

The Russell County Commission
Meeting Minutes
September 24th, 2014
9:30 A.M. EST

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

Public Comments:

Dee Cantrell and Gloria Ellis presented Commissioner Corbett with an award made from wood extracted from the Crawford Masonic Lodge, a project he began in 2013 for the community of Crawford and other county residents to enjoy. They listed numerous things that he has accomplished so far during his 679 days in office.

An adjourned meeting of the Russell County Commission Meeting was called to order. Members present were: Chair Peggy Martin, Vice Chair Cattie Epps, Gentry Lee, Tillman Pugh, Ronnie Reed, Chance Corbett and Larry Screws. Also present were the County Attorney Kenneth Funderburk and County Administrator LeAnn Horne, who kept the minutes.

A quorum was established.

The invocation was given by Ralph Henderson, Pastor of Oswichee Baptist Church.

The Pledge of Allegiance was led by Commissioner Epps.

Chair Martin requested a motion to approve the September 10th, 2014, Commission Meeting Minutes. Commissioner Lee motioned to approve and was seconded by Commissioner Epps. The vote was unanimous.

The Tuskegee-Morehouse Classic Proclamation was read by Administrator Horne and will be presented to representatives of the Colleges during the October 8th Commission Meeting. Commissioner Epps motioned to approve the proclamation and was seconded by Commissioner Screws. The vote was unanimous.

Administrator Horne requested approval for participation in the County Tax Setoff Program. Act 2014-321 authorizes counties to participate in Alabama Code 40-18-100. to collect through setoff of a debtor's Alabama income tax refund, any liquidated sum of at least \$25.00 due and owing to the county through contract, subrogation, tort, or operation of law regardless of whether there is an outstanding judgment for that sum.

Pursuant to Alabama Code 40-18-103, the Association of County Commissions of Alabama or any entity established through the association may submit eligible debts to the Alabama Department of Revenue on behalf of a county provided the county

provides the Association with required information related to the debtor and the debts due.

This will be a last resort measure to collect outstanding and debts due to the County. Commissioner Screws motioned to approve and was seconded by Commissioner Epps. The vote was unanimous.

Commissioner Lee motioned to change the order of the meeting agenda as follows: The Invocation and the Pledge of Allegiance to follow The Call to Order. Seconded by Commissioner Corbett. The vote was unanimous.

Chair Martin announced that Commissioner Lee attended the Annual ACCA Meeting and was recognized for his 20 years of service as an elected official of Russell County.

Citizen Dale Gamble requested an appropriation of \$1,500 for the Alabama Junior Rodeo Association. This is a youth event that involves kids from Kindergarten to the 8th Grade from all over Alabama and some youths from the Florida Panhandle. The event will take place November 15th and 16th at the Exchange Club Arena. This nonprofit organization is geared toward youths of Alabama. The Alabama Public Television Channel is filming a television program about youth sports in Alabama, and will focus on the Alabama Junior Rodeo being held in Russell County. Commissioner Corbett motioned to give \$1,500 to the Alabama Junior Rodeo. Seconded by Commissioner Lee. District 1(Lee) voted, yes; District 2 (Pugh) voted, yes; District 3 (Martin) abstained; District 4 (Reed) voted, no; District 5 (Epps) voted, yes; District 6(Corbett) voted, yes; District 7(Screws) voted, yes. Five (5) yes votes, one (1) no vote and one (1) abstention; the motion passed. Funds will be paid out of the 2013-2014 budget and come from the contingency fund.

Administrator Horne presented the Solid Waste 10 Year Plan Update for Sanitation Director Carl Currington. Mr. Currington has requested to schedule a public hearing on November 12th prior to the regular Commission Meeting. The meeting's purpose is to hear comments from the public concerning the solid waste plan. Commissioner Lee motioned to approve the public hearing date. Seconded By Commissioner Screws. He vote was unanimous.

Juvenile Probate Officer Sherrie Miles requested Commission approved for the Alabama Department of Youth Services Long Term Detention Subsidy Contract for FY 2015. This is an annual renewal between the County Commission and the State for payment for a bed in the Lee County Juvenile Detention Center, which is paid by the State of Alabama. Commissioner Screws motioned to approve the contract and allow the Chair to sign the documents. Seconded by Commissioner Reed. The vote was unanimous.

County Engineer Larry Kite received a letter from the Alabama Department of Transportation in response to the county's request to allow the encroachment of the Seale Underpass. ALDOT denied the waiver. Mr. Kite recommended the Commission

reconsider removal of the structure for compliance with ALDOT regulations and proceed resurfacing CR-137 using ATRIP funding as planned. Commissioner Screws motioned to approve Mr. Kite's recommendation for removal of the Seale Underpass. Seconded by Commissioner Epps. Discussion took place concerning the underpass' safety issues, historical value and ownership. ATRIP funding for the 21 mile resurfacing project will be lost if the structure is not removed. This ATRIP project begins at Barbour County line and ends at Phenix City. District 1(Lee) voted, no; District 2 (Pugh) voted, no; District 3 (Martin) voted, yes; District 4 (Reed) voted, no; 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 motion failed.

