

**PUBLIC HEARING FOR
ABATE NUISANCE COMPLAINT AT 14 Giles Road, Phenix City, Alabama
February 9, 2022**

An adjourned meeting of the Russell County Commission was called to order by Chairman Chance Corbett.

Business included a Property Abatement for 14 Giles Road, Phenix City, Alabama.
No public comments were made.

Commissioner Lee moved to adjourn. Seconded by Commissioner Costello. All Commissioners were in favor by saying aye. Motion to adjourn was approved.

**Russell County Commission
Russell County Commission Chambers
Meeting Minutes February 9, 2022
9:30 A.M. EST**

An adjourned meeting of the Russell County Commission was called to order by Chairman Chance Corbett.

The invocation was given by Reverend Brady Baird with Seale United Methodist Church.

Commissioner Costello led the Pledge of Allegiance.

PUBLIC COMMENTS:

No public comments were made.

Chairman Corbett thanked BEAM Cable TV and The Citizen of East Alabama for covering our meetings and stated that our meetings are on Facebook Live for our citizens unable to attend. He welcomed our elected officials, department heads, media, and guests.

Chairman Corbett stated that the agenda was approved at Monday night's work session on February 7, 2022.

County Administrator Paulette Colbert called roll of the Commission. Member's present were Commissioner Ronnie Reed, Commissioner Larry Screws, Commissioner Cattie Epps, Commissioner Rod Costello, Commissioner Gentry Lee, Commissioner Scott Chambers, and Chairman Chance Corbett. Also present was Interim County Attorney Hope Hicks and County Administrator Paulette Colbert who kept the minutes.

A quorum was established by County Administrator Paulette Colbert.

APPROVAL OF MINUTES:

Chairman Corbett asked for approval of the minutes of January 26, 2022, Commission meeting. Commissioner Epps moved to approve minutes. Seconded by Commissioner Reed. All Commissioners were in favor by saying aye. Motion to approve the minutes was passed.

PROCLAMATIONS AND RESOLUTIONS:

Chairman Corbett recognized Commissioner Screws who presented a proclamation for Charles Williams. It was read aloud by County Administrator Paulette Colbert as follows:

Russell County Commission
PROCLAMATION
HONORING
Charles Williams

WHEREAS, the Russell County Commission along with his family wish to recognize and honor Charles Williams, a family man, God fearing man, and one of many great veterans of our country. He is a husband, a father to 4 children, grandfather and the eldest of his parents 11 children. He is the son of Henry and Lillian Williams.

He is a very quiet humble man, living a life to please and serve God.

WHEREAS, Charles Williams was born and raised in Cottonton, Alabama before he entered into the military. He currently is a resident of Cincinnati Ohio.

He is 78 years old and spends his time enjoying the life of a retired Veteran.

WHEREAS, Charles Williams is a veteran that received two purple hearts as well as a bronze star for his bravery. Charles was wounded in Vietnam in the year of 1969.

He doesn't share his story with many, but we his family wanted to share how proud we are of him and formally thank him for his service.

WHEREAS, Charles Williams is among many that served in the Vietnam war, which gives us, his family such joy to be able to celebrate him. On this day, we will remember him for all that he has done and is doing for so many around him. Charles is truly an inspiration to so many that know him.

THEREFORE, The Russell County Commission recognizes and honors Charles Williams who has given a great deal of himself to this country, he continues to walk with pride, honor, bravery, and a great deal of respect for others in the humblest way possible.

What an honor it is to know and love Charles Williams. You are a true hero!

This Proclamation adopted and approved This 9th day of February, 2022

Commissioner Screws moved to approve the proclamation. Seconded by Commissioner Reed. All Commissioners were in favor by saying aye. None opposed. The Commission passed the motion unanimously.

Chairman Corbett recognized County Administrator Paulette Colbert, in the absence of Revenue Commissioner Elliott, who presented the annual Ad Valorem Tax Resolution for approval. Commissioner Lee moved to approve the tax resolution proclamation. Seconded by Commissioner Reed. Commissioner Lee verified with Mrs. Colbert that there were no changes and she agreed. All Commissioners were in favor by saying aye. None opposed. The Commission passed the motion unanimously.

