

The Russell County Planning Commission
Meeting Minutes
January 6th, 2009
4:30 P.M. EST

An adjourned meeting of the Russell County Planning Commission was called to order. Members present were Chairman R.C. Adams, DillieElloitt, Commissioner Dudley, Bill Friend, David Ellis, Carla Thomas, Dr. Shelton, Rick Perry, J.C. Batcheldor, and County Administrator LeAnn Horne who kept the minutes.

A quorum was established.

Chairman Adams requested an approval for the December 2nd, 2008 meeting minutes. David Ellis asked to have corrections made replacing Ben Elliott with Larry Kite, since Ben was not at the meeting also to approval at the first page. Dillie Elliott motioned to approve the meeting minutes with corrections and was seconded by Bill Friend. The vote for approval was unanimous.

Ben Elliott reported on the Rivers Reach Subdivision. Engineering has been in contact with the insurance company who requested information. The Developer is no longer returning phone calls and has closed their post office box, so we unable to contact them. The insurance company understands the situation and is hoping the development will be sold to another development company, but at this time has not. This was before the market had gone under.

Chairman Adams asked: Mr. Elliott do you think the Planning Commission should get the County Attorney involved?

Mr. Elliott said: At some point, but not at this time. This will take a long time. We have cashed in one bond which took about one year for \$20,000.00. It may be easier than I think to get the money.

Attorney Walter Gray questioned: Is there was a reason for waiting?

Mr. Elliott stated: I'm not sure you'll accomplish anything by taking them to court except spending money.

Chairman Adams asked: How many people are in the development now without a road.

Mr. Elliott stated: I don't know. There is a road to get in and out of the development, it is not paved. Even if the money is obtainable the land owners will still have to wait for the project to be completed.

Attorney Gray asked: So the process to cash in the bonds has been started?

Mr. Elliott stated: The process had begun. They have requested information about the plats, construction plans and who the engineer record was. I have sent them requested information and they will probably send their engineer down to review uncompleted projects and make estimates.

Chairman Adams asked: Are the gates locked?

Mr. Elliott replied: They are. Someone in that area has a key and is looking after the place.

Attorney Gray asked: Has a notice been provided to the land owners that have been affected by the situation?

Mr. Elliott stated: Someone had contacted the Revenue Department complaining about the property value.

Chairman Adams states: We need to take control and keep pursuing this.

Mr. Elliott stated: It is being pursued; it is in the preliminary stages. We will help legally, due to the roads are owned by North American Land, which makes it private property. County Employees are not allowed on the property. If the work is contracted out and is completed, who will own the road, North American Land? Will the road become a public road?

Attorney Gray stated: Someone