

**Russell County Commission
Meeting Minutes January 10, 2023
Russell County Commission Chambers
9:30 A.M. EST**

An adjourned meeting of the Russell County Commission was called to order by Chair Rod Costello.

The invocation was given by Reverend Karen Siefert with Summerville Methodist Church.

Chairman Costello led the Pledge of Allegiance.

PUBLIC COMMENTS:

Jennifer Davidson from the Alabama Extension office shared updates on what the extension office has done in Russell County recently.

Chair Costello thanked the Commission's IT department for broadcasting the meeting on Facebook live for the public, and The Citizen of East Alabama for covering the meeting. He welcomed the citizens, elected officials, department heads, media, and guests.

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

A quorum was established by the County Administrator Paulette Colbert.

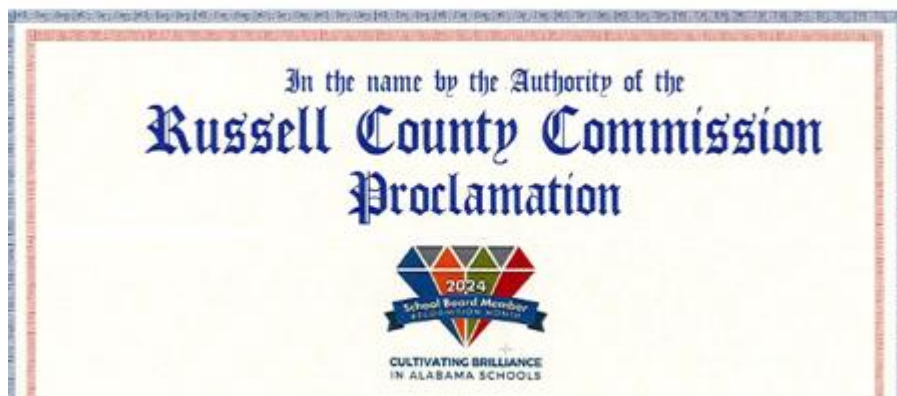
Chair Costello stated that the agenda was approved at the work session Monday night, January 8, 2024.

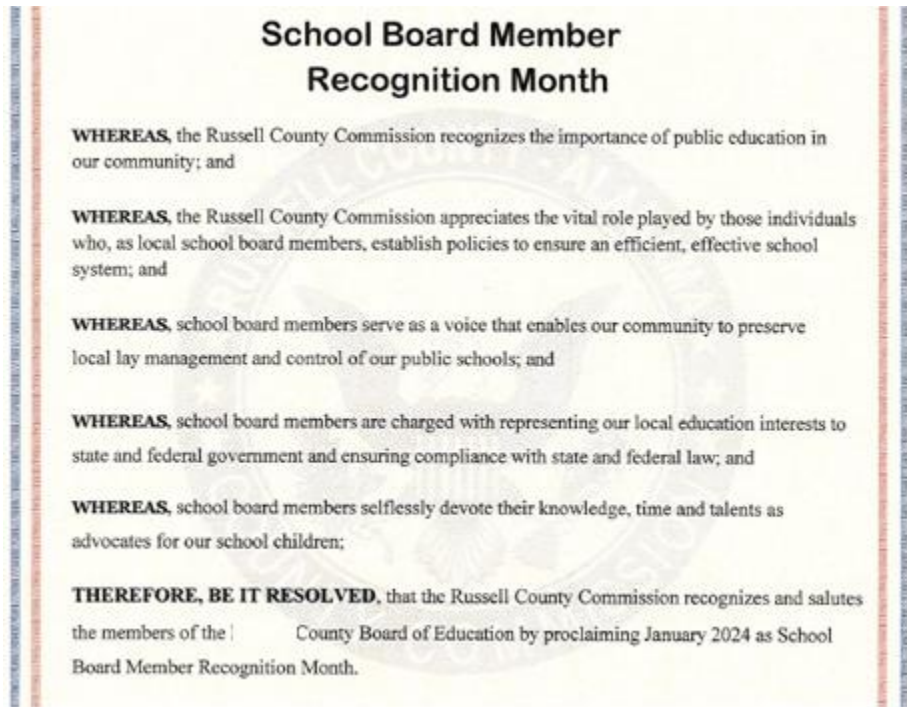
APPROVAL OF MINUTES:

Chair Costello requested approval of the minutes from the Commission meeting on December 13, 2023. Commissioner Epps moved to accept the minutes as presented; seconded by Commissioner Corbett. All Commissioners were in favor and said aye. Motion carried to approve the minutes.

PROCLAMATIONS, RESOLUTIONS AND PRESENTATIONS:

Chairman Costello requested approvals for the proclamations for School Board Recognition Month to each the Russell County Board of Education and Phenix City Board of Education. Commissioner Corbett moved to approve the proclamation; seconded by Commissioner Chambers. All Commissioners were in favor and said aye. Motion carried. County Administrator Paulette Colbert read the following proclamation aloud:





DISCUSSION ITEMS:

There were no discussion items presented.