Chairman Corbett recognized Commissioner Reed who presented a proclamation for South Griffin Lodge No. 697 F&AM, PHA. It was read aloud by County Administrator Paulette Colbert as follows:

Russell County Commission
PROCLAMATION
South Griffin Lodge No. 697 F&AM, PHA

August 1921, South Griffin Lodge No. 697, Free and Accepted Masons (F&AM),
 Prince Hall Affiliated (PHA), subordinate lodge under
 the Most Worshipful Prince Hall Grand Lodge of Alabama, received its charter.

The mission of South Griffin Lodge No. 697 F&AM, PHA is to
 ever enrichen the legacy of making good men better through fraternal brotherhood,
 to provide aid and assistance for distressed Brothers and their Widows and Orphans,
 and ultimately contribute aid to the community at large through
 service, scholarship, charity, and training.

Over 100 years past, community service has been and remains top priority!

South Griffin Lodge No. 697 F&AM, PHA services and support includes:

- Awarding numerous of educational scholarships to Students of the Russell County Alabama School District and local community,
- Providing educational and professional mentorship to Students of Meadowlane Elementary School and South Girard Jr. High School, the lodge's Partners in Education,
- Initiating Back-to-School supply drives, free haircuts for minors, and winter coat drives which thrives to support Parents and Students in financial distress, and
- Initiating numerous food service events to include but not limited to holiday basket giveaways, food/canned goods, and meal preps.

October 1961, a two-story building was erected at 321 South Seale Road, Phenix City, Alabama, 36869. This building is a cornerstone and staple amongst the community. Though ultimately, it is the lodge's members, both past and present, who through selfless service, has served the community faithfully for 100 years and will continue to thrive to be a beacon of Faith, Hope, and most importantly Charity!

South Griffin Lodge No. 697 F&AM, PHA has proudly provided community service for over 100 years!!

This Proclamation adopted and approved This 9th day of February, 2022

Commissioner Reed moved to approve the proclamation. Seconded by Commissioner Costello. All Commissioners were in favor by saying aye. None opposed. The Commission passed the motion unanimously.

DISCUSSION ITEMS:

Chairman Corbett recognized Maintenance Director Leon Watson who presented the project of replacing the old EMA building roof since the expenditure is over \$7,500. Mr. Watson stated the price will be \$16,116.58 and the awarded contractor is Knight Commercial Roofing in Opelika, Alabama. Commissioner Costello moved to approve the request. Seconded by Commissioner Chambers. Commissioner Epps asked what the building was used for. They stated it was being used for storage right now. In discussion, it was stated that this doesn't need to be voted on by the Commission because it's already an approved budgeted item and Mr. Watson is just reporting it to the Commission. Commissioner Costello then withdrew the motion since this is just a report.

Chairman Corbett recognized Maintenance Director Leon Watson who presented the EV charging stations for the courthouses. Mr. Watson stated after discussion from Monday night's work session, he will bring back

information to the Commission pertaining to the cost and any incentives that is out there in hopes of receiving something for installing the stations. He asked if the Commission still wants him to proceed with getting the information on the cost to install these charging stations at the courthouse and Judicial Center? Chairman Corbett stated that this was discussed at length Monday night and he and Mrs. Colbert will look into it. Commissioner Costello added that he will send Mrs. Colbert additional information he received from David Quinney at Alabama Power. Chairman Corbett asked Ms. Hickes if the information she received on it was sufficient. Ms. Hicks agreed and stated that as long as it's for public use and you have to consider how you handle it and how you handle the cost of the installation, plus the cost of providing the service will have to be addressed. Chairman Corbett stated that they feel more comfortable after speaking about it at Monday night's work session.

Chairman Corbett recognized Maintenance Director Leon Watson who presented the purchase of a pre-budgeted 2021 pick-up. Mr. Watson stated that this is per the Commission's request for expenditures over \$7,500.00, they are purchasing the vehicle from Starburst Ford off the state bid in the amount of \$31,902.00, and it's a pre-budgeted item for this fiscal year. Mr. Watson added a note that he's been with the county for 3 years (next month) and this is the first vehicle that maintenance has bought out of a 3-year period. Since this is a pre-budgeted item, there was no need for a vote.