Commissioner Corbett motioned for the County Engineer to schedule a meeting with the State Highway Director to get a final answer for the requested waiver. Seconded by Commissioner Lee. The vote was unanimous.

Special Enforcement Officer Gary Leeds announced that a public nuisance exists at 62 Kite Town Loop in Seale. The 1 acre lot was purchased by Brian Johnson for back taxes in 2013. Estimated amount for clean-up of the parcel is \$500. Mr. Leeds requested the Commission to approve a resolution that will declare this parcel a public nuisance and to schedule a public hearing for October 8th, 2014 at 9:30. Commissioner Lee motioned to approve and was seconded By Commissioner Reed. The vote was unanimous.

The annual S&W Contracts for the Tag, Revenue and Appraisal Offices were presented. Commissioner Epps motioned to approve the contacts. Seconded by Commissioner Reed. The vote was unanimous.

Franklin Resources was placed on the agenda in error stated Commissioner Lee. Commissioner Epps stated that James McGill was not there to present. Therefore, it was not discussed.

AT&T Representative Ty Fondren distributed a new Public Benefit Agreement between AT&T and Russell County for installation of their IP Network upgrade on county right-of-ways. Attorney Funderburk was able to review the agreement before the meeting and stated the contract is exactly like the agreement that Phenix City approved. A motion for acceptance was not made. It was decided for this item to be brought back to the October 8th Commission Meeting to give the Commission time to review the agreement. Commissioner Epps motioned to table the AT&T contract until the October 8th Commission Meeting. Seconded by Commissioner Screws. Commissioners Lee and Corbett stepped out of the meeting before the Commission was polled. Five Commissioners: Pugh, Martin, Reed, Epps and Screws voted to approve tabling of the contract. The motion was passed.

Russell County Deputy Lon Russell submitted a request for a 010-Lounge Retail Liquor – Class 1, from Glory Days Sports Bar and Grill located at 588 Hwy 165, Fort Mitchell, Alabama. The owner is Malcom Phaneuf who resides at 30 Lee Road 488, Smith

Station, Alabama 36877. Deputy stated that this is a transfer of ownership. Commissioner Epps motioned to accept the recommendation. Seconded by Commissioner Screws. District 1 (Lee) voted, yes; District 2 (Pugh)voted, yes; District 3 (Martin) voted, yes; District 4 (Reed) voted, yes; District 5 (Epps)voted, yes; District 6 (Corbett) stepped out of the meeting; District 7 (Screws) voted, yes. 6 yes votes, the motioned passed.

Commissioner Reed announced his district appointment for the Russell County Planning Commission is Jimmy Parham, who will complete the term of the Late Dr. Shelton, whose term expires March 2015.

Administrator Horne requested approval of the ACCA Workers' Compensation Agreement. Commissioner Screws motioned to approve. Seconded by Commissioner Epps. There were 6 yes votes to approve the agreement, Commissioner Corbett had left the meeting.

The Quality of Life Health Services, Inc. has requested a letter of support from the Commission. They would like to provide, in Phenix City/Russell County area, additional health care services for residents. They are applying for a grant and are not asking for an appropriation from the county just a letter of support. Commissioner Screws motioned to approve and was seconded by Commissioner Epps. There were 6 yes votes approving the letter of support. Commissioner Corbett had not returned to the meeting.

Tax payers have requested a one-stop appeals program, which has been approved. Tax payers can appeal any findings on their taxes that they are not in agreement with. The one-stop appeals program gives them another avenue for their case to be heard and ruled on by a judge. RDS has requested that Russell County opt into the program. They do not anticipate many appeals to this program, but it is there for taxpayers. This will cover sales, lodging, and rental tax. Commissioner Screws motioned to approve. Seconded by Commissioner Epps. There were 6 votes approving the Alabama Tax Tribunal. Administrator Horne stated the County can opt out later if it so desires. This will be an annual contract review. However, if the Commission does decide to do that, it is required by law that the county set up its own appeals board to be heard by a judge. Commissioner Screws motioned to approve. Commissioner Epps seconded. Unanimous vote of approval.

Commissioner Corbett returned to meeting.

Chair Martin made announcements:

- Blood Drive October 1st from 10:00 a.m. to 3:00 p.m. at American Legion Post 135. Blood units will go to Phenix City's Jack Hughston Hospital.
- Senator Session's Town Hall Meeting October 3rd from 10:30 to 11:30 a.m.
- A Day in the Park at the Historic Tuckabatchee Masonic Lodge in Crawford, Alabama October 18 from 11:00 a.m. to 3:00 p.m. EST.

- The Sixteenth Annual Sporting Clay Classic & Phil Brooks Memorial October 18 begins at 10:00 a.m. at 915 Lee Road 244, Salem, Alabama. Sponsored by Exchange Club.

County Attorney Kenneth Funderburk recommended going into executive session to discuss a personnel matter. Commissioner Corbett stated in light of information that he just received he motioned to cancel the executive session. Seconded by Commissioner Epps. The vote was unanimous.

Chair Martin adjourned the meeting.