BUSINESS ITEMS:

Chairman Costello recognized Sheriff Taylor who presented an ABC License approval request for Family Dollar Store 33204 located on Sweetwater Branch Road in Ft. Mitchell for off-premises beer and wine. Commissioner Corbett moved to approve the request; seconded by Commissioner Chambers. All Commissioners were in favor and said aye. Motion carried to approve the Sheriff's request.

Chairman Costello recognized Commissioner Corbett who presented the Crawford Senior Program funding request. Commissioner Corbett moved to increase the appropriation to Lee-Russell Council of Governments to fund the salary for the Crawford Senior Center Manager for the remainder of FY-24 in the amount of \$12,500.00. Commissioner Reed seconded the request. County Administrator Paulette Colbert took roll call vote of the Commission as follows: District 2: Commissioner Chambers, yes; District 1: Commissioner Lee, yes; District 6: Commissioner Corbett, yes; District 7: Commissioner Screws, yes; District 5: Commissioner Epps, yes; District 4: Commissioner Reed, yes; and District 3: Chairman Costello, yes. Motion carried.

Commissioner Corbett moved to amend the FY 2024 budget to fund the salary of the Crawford Senior Center Manager as follows: In General Fund, increase Fund Balance 001 35500 and increase the appropriation to Lee-Russell Council of Governments, 001 59206 in the amount of \$12,500.00; seconded by Commissioner Chambers. All Commissioners were in favor and said aye. Motion carried.

Chairman Costello recognized Commissioner Corbett who presented the Crawford VFD mural agreement contract with the payment schedule for the vice-chair to sign for a total amount of \$6,500.00. Recommendations by the county attorney were incorporated into the agreement. Commissioner Corbett stated a donation was given to the Chamber Foundation and the money will be transferred to the county once the job is done. Commissioner Corbett moved to allow the vice-chair to sign the Crawford VFD mural agreement and to go into a contract with an artist for the mural. Seconded by Commissioner Chambers. All Commissioners were in favor and said aye. Motion carried.

Chairman Costello recognized Commissioner Corbett who presented the request for removal of the old sanitation building. As a result of moving the Sanitation office to Silver Run Drive in Seale, the old location located at 4133 Sandfort Road is not salvageable and he requested it to be removed. After County Engineer Shawn Blakeney reached out to the contractor, they agreed to take it down for \$7,500 and removal of the slab for another \$2,000. Commissioner Corbett moved to approve \$9,500 for the complete removal of the old sanitation building, which was previously a water authority building at 4133 Sanford Road. This will be done by Mr. Rod Watson. Seconded by Commissioner Reed. County Administrator Paulette Colbert stated that money was budgeted in the Public Building Fund that would cover this without a budget amendment. All Commissioners were in favor and said aye. Motion carried.

Chairman Costello recognized Enforcement Officer Bill Friend who presented an abatement request of a public nuisance at 48 Terrace Drive. Mr. Friend asked the Commission by resolution to declare this property a public nuisance and to order the abatement of this nuisance. He also requested that this case be turned over to our county attorney and to handle it in court, and to not schedule a public hearing since he cannot have the vehicles removed from this property without a court order. Commissioner Chambers moved to approve the request; seconded by Commissioner Corbett. County Administrator Paulette Colbert took a roll call vote of the Commission as follows: District 2: Commissioner Chambers, yes; District 1: Commissioner Lee, yes; District 6: Commissioner Corbett, yes; District 7: Commissioner Screws, yes; District 5: Commissioner Epps, yes; District 4: Commissioner Reed, yes; and District 3: Chairman Costello, yes. Motion carried.

COUNTY ENGINEER:

County Engineer Shawn Blakeney presented approval of the 2023 Rebuild Alabama Annual Report. He stated that this shows where money was spent for their CRAF, which is county Rebuild Alabama Funds. He stated that their Federal Aid Exchange Funds projects included Zion Hill Road which was 6.6 miles and Gammage Road for 1.87 miles. Out of their CRAF funds they did Wende Road 2.87 miles, Wills Valley Road for 1.53 miles, and Upshaw Flatts Road for 3.22 miles. All of them are 100 % complete except for Gammage Road, which is 99% complete. On Padgetts Road, the contract's been awarded, and they are waiting for the contractor to go to work on that job for 3.45 miles, so it is 0% incomplete. Their annual report shows that they spent \$2,018,201.19 and they have paved about 19.54 miles using this new gas tax money. Commissioner Lee moved to approve the annual report. Seconded by Commissioner Corbett. All Commissioners were in favor and said aye. Motion carried.

SANITATION:

Sanitation Director Ward Dudley presented the purchase request for carts and dumpsters. He requested to make two different purchases from the same line item as follows: 300 96-gallon carts for \$20,104.00 and 12 dumpsters (6 8-yard dumpsters and 6 6-yard dumpsters) for \$21,541.44. These will be purchased off the State bid and are budgeted items. Commissioner Lee moved to approve the request. Seconded by Commissioner Chambers. All Commissioners were in favor and said aye. Motion carried.

