

Public Hearing to  
Vacate Right-of-Way on South Seale Road  
September 12, 2018 9:30 A.M. E.S.T.

The Public Hearing was called to order by Chair Peggy Martin.

C. Smith stated it was an old roadway going through his property we are just trying to get rid of it. Chair Martin stated so it is not really needed. C. Smith stated "no" it is surrounded by one owner. Chair Martin asked if there was anyone else to speak on behalf of the vacating? Commissioner Corbett asked the county engineer if they have had anyone complain about that at all. The county engineer stated "no".

Chair Martin closed the Public Hearing.

The Russell County Commission  
Meeting Minutes  
September 12th, 2018  
9:30 A.M. E.S.T

An Adjourned meeting of the Russell County Commission was called to order by Chair Peggy Martin.

The invocation was given by Reverend Richie Ashburn, Silver Run Baptist Church.

The Pledge of Allegiance to the U.S. flag was led by Commissioner Corbett.

**Public Comments:**

Vivian Covington Mayor of Hurtsboro, AL is speaking on behalf of the town of Hurtsboro concerning the gas tax. We have made several attempts to call the County to ask about why the gas tax was being held from the town of Hurtsboro. We have made several phone calls with no response. We received a letter from the county attorney. We had our attorney call the county attorney, but he still could not get in communication with him. So, council will like to know did the Commission vote to withhold the gas tax? If you say yes or no, they would like to see a copy of the minutes. We are giving a copy of the letter from the county attorney to all the Commissioners. Commissioner Lee said all we have to say is that it is in court and we will be decided later.

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

Administrator Horne called the Commission roll. Members present were Chair Peggy Martin, Vice Chair Carl Currington, Gentry Lee, Ronnie Reed, Cattie Epps, Chance

Corbett and Larry Screws. Also present was the County Attorney Kenneth Funderburk and County Administrator Horne who kept the minutes.

A quorum was established.

Chair Martin asked for a motion to approve the August 8<sup>th</sup>, 2018 minutes. Commissioner Epps motioned to approve. Seconded by Commissioner Currington. Administrator Horne polled the Commission. District 1(Lee) voted yes, District 2 (Currington) voted yes; District 3 (Martin) voted yes; District 4 (Reed) voted yes; District 5 (Epps) voted yes; District 6 (Corbett) voted yes; District 7 (Screws) voted yes; The vote was unanimous, and the motion was approved.

### **Proclamation and Resolutions:**

Commissioner Corbett made a motion to approve the Pine Hollow Resolution because it has already been approved. Seconded by Commissioner Lee. Administrator Horne polled the Commission. District 1(Lee) voted yes, District 2 (Currington) voted yes; District 3 (Martin) voted yes; District 4 (Reed) voted yes; District 5 (Epps) voted yes; District 6 (Corbett) voted yes; District 7 (Screws) voted yes; The vote was unanimous, and the motion was approved.

Commissioner Martin recognized Mr. Bill Friend for the Code Enforcement State Award he received at the recent Commissioners Conference.

Commissioner Screws motioned for the Proclamation for the Tuskegee-Moorhouse 83<sup>rd</sup> Year Football Classic. Seconded by Commissioner Corbett. Administrator Horne polled the Commission. District 1(Lee) voted yes, District 2 (Currington) voted yes; District 3 (Martin) voted yes; District 4 (Reed) voted yes; District 5 (Epps) voted yes; District 6 (Corbett) voted yes; District 7 (Screws) voted yes; The vote was unanimously approved.

### **Discussion Items:**

Commissioner Epps asked some questions at the Monday night Work Session concerning Human Resources. She thanked Ms. Horne on her input in answering some of the concerns we have. My biggest concern is that we do have a Human Resource Department and in our personnel manual that I have is from 1994 that Commissioner Lee wrote. Since 1994 a lot has changed, and we are working on a new personnel manual that apparently is not completed as of now. There are some questions that have been ask and I think they need to go into the new manual or do an amendment to the 1994 manual. Some of the questions have been answered. One of the main questions is the hours concerning part time employees. In the manual it doesn't have that part time employees receive comp time. That is a word that has been thrown around in the community. I don't party, but I sure do know a lot of folks in Russell County. We need to know also about take home vehicles. Part timers are not eligible to have take home vehicles. We need to follow our own policy to keep this county