BUSINESS ITEMS:

Chairman Corbett presented a property abatement located at 14 Giles Road in Phenix City, Alabama. He stated they had a public hearing this morning and a report Monday night on this. Commissioner Chambers moved to give them 60-days to make an appearance of getting this house back into habitable condition. Seconded by Commissioner Screws. All Commissioners were in favor by saying aye. None opposed. The Commission passed the motion unanimously.

Chairman Corbett presented the change in title position on the salary schedule by Coroner Arthur Sumbry. Chairman Corbett said that it was stated Monday night this is more of changing the position from driver to Deputy Coroner. Mr. Sumbry agreed that is correct. Chairman Corbett added that with this, was a cost of \$1,033.00 and if they choose to do this, we will need to change the salary schedule for that position. Commissioner Lee moved to approve the coroner's request and make the change to the salary schedule. Seconded by Commissioner Reed. All Commissioners were in favor by saying aye. None opposed. The Commission passed the motion unanimously.

Chairman Corbett recognized Maintenance Director Leon Watson who presented the award of modernization of elevator bid. Mr. Watson stated that after the three weeks of advertising of the modernization for bids for the elevator, they received three bids but only two qualified bids. He requested the Commission to award the contract to Mowrey Elevator Incorporated in the amount of \$77,500.00 and it came in under budget by a considerable amount of money. Also, he asked the Commission to allow the Chair to sign the necessary contract with Mowrey to proceed with the job. Commissioner Costello moved to approve the bid award. Seconded by Commissioner Lee. Discussion included Mr. Watson wanting to notify the public that when the project starts, the elevator will be non-operational for about 30 days, and to bear with us, since this is a safety upgrade for the public. Commissioner Lee stated that when we know the start date for it, they'll start making the announcements often. Mr. Watson agreed and said it'll be 10-15 weeks from the awarding of the contract, which would be today, and he wanted to let everybody know that's watching that it will be down, and we're going to try and make all necessary arrangements. He said if someone cannot use the stairs, to have them come down to be taken care of. Chairman Corbett agreed and stated that any of the services on the second floor, arrangements will be made for those services to meet down on the first floor, if needed. All Commissioners were in favor by saying aye. None opposed. The Commission passed the motion unanimously.

Chairman Corbett recognized Chief Alexander who presented the contract for building design of the building to house the Covid vehicle. Chief Alexander asked the Commission to allow Scott Holmes to draw the plans for a new building that will house their new command vehicle and they'll also share it with the EMA. Commissioner Lee moved to approve the contract. Seconded by Commissioner Chambers. In discussion, Chairman Corbett stated that Scott Holmes with Hecht Burdeshaw was present, and the contract is in the Commissioner's packets, he also stated that he sent it to the attorney and asked her if she had time to look at it yet. Ms. Hicks said she's not seen the contract yet. Mr. Holmes stated that it's a standard AIA contract that they did for the