ECONOMIC DEVELOPMENT:

There was nothing presented in this area.

ADMINISTRATOR:

There was nothing to present in this area.

CORONAVIRUS RESCUE ACT FUND:

There was nothing to present in this area.

ATTORNEY:

Attorney Hope Hicks requested to go into Executive Session, and following the executive session they will need to come back to take action. This is to discuss pending litigation and the ramifications of that litigation, that would be appropriate for executive session under the Alabama laws, and she is an attorney license to practice law in Alabama, so she can make that declaration. Commissioner Corbett moved to accept her request to go into executive session. Seconded by Commissioner Chambers. All Commissioners were in favor and said aye. None opposed. Motion carried and they went into Executive Session.

Commissioner Epps moved; Commissioner Lee seconded to reconvene from executive session. All Commissioners were in favor and said aye. None opposed. Motion carried.

As a result of the executive session, Attorney Hope Hicks presented a settlement agreement to enter between the Russell County Commission and the Jack Hughston Memorial Hospital. She stated that this is a situation where the hospital paid sales taxes that are due to be refunded to them following a ruling of the tax tribunal. It was Attorney Hicks recommendation that the Commission enter into this agreement with the hospital and authorize the chairman to sign the agreement for the taxes to be refunded to the hospital. Chairman Costello read the following statement:

“Jack Hughston Hospital erroneously paid sales and use taxes for several years. These tax dollars were distributed to Russell County Board of Education and Phenix City Board of Education pursuant to Alabama law. The hospital legally sought refunds of these taxes. The Alabama tax tribunal determined the hospital is entitled to be refunded these taxes that were erroneously paid. The hospital, understanding that the funds will be refunded by the school boards, acting as a good corporate citizen, has voluntarily agreed to allow the payments to be made over a period of time without any additional interest accruing.”

Motion to approve the settlement agreement by Commissioner Lee; seconded by Commissioner Screws. County Administrator Paulette Colbert took a roll call vote of the Commission as follows: District 2: Commissioner Chambers, yes; District 1: Commissioner Lee, yes; District 6: Commissioner Corbett, yes; District 7: Commissioner Screws, yes; District 5: Commissioner Epps, yes; District 4: Commissioner Reed, yes; and District 3: Chairman Costello, yes. Motion carried.

Attorney Hope Hicks presented an agreement between the Russell County Commission and the Russell County Board of Education. This agreement would be for the Russell County Board of Education to pay to the Russell County Commission the taxes that it received from those taxes erroneously paid by the hospital. Attorney Hicks recommended that the Commission enter into this agreement and authorize the Chairman to sign. Commissioner Lee moved to approve the request; seconded by Commissioner Screws. County Administrator Paulette Colbert took a roll call vote of the Commission as follows: District 2: Commissioner Chambers, yes; District 1: Commissioner Lee, yes; District 6: Commissioner Corbett, yes; District 7: Commissioner Screws, yes; District 5: Commissioner Epps, yes; District 4: Commissioner Reed, yes; and District 3: Chairman Costello, yes. Motion carried.

Attorney Hicks presented an agreement between the Russell County Commission and the Phenix City Board of Education. This agreement would be for the Phenix City Board of Education to pay to the Russell County Commission the taxes that it received from those taxes erroneously paid by the hospital. Attorney Hicks recommended that the Commission enter into this agreement and authorize the Chairman to sign. Commissioner Screws moved to approve the request; seconded by Commissioner Epps. County Administrator Paulette Colbert took a roll call vote of the Commission as follows: District 2: Commissioner Chambers, yes; District 1: Commissioner Lee, yes; District 6: Commissioner Corbett, yes; District 7: Commissioner Screws, yes; District 5: Commissioner Epps, yes; District 4: Commissioner Reed, yes; and District 3: Chairman Costello, yes. Motion carried.

COMMISSIONER DISCUSSION:

Commissioner Lee asked for an update on the process form accepting applications for the County Administrator position and verified the deadline. Deadline is the 31st of January.

Commissioner Lee asked Mrs. Colbert to explain, for the public viewing, budgeting fund balance. She stated this is a budgetary figure for operating expenses from the fund balance from previous years.

Commissioner Epps discussed having Wednesday Commission meetings, normally at 9:30 am, change to the afternoon so the working public can attend.

Commissioner Corbett shared a received text message from Ms. Yolanda Daniel, Chair with the Phenix City Board of Education, apologized for not attending this morning (since it was short notice), and sharing their appreciation for the proclamation.

ANNOUNCEMENTS:

Announcements were made.

There being no further business, Commissioner Lee moved to adjourn the meeting; Commissioner Corbett seconded. All Commissioners were in favor and said aye. None opposed. The meeting was adjourned.