working. I realize that we have a lot of kin folks here and we all love each other, and we try to help each other out. We have questions about what the criteria is used to determine when a part time employee works. I think the personnel manual should spell out that if he or she should work X amount of hours. I don't think a part time employee should accumulate comp time. I think we should spell these things out, so we can understand. Also, where is this record kept when the part time comes in? Any part timer should be going through their department head. I think that it is unfair for us as Commissioners to get involved if we hire someone to run a department, let that person run their department. The employee should follow the procedure of going through the proper command of change. I think if there is any employee on their job no Commissioner should take the authority to go there and take that employee from that job and the department head does not know what is going on. We as Commissioners need to know and be more aware of what we are doing because we are Commissioners. Yes, we hire the department heads. But if you hire someone you let that person run that department. From what I hear from the "street committee," as I told Ms. Horne, the street committee has more news that we have. In some cases, it is not working that way. I am not saying this is happening in all departments, but if it is happening in one, one bad apple spoils the whole basket if you don't remove it or correct it. Ms. Horne did answer this question for me yesterday because I was talking about do we have sheets for our employees. How do we keep up with the time for all employees? She did answer that question, and something is being put in place. I want to thank her for that information. I think that it is time if we are going to upgrade or do a new personnel manual we need to do it. It is too long from 1994 to 2018. We cannot run this county on the 1900 information as of now. In 2000 when I came here Fort Mitchell was just a little Fort Mitchell that I knew everybody. Now all the corn field, cotton fields and peanut fields are filled with homes. The sheriff has a hard time trying to control that area. The engineer has a hard time keeping up with the complaints. We are going to have to move this county forward, so we can give the citizens the services they deserve. My concern this morning is that we as Commissioners need to either amend this personnel manual or we write a new one. I would like to ask Ms. Horne to work with her human resource department so that we would have a part in this manual. There is nothing in this manual about human resources. We haven't added that to the county since I have been here.

Commissioner Lee stated he would like to caution any change to the proposed changes to the personnel policies will have to be submitted to our attorney and to the ACCA's association attorney before we can add it.

Commissioner Epps stated she has already checked it out through the Association.

Commissioner Lee stated he doesn't see anything in front of him that she is talking about is specific. You covered a large area but specific additions to the personnel policy I don't see. You always say it needs to be in black and white. I need to see it in black and white.

Commissioner Epps responded because it is in discussion. I am not here to argue the fact but we as Commissioners can put anything on the agenda we need. We cannot vote on it, but we can discuss what we need to vote on at a later date.

Commissioner Lee stated his comment was after you get it in black and white it needs to go to the attorney for approval because there are some things you cannot put in personnel manuals. Just one word wrong can make a difference.

Commissioner Corbett stated that he doesn't really care what the street committee says. If you want to bring something up here, bring the facts and just lay it on the table. Don't hold back, lay it down we will try to fix it. The street committee doesn't mean anything because people talk all the time. If I brought everything the street committee told me, we wouldn't have time for a meeting. We have an HR Director. Let's make it the right way but when I hear comments I start digging and I start trying to figure it out. I don't just bring it up here for everybody. I want to hear the issues and move forward. Ms. Horne was hired to do this job and run this office, so she can work with the HR Department and if there is a problem bring it back to us if there needs to be a change.

Commissioner Epps stated I think I mentioned I talked to Ms. Horne.

Commissioner Corbett said you did. I was just saying let's get to the meat and go on.

Commissioner Reed stated, "Madam Chair point of order." Commissioner Corbett repeated point of order? I am very calm and talking.

Commissioner Epps stated for Madam Chair to continue the meeting she is through with her discussion.

Chair Martin stated that in the recent past she, Commissioner Screws and the Administrator were to look at the policies. We need to take in consideration we do have a Human Resources person and that is Ms. Robinson and we need to include her.

### **Business Items:**

Commissioner Screws appointed Brenda Sanks to the E-911 Board.