Russell County Sanitation building and all the work his company has ever done, so there's nothing new to it. He said they used the Alabama Building Commission fee schedule on the building size and the type that's in there. He said it'll be a metal building, that we already own the property, and he got a program from Sheriff Taylor then will start doing some preliminary designs on it that he'll talk with them, when they get to that point. He said it's just a standard design contract AIA that they normally use with us. It'll be for professional services to include architectural, mechanical, electrical, plumbing, and structural in the contract. Chairman Corbet asked Ms. Hicks if she has any concerns and should they wait to have it reviewed, or it being a standard contract they've approved in the past? Ms. Hicks said that if it's the standard contract used in the past it should be ok, but she's not going to say it's ok because she's not seen it. Commissioner Lee stated that they could approve it today and it could be unapproved it in a few weeks, if needed. Mr. Holmes stated that would be fine and if they can move forward with it, they have no issue if there are any amendments needed. Chairman Corbett stated this is to get the project rolling. Commissioner Screws asked the attorney if this is being built with rescue money? Chairman Corbett stated that, obviously they don't have the cost yet, but the plan moving forward would be to use the ARP money to finance provided it was approved and the attorney says that it can be used for it. Right now, this is just for the design portion. Commissioner Lee added, that if approved, will also be paid. Commissioner Screws asked the attorney that since all the meetings he has been in they have said they cannot use rescue money for buildings, so what has changed? Ms. Hicks stated that the final rule came out in January and one of the changes is that you can use money for capital expenditures including buildings and there's a tiered system for review. She said that anything under a million dollars doesn't require as much review and justification, however, this is going to be over a million dollars because the vehicle and the building will be considered one project and you can't split those into separate projects because they are a combined issue, so she assumes it's going to take it over the million-dollar threshold based on the price of the vehicle already. She said it will take further justification and we can do this under government services, but even then, there's still further justification that's required. She said we'll have to show the need for this is because of the pandemic, because of public health, and because of lost income. Ms. Hicks feels very good about the vehicle and until she knows a little bit more about the building and everything that the building entails, she cannot answer whether she agrees that this building can be covered at this point because she simply knows that they are talking about building a building and she doesn't have any other details. Commissioner Screws then said that they are approving things, and has the Sheriff's Department submitted a plan to spend COVID money? Ms. Hicks said that she's not received any sort of plan. He asked don't they need to submit a plan to justify spending of the money? She said, as far as the vehicle is concerned, they clearly had a lot of discussion and there was information submitted to the Commission, for the Commission to approve the vehicle and she believes that also was under the assumption that it will be used under the American Rescue Plan money, but as far as for the building and any other expenses, she thinks the Commission needs to tell the staff, department heads, and elected officials that if they want money spent, how you want that presented to you. She knows that the Interim EMA Director and Coroner both submitted on grant type of applications that were for non-profits. She said they don't necessarily have to have it on that form, but it's also not a bad form because it gives you some detailed information, and the EMA Director, when he submitted things, he submitted actual quotes and further explanation and spreadsheets, and she's not seen anything submitted to the Commission for them to review. She thinks this contract, to actually have plans drawn up, figure out exactly what they're trying to build is what the Commissioner needs. She added that at some time the Commission does have to sit down and determine what kinds of ranges they are looking at for individual projects. Commissioner Screws stated that his concern is when the audit comes, what are they going to look at? Like will they say the Commission approved this amount of money based on what? One thing if we have nothing to show. Ms. Hicks said that when we get the next check, the Commission is approving this amount of money because the federal government gave us 11 million dollars and told you need to get it spent in a designated amount of time and you are approving this project because you think it's going to benefit Russell County, specifically under the American Rescue Plan in response to crime, and gun crime is a specific use for money. Also, this vehicle will be used for COVID testing, for COVID vaccinations, for use for education in the community (that type of thing). She says it justifies the vehicle, but again she's going to have to know a little more about the building before she can answer the question. She said that a plan is probably a better thing, but it wouldn't be required by the examiners, at this point, as long as the money falls under the appropriate guidelines to be spent. Commissioner Screws asked that the money that they have approved thus far, if we do not have a plan, do we need a plan for that money we've already spent? Ms. Hicks stated that there is no requirement for a plan, and she said from the examiner's standpoint and your audit standpoint, as long as what you've spent falls under the guidelines of the American Rescue Plan, then you are fine from a legal standpoint. She said that it's a good idea to have a plan about what you're wanting to do so that the community is aware,

