 p.m. EDT in the Commission Chambers. The Commission, Russell County Sewer Authority and public are invited to attend. The purpose of the meeting is for planning of sewerage in Russell County. Commissioner Epps thanked David Ellis for his support in trying to get sewerage in Ft. Mitchell.

Commissioner Corbett addressed Alabama Limited Self Government. The purpose for bringing this item back to the Commission today is to review and approve a resolution allowing this issue to be placed as a referendum on the ballot at the November 4th, 2014 General Election. Administrator Horne read the resolution. Commissioner Corbett motioned to approve the resolution changing the word Act to Alabama Code. Seconded by Commissioner Pugh. Discussion took place concerning drafting the ordinance and how it could be enforced.

The County Attorney reminded the Commission there are other laws which take care of most of the issues named in this Alabama Code and suggested controlling the noise pollution with business license laws since that is already in place.

The Administrator polled the commission: District 1(Lee) voted, yes; District 2 (Pugh) voted, yes; District 3 (Martin) voted, no; District 4 (Reed) voted, no; District 5 (Epps) voted, yes; District 6(Corbett) voted, yes; District 7(Screws) voted, no. Four (4) yes votes and three (3) no votes; the motion passed.

Commissioner Corbett requested approval of application for a Community Enhancement Grant for installation of an elevator in the Old Seale Courthouse. An elevator is needed due to the steep incline to the second floor, where different functions take place. The bathrooms are on the main floor making travel from one floor to the other most difficult especially for those who are disabled or elderly. The proposal for the elevator grant should be submitted by July 10th. The Commission has set \$25,000 to help with this project, which is not enough. It is estimated that the project will cost \$100,000.

Lee-Russell Council of Government Representative Lisa Sandt discussed details and requirements of the grant application. The grant amount available is \$250,000 with a 10% county match, with 51% low and moderate income beneficiaries. The 2010 Census puts the tract that the courthouse falls in at 51.1%. A public hearing will also need to be held if the Commission votes to apply for the grant and a formal resolution with the total cost of the project including engineering and grant administration will be brought back for approval of the Commission. Ms. Sandt requested approval to move forward with the application and authorize Lee-Russell Council of Government to prepare the grant documents.

Commissioner Lee motioned to go forward with grant application and was seconded by Commissioner Corbett, who also stated, that the Commission has already set aside an appropriation of \$25,000 which will make the entire maximum match.

Commissioner Lee announced that the Old Seale Courthouse Association has also agreed to fund any cost overruns. The Administrator polled the Commission; the vote was unanimous.

Commissioner Corbett presented new specifications for the Masonic Lodge Project Bid. In the past meeting the only bid received was approved for rejection due budget restraints. More volunteers have stepped up to help with the renovations which will allow lessening specifications to fit within the budgeted amount. Commissioner Corbett motioned to approved to send the project out for rebid. The bid opening to be June 6th at 4:00 p.m. The results will be at the June 11th Commission meeting. Seconded by Commissioner Pugh. The vote was unanimous.

Sheriff Taylor performed canvas for a new restaurant, Fred and Lester Steakhouse and Pub located at 32 Bradley Road, Fort Mitchell, for a application of a 020-Restaurant Retail Liquor License. The owner is Justin Johnson who resides at 3017 3rd Avenue, Phenix City. Interviews were conducted of all business and 5 residents located around the restaurant; there were no oppositions. The Sheriff stated that he saw no reason to object to their application for an alcohol license. Commissioner Epps motioned to approve the Sheriff's recommendation. Seconded by Commissioner Screws. The vote was unanimous.

Sheriff Taylor also presented Marks Cabana Inc., a bar located at 1095 A and B Highway 165, Fort Mitchell. The owner is Shivot Jackson, who resides at 368 Oswichee Road, Seale, Alabama. This business was previously The Hawaiian Tiki Bar. He stated he had no objections to approving their 020-Restaurant Retail Liquor License. Commissioner Epps motioned to approve the license. Seconded by Commissioner Screws. District 1(Lee) voted, no; District 2 (Pugh) voted, yes; District 3 (Martin) voted, no; District 4 (Reed) voted, yes; District 5 (Epps) voted, yes; District 6(Corbett) voted, yes; District 7(Screws) voted, yes. Five (5) yes votes and Two (2) no votes; the motion passed.

Commissioner Corbett introduced Alabama Power Representative David Quinney, who presented an Alabama Power Foundation grant award of \$1,000 for the Masonic Lodge Project in Crawford community.

Revenue Commissioner Naomi Elliott requested approval of the Revenue Office 2013/2014 tax year Final Settlement Report and for the Chair to sign all necessary forms to send to the State. Commissioner Epps motioned to approve and was seconded by Commissioner Reed. The vote was unanimous.

County Engineer Larry Kite brought back information for the Metropolitan Planning Organization Memorandum of Understanding. This is a standard MOU that has been approved in prior years by the Commission and is the standard MOU required by FHWA and other MPOs. Commissioner Screws motioned to approve the Memorandum of Understanding. Seconded by Commissioner Epps. The vote was unanimous.

Larry Kite gave a report of the Old Seale Hwy Railroad Underpass Public Hearing that was held May 22, 2014. Commissioner Screws asked if we would lose funding for the ATRIP if the underpass is not removed. Mr. Kite agreed that funding could be jeopardized. Commissioner Screws motioned to remove the structure. Seconded by Commissioner Reed.

Commissioner Lee stated he was not in favor of tearing down a landmark besides not knowing who really owns the property.

Commissioner Corbett agreed with Commissioner Lee although he did not want to lose the ATRIP Funding for the County and would like to proceed on, but if there is a way to keep funding and keep the underpass, that is the route he would like to go and asked if the project be delayed to see if the State would give a variance.

Commissioner Epps discussed how the county would be liable if the structure fell and injured someone as well as losing ATRIP funding for not removing the underpass.

Commissioner Corbett asked how it would be the county's liability, if it is not county owned land. Attorney Funderburk replied that the county would assume the liability because they would be leaving an impediment.

Administrator Horne polled the Commission; District 1(Lee) voted, no; District 2 (Pugh) voted, no; District 3 (Martin) voted, no; District 4 (Reed) voted, yes; District 5 (Epps) voted, yes; District 6(Corbett) voted, no. District 7(Screws) voted, yes. Four (4) No votes and three (3) yes votes; the motioned failed.

Administrator Horne requested that the Commissioner to approve the resolution approving the county's participation in the Back-To-School Tax Holiday scheduled August 1st to 3rd, 2014. Commissioner Screws motioned to approve and was seconded by Commissioner Epps. The vote was unanimous.

Chair Martin made the following announcements:

- Original Caldwell Singer's Road Dedication May 28, 2014 at 1:00 p.m. on Sandfort Road (Co Rd 22)
- The Courthouse will be closed June 2nd for Jefferson Davis' Birthday

Chair Martin adjourned the meeting.