Revenue Commissioner Elliot brought the S & W contracts for the Revenue Department, Motor Vehicle Department and the Mapping and Appraisal Department to be approved. Commissioner Screws made a motion to approve. Seconded by Commissioner Epps. Administrator Horne polled the Commission. District 1(Lee) voted yes, District 2 (Currington) voted yes; District 3 (Martin) voted yes; District 4 (Reed) voted yes; District 5 (Epps) voted yes; District 6 (Corbett) voted yes; District 7 (Screws) voted yes; The vote was unanimously approved.

Sheriff Taylor requested to surplus two vehicles. #698 is a 2004 Crown Victoria and #716 is a 2006 Ford Expedition we would like to sell. Both monies would come back to the Commission. Commissioner Epps motioned to approve. Commissioner Reed

seconded. Administrator Horne polled the Commission. District 1(Lee) voted yes, District 2 (Currington) voted yes; District 3 (Martin) voted yes; District 4 (Reed) voted yes; District 5 (Epps) voted yes; District 6 (Corbett) voted yes; District 7 (Screws) voted yes; The vote was unanimously approved.

Sheriff Taylor presented a transfer of the 050-Retail Beer and 070-Retail Table Wine (off premises only) beer and wine license for the Neighborhood Market at 210 Woodland Drive, Phenix City, AL 36869. This is the old Big Cat Business located on Woodland Drive. They have changed ownerships. We have done our investigation. We do not have any negative things to report. Commissioner Epps motioned to approve. Seconded by Commissioner Currington. Administrator Horne polled the Commission. District 1(Lee) voted yes, District 2 (Currington) voted yes; District 3 (Martin) voted yes; District 4 (Reed) voted yes; District 5 (Epps) voted yes; District 6 (Corbett) voted yes; District 7 (Screws) voted yes; The vote was unanimously.

The Maintenance Director Bryan Sharpe requested a budget transfer.

#### **GENERAL FUND 001**

##### **MAINTENANCE 51970**

<b>DECREASE</b>	001 51970 214	MINOR EQUIPMENT	\$17,000.00
<b>DECREASE</b>	001 51970 219	OTHER MISC SUPPLIES	\$11,000.00
<b>INCREASE</b>	001 51970 241	ELECTRICITY	\$20,000.00
<b>INCREASE</b>	001 51970 307	OTHER PROFESSIONAL	\$ 8,000.00
<b>TOTAL</b>			<b>\$28,000.00</b>

Commissioner Lee motioned to approve. Seconded by Commissioner Currington. Administrator Horne polled the Commission. District 1(Lee) voted yes, District 2 (Currington) voted yes; District 3 (Martin) voted yes; District 4 (Reed) voted yes; District 5 (Epps) voted yes; District 6 (Corbett) voted yes; District 7 (Screws) voted yes; The vote was unanimously was approved.

Sanitation Director Wanda Hardie requested a budget transfer.

##### **SANITATION 54100**

<b>DECREASE</b>	511 5410 272	INSURANCE	\$21,913.00
<b>INCREASE</b>	511 54100 550	MOTOR VEHICLE	\$21,913.00
<b>TOTAL</b>			<b>\$21,913.00</b>

Chair Martin called for a vote to Vacate Right-of-Way on South Seale Road. Commissioner Currington motioned to approve. Seconded by Commissioner Reed.

Administrator Horne polled the Commission. District 1(Lee) voted yes, District 2 (Currington) voted yes; District 3 (Martin) voted yes; District 4 (Reed) voted yes; District 5 (Epps) voted yes; District 6 (Corbett) voted yes; District 7 (Screws) voted yes; The vote was unanimous the motion was approved.

Commissioner Screws stated on Monday night at the work session it was discussed County Road 49. This road runs from Hurtsboro to the Barbour County Line. We ask that we re-route all timber or log trucks off this road to go back to Highway 26, from 26 to Highway 431 from Highway 431 down to Highway 4. This road is in terrible shape. Each time we patch it or try to maintain the log trucks come through and tear it back up again. This is a never-ending battle to keep this road drivable. If you come through at night you will hit a hole and tear up your car before you even get through. So, we motion at this time to change Highway 49 from use of timber or pulp wood trucks and that any other vehicles would be able to use this Highway. There is a sod farm on this road that needs to be able to use it or any other trucks.