and the citizens are aware of what you're planning to spend the money on, is probably a good idea. Commissioner Screws asked with her being our rescue plan coordinator, would we fall under her liability insurance if they made a bad mistake? Ms. Hicks said no but if she gives us advise as the federal government changes their rules daily, and changes their minds, she's afraid that she can't be responsible. Commissioner Screws said that we need to be very careful in what we're doing. She agreed and said she's doing her very, very best to make sure she gives the Commission the best advice that she can. Chairman Corbett agreed and felt that they (the Commission) should come together and decide what they want them to submit, and they've not asked the Sheriff for a plan, haven't asked Emergency Management for a plan, or the coroner either. He said that if the Commission wants them to give a plan or just a proposal, they need to just tell them what they want them to do and be clear so then we can move forward with it. He thinks the biggest thing for them is setting their priorities and knowing where we want to go and what direction we want to do with this. He stated that Ms. Hicks has been great with giving them direction and what she believes is the right direction for the money and it really comes down to the Commission to set those priorities. He's got some ideas that he thinks they should spend it on, and there are other Commissioners too, but he thinks we all want to stay within the parameters. Commissioner Lee commented that logically if the vehicle is authorized and approved and because of the size of it, it takes special equipment to have it stay out of the weather, that a building to house that vehicle should also fall under that, but they'll let Ms. Hicks make that decision. It was then discussed that Commissioner Chambers suggested if the budget didn't line up funding wise, you could always go with a certain size and then add on to it later when county funds came available (something to keep in mind). Chief Alexander stated that the truck is on the way, so they certainly need a place to house it and they've designed it to meet specifications as it relates to the COVID money, like using it as a drive-thru clinic. He said they've tried to design it as close as possible so that they can meet those specifications. Commissioner Screws just wants to make sure they didn't have to pay the money back, and it doesn't come out of his pocket, so he thinks they need a proposal from everybody that's asking for money because if they are asking for the outside agencies to write a proposal, then he thinks the inside people that are governed by the Commission should have a proposal also. Ms. Hicks stated that it would make her job easier to determine does it fall under with the information that the sheriff department has put together, like it could be a drive-thru clinic, but all the information she's been provided right now is that it's a building and she doesn't know anything about specifications or other uses. All she knows is it's a building to house this vehicle so any information that she can be given helps her analyze this would be helpful. Commissioner Screws says he's trying to make her job easier. She agreed. Commissioner Chambers stated that the plans are going to show the Commission what it's going to be for and the design of the building. Chairman Corbett asked Chief Alexander to come up with the other uses of the building. As far as the contract goes, he stated they have a motion and a second to get the design work completed so they can then find out what the cost of the building is because obviously they're not going to know the price until they get the design work done. Commissioner Epps suggested to make the attorney's job easier if everyone would get a plan written and get it to the Commission in advance so she can look over it before they vote on giving out money that they are not quite sure whether they can spend the money on the particular project or not. Chairman Corbett added that on Monday night they spoke about having a meeting about this, and specifically about these funds, and the attorney agreed that it's a good idea. They maybe come in early probably on a work session to speak about it. Commissioner Screws asked Ms. Hicks, since she's not sure about the building plan, should they wait? Ms. Hicks thought that going ahead and getting the contract and getting the drawings done and the specifications so that you'll know the price of the building, so you'll know the timeline for the building, and you'll have exact information on what the building is going to do beyond just house the vehicle is probably a good idea, and it let's them answer the question. She doesn't have a problem with them entering the contract now. She doesn't think there will be a problem with the contract, but she will be more than happy to review it and if there's a problem, they could always come back and amend the contract in two weeks. She doesn't have an issue with them going into the contract to get the process started. Commissioner Lee stated that they need a plan before they can make a decision, but to get a plan, you have to pay for it, and they are actually doing what they are saying they need to do. All Commissioners were in favor by saying aye. None opposed. The Commission passed the motion unanimously.

COUNTY ENGINEER:

Alan McClure with the County Engineering Office presented the ADEM MS4 Public Involvement. Mr. McClure spoke that the ADEM MS4 permit involves several criteria that must be met each year to keep the permit valid,

one of them is a public education that basically just informs the public about things that you can do to create environmental awareness. For this he chose April 22nd, which is Earth Day, and was started in 1970, before the Clean Air Act EPA had come about and it was started by a senator here in the US. Since then, it has grown to encompass the entire US and is global now. He discussed ways to help the environment.

Mr. McClure presented to solicit bids for Wills Valley Road Resurfacing Project with CRAF Funds, which is a Rebuild Alabama Project. He stated they will begin advertising February 23rd for the project. It will run for 4-weeks ending on March 16th, which on that date they will open the bids at 2:30 PM. They will then award the bid at the March 23rd Commission meeting. Commissioner Lee moved to approve the request. Seconded by Commissioner Epps. All Commissioners were in favor by saying aye. None opposed. The Commission passed the motion unanimously.

Mr. McClure presented to solicit bids for survey equipment. He said they will send out bids on February 14th, they will open bids on March 10th at 2:30, and will award the bid at the Commission meeting on March 23rd. Commissioner Lee moved to solicit bids and it was seconded by Commissioner Chambers. All Commissioners were in favor by saying aye. None opposed. The Commission passed the motion unanimously.

ADMINISTRATOR:

County Administrator Paulette Colbert presented a request from Chattahoochee Valley Community College Foundation of renewal of the Commissions' sponsorship of their hall of fame celebration. In the past the Commission paid \$500.00 and was paid from the Contingent Fund. Commissioner Lee moved to approve the renewal request, and it was seconded by Commissioner Chambers. All Commissioners were in favor by saying aye. None opposed. The Commission passed the motion unanimously.

