

**Russell County Commission
Meeting Minutes February 28, 2024
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 Pastor Jeremy Johnson of Golden Acres Baptist Church.

Commissioner Corbett led the Pledge of Allegiance.

PUBLIC COMMENTS:

Ms. Carmen Evans along with Ms. Sandy T. Suruta with the Tri-City Prayer Initiative spoke about using the Courthouse parking lot for their prayer walk in October.

Chair Costello thanked the County 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, February 26, 2024.

APPROVAL OF MINUTES:

Chair Costello requested approval of the minutes from the Commission meeting on February 14, 2024. Commissioner Corbett moved to accept the minutes as presented; seconded by Commissioner Chambers. All Commissioners were in favor and said aye. Motion carried to approve the minutes.

PROCLAMATIONS, RESOLUTIONS AND PRESENTATIONS:

There were no proclamations, resolutions, or presentations.

DISCUSSION ITEMS:

Chair Costello introduced the newly appointed Revenue Commissioner Natalie Kirkland who will complete the remainder of the term for the recently retired Revenue Commissioner Naomi Elliott.

BUSINESS ITEMS:

Chairman Costello recognized Judge Harden who presented a request for a refund for David Copeland, DLC Trucking Transport LLC at 3 Shawnee Circle, Ft. Mitchell, Alabama for overpayment of business license renewal in the amount of \$78.75. Commissioner Lee moved to approve the request; seconded by Commissioner Chambers. Commissioner Reed requested a voice vote. 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.

Chairman Costello recognized Commissioner Corbett who presented a request to appoint Tina Thomas as Interim County Administrator and have her bonded in the position and requested a 10% salary increase (as has been done in the past for interim positions). Commissioner Corbett amended his request to extend

the 10% salary increase for 30 days after the new County Administrator is on the job. Commissioner Corbett moved to approve the request; seconded by Commissioner Reed. All Commissioners were in favor and said aye. Motion carried.

Chairman Costello recognized Commissioner Corbett who presented the seconded reading of the policy for public access in county buildings. The policy affects the Russell County Courthouse, Inspections Office, and Emergency Management Office. County Administrator Paulette Colbert read the courthouse building policy below:

POLICY REGARDING ACCESS TO RUSSELL COUNTY COURTHOUSE

The Russell County Courthouse is owned and operated by the Russell County Commission to accomplish the business of the Russell County Commission on behalf of the citizens of Russell County, Alabama. While the First Amendment to the United States Constitution protects the right to gather information about what public officials do on public property, and specifically a right to record matters of public interest,¹ like all First Amendment protections, this right is "subject to reasonable time, manner and place restrictions," and the First Amendment does not automatically open property to the public just because it is owned by the government."² The Russell County Commission has the power to preserve the property under its control for the use to which it is lawfully dedicated.³

The Russell County Courthouse is a government workplace and the physical characteristics of the Courthouse make it incompatible with noise, a crowd, disruptive behavior or expressive activity. The Russell County Commission may, therefore, exercise its right to control access to its workplace and to avoid interruptions to the performance of the duties of its employees.⁴ Accordingly, and to protect the safety and well-being of the employees working in the Russell County Courthouse, the Russell County Commission on February 28, 2024, has adopted the following policies.

1. All areas of the Russell County Courthouse besides the Russell County Commission Chambers are a limited public forum.
2. All citizens have the right to enter the Russell County Courthouse during operating hours to conduct official business.
3. Persons should not loiter on the property of the Russell County Courthouse.
4. Filming, videoing, photographing, livestreaming, or interactive messaging employees of the Russell County Commission as they perform their job duties is not allowed without the consent of those being filmed, videoed, or photographed.⁵
5. Filming, videoing, photographing, livestreaming, or interactive messaging citizens who are conducting business in the Russell County Courthouse is not allowed without the consent of those being filmed, videoed, or photographed.⁶
6. To avoid any disruption in ingress and egress, no one has the right to demonstrate, protest, or gather inside the Russell County Courthouse or on the sidewalks leading into the building.

¹ Smith v. City of Cumming, 212 F. 3d 1332, 1333 (11th Cir. 2000)

² Bloedorn v. Grube, 631 F. 3d 1218, 1230 (11th Cir. 2011)

³ Perry Educ. Ass'n v. Perry Loc. Educators' Ass'n, 460 U.S. 37, 46 (1983)

⁴ Cornelius v. NAACP Legal Def. & Fund, Inc., 473 U.S. 788, 805-806 (1985)

⁵ Law enforcement activities are exempted from this preclusion.

⁶ Law enforcement activities are exempted from this preclusion.

Commissioner Corbett moved to approve the policy for the courthouse, Emergency Management Agency building, and for the Building Inspections; seconded by Commissioner Reed. Commissioner Lee verified that this goes into effect today. All Commissioners were in favor and said aye. Motion carried.

Chairman Costello recognized Commissioner Lee who presented a Planning Commission appointment. He stated he is appointing Mr. Cole Phillips to serve the remaining term of Jerry Phillips.

COUNTY ENGINEER:

County Engineer Shawn Blakeney presented a budget amendment request for Gas Tax Fund (111) and RRR Gas Tax Fund (117). He requested to increase budgeted fund balance in Gas Tax fund (111) and add a line item to hold in escrow gas tax distributions due to the City of Phenix City and Town of Hurtsboro in the amount of \$78,174.04. He also requested to increase budgeted fund balance in RRR Gas Tax Fund (117) and add a line item to hold in escrow gas tax distributions due to the City of Phenix City and Town of Hurtsboro in the amount of \$67,665.01. Commissioner Corbett moved to approve the request; seconded by Commissioner Screws. All Commissioners were in favor and said aye. Motion carried.

County Engineer Shawn Blakeney presented a request to bid out the Rabbit Road resurfacing CRAF project. He would advertise beforehand, and open bids in the Commission Conference Room upstairs on 4/17/2024 at 3:00 pm Eastern Standard Time. Commissioner Screws moved to approve the request; seconded by Commissioner Corbett. All Commissioners were in favor and said aye. Motion carried.

County Engineer Shawn Blakeney presented a request to surplus a 2017 Mack dump truck. He requested to surplus this vehicle and sell it at J.M. Wood Auction on March 15, 2024. This truck will be replaced with the new Kenworth that has arrived. Commissioner Corbett moved to approve the request; seconded by Commissioner Chambers. All Commissioners were in favor and said aye. Motion carried.

SANITATION:

Sanitation Director Ward Dudley requested to purchase an Isuzu rear loader truck with a box in the back, one tipper, single axle for the purchase price of \$153,494.62 and for the Commissioners to sign the finance paperwork. The payments will be included in next year's budget. Commissioner Corbett 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:

County Administrator Paulette Colbert presented a budget amendment request for the Coroner's Department. Due to the vehicles in the budgeted price range being sold out, she requested an increase in the General Fund budgeted fund balance and line item 550 Motor Vehicles in the Coroner's budget in the amount of \$2,500.00. Commissioner Corbett moved to approve the request; seconded by Commissioner Screws. All Commissioners were in favor and said aye. Motion carried.

CORONAVIRUS RESCUE ACT FUND:

There was nothing presented in this area.

ATTORNEY:

Attorney Hope Hicks had nothing to present.

COMMISSIONER DISCUSSION:**ANNOUNCEMENTS:**

Announcements were made.

There being no further business, Commissioner Screws moved to adjourn; seconded by Commissioner Corbett. The meeting was adjourned.