Commissioner Epps seconded the motion.

Commissioner Lee called for a discussion. I am asking the Engineer can we limit it to log trucks or do we need to put a weight on it? I don't know if we can just specify log trucks.

Shawn Blakeney, the County Engineer, stated it could be basically no through trucks. It will be on Rutherford Road from Highway 4 to the Hurtsboro city limits. They can still come from Barbour County down and hit Highway 4 that way.

Commissioner Lee stated that he would amend the motion if it is allowed to from log trucks to through trucks.

Commissioner Corbett asked did the Commission designate this road as one of the truck routes?

Shawn Blakeney the Engineer stated it was a truck route.

Commissioner Corbett asked so this vote is changing that for the record as well because it was designated on the map.

Administrator Horne polled the Commission. District 1(Lee) voted yes, District 2 (Currington) voted yes; District 3 (Martin) voted yes; District 4 (Reed) voted yes; District 5 (Epps) voted yes; District 6 (Corbett) voted yes; District 7 (Screws) voted yes; The vote was unanimously approved.

Chair Martin introduced Shepherd Dearing with the Russell County Water Authority Manager. Chair Martin stated that she understood their board has agreed to donate some land back to the Commission.

Mr. Dearing stated yes. In June we were going through our assets, going through our wells and well sights, we have a shared interest in a piece of property where the

Sanitation Department is located. About a month later the Sanitation Department asked is the Russell County Water Authority planning on using the well building anytime soon or can we use it for storage? Immediately, we said sure you can use it for storage. I talked with the Board, Mr. Godwin, Mr. Bo and Mr. Godwin and Mr. Robert. They decided they didn't have any long-term interest in that site and decided "no", so we would like Russell County to use that site and get the full utilization of that property. There is an existing well building and there are some existing holes that have been drilled for wells. Is the County good with that?

Attorney Funderburk stated there has to be a motion to accept the land.

Commissioner Lee asked if the wells could be capped? Shephard Dearing stated "yes", there is a procedure for capping the wells.

Commissioner Martin stated, "what we are doing is voting on the acceptance from the Russell County Water Authority as is".

Commissioner Currington motioned to approve. Seconded by Commissioner Reed. Administrator Horne polled the Commission. District 1(Lee) voted yes, District 2 (Currington) voted yes; District 3 (Martin) voted yes; District 4 (Reed) voted yes; District 5 (Epps) voted yes; District 6 (Corbett) voted yes; District 7 (Screws) voted yes; The vote was unanimously approved.

County Administrator LeAnn Horne would like to make a correction to minutes from September 13, 2017. Because of some legal issues, a review of the minutes was conducted. I request to strike, on page 8, "to transfer to the CVVO for the Veteran's Banquet". Mr. Leroy Davis stated this language in his letter requesting to be on the agenda signed as the American Legion Representative, but those words were not stated during the Official Commission Meeting. This was confirmed by reviewing the video of the meeting. Because of a legal matter, the minutes need to reflect his words at the meeting.

Commissioner Corbett motioned to approve. Seconded by Commissioner Currington. Administrator Horne polled the Commission. District 1(Lee) voted yes, District 2 (Currington) voted yes; District 3 (Martin) voted yes; District 4 (Reed) voted yes; District 5 (Epps) voted yes; District 6 (Corbett) voted yes; District 7 (Screws) voted yes; The vote was unanimously approved.

County Attorney requested the Commission to go into Executive Session to discuss litigation and things involving litigation which needs to be taken up in Executive Session.

Commissioner Lee asked if the Phenix City Lawsuit be in the Executive Session.

County Attorney stated the Commission will not to come back from Executive Session to vote on anything.

Commissioner Corbett motioned to go into Executive Session. Seconded by Commissioner Currington. Administrator Horne polled the Commission. District 1(Lee)

voted yes, District 2 (Currington) voted yes; District 3 (Martin) voted yes; District 4 (Reed) voted yes; District 5 (Epps) voted yes; District 6 (Corbett) voted yes; District 7 (Screws) voted yes; The vote was unanimously approved.

Announcements were made.

Chair Martin recessed the meeting.

Attest: \_\_\_\_\_

County Administrator

Signed: \_\_\_\_\_

Chair