Mrs. Colbert presented a request to pay attorney fees from the Coronavirus Rescue Act Fund. She shared an invoice from Ball, Ball, Matthew and Novak, P.A. for services rendered and expenses incurred pertaining to the American Rescue Plan in the amount of \$810.00. Commissioner Costello moved to approve the request, and it was seconded by Commissioner Reed. Chairman Corbett stated that they had a ruling in the past that these funds could be paid for out of this. Attorney Hope Hicks agreed. All Commissioners were in favor by saying aye. None opposed. The Commission passed the motion unanimously.

Mrs. Colbert presented the Coronavirus Rescue Act Fund grant applications. She said that the second quarter Treasury Report was submitted prior to the due date of January 31, 2022, and in December the Commission approved the application process for the American Rescue Plan Funds and it stated that applications would be available December 1st through December 31, 2021 and would be submitted January 1st through January 31, 2022. She said 21 applications were received in our office and she gave them a spreadsheet listing the organization's name, how the funds will be used, the amount of funds requested, and a list of their loss. Mrs. Colbert asked how the Commission would like to proceed? Commissioner Lee stated it was discussed Monday night to let the attorney receive the 21 applications and review them to see which ones meet the qualifications they specified, then come back to the Commission. He said there's no hurry since they have 3 more years to spend the money. Chairman Corbett stated that Mrs. Colbert has sent the attorney the spreadsheet and will send the applications. He said there is no action needed at this time.

HUMAN RESOURCES: *Information in Commissioner's Packets*

COUNTY ATTORNEY:

County Attorney Hope Hicks presented the opioid lawsuit settlement and she's reviewed the letter from the Beasley Allen Law Firm as well as the sign-on agreement. She touched base with the attorney because the sign-on agreement would be what you would receive from the lawsuit from Endo Pharmaceuticals and the amount in the sign-on agreement is purely speculative at this point, also, the amount does not take into consideration attorney's fees and expenses. She said to know this is not the amount we would get that is in the agreement, and if you choose not to sign on to this, the only way we'd get money from Endo Pharmaceuticals is if you individually sue them. She does not think Russell County would want to do that so she would recommend that we do enter into this sign-on agreement, but she doesn't want the Commission to think they'll get the amount listed and she'd be very surprised if we'd get half of it. Commissioner Costello moved to

approve the Chair to sign the settlement agreement. Seconded by Commissioner Chambers. All Commissioners were in favor by saying aye. None opposed. The Commission passed the motion unanimously.

County Attorney Hope Hicks stated that she's finished reading the final rule and some of the projects that she knew that were out there, but clearly the Commission doesn't have to decide on these today but the new morgue cooler that they talked about under the final rules, she believes that the Commission will meet the eligibility to use the ARP money to pay for that. Also, the AED program that EMA has submitted to put the AEDs around the county in the buildings and school buildings, she thinks it is going to meet eligibility. She also thinks the portable ADA restroom trailer will meet eligibility. Clearly the Commission hasn't approved them, but when you get to that point, she has gone through those, and she thinks they'll meet the requirements to use the ARP money for that. Chairman Corbett would like to put these projects on future meetings to get them approved and start moving on them since we have this information. Obviously, listening to Commissioner Screws today, setting a priority is important but several of those programs seem to be very worthwhile for our county, along with the AEDs being life-saving equipment. Commissioner Lee asked about prioritizing the projects because there are huge ones to see how much the money may be before they start the smaller projects. Chairman Corbett suggested getting them on future meetings.

COMMISSIONER DISCUSSION:

Commissioner Reed discussed pothole issues on Prentiss Drive.

Chairman Corbett discussed Freddie Long's Memorial Highway dedication and that he is now the Chairman of Lee Russell Council of Governments.

ANNOUNCEMENTS:

- Ft. Mitchell Pioneer Day will be on April 9, 2022
- Crawford Market Days: Coming in April - November on the 3rd Saturdays: 8 am to 2 pm
- **Holiday closing** – February 21, 2022, for George Washington and Thomas Jefferson's Birthday
 - No Work Session on February 21, 2022: Due to Courthouse Holiday Closing

Commissioner Epps moved to adjourn the meeting. Seconded by Commissioner Costello.

Meeting was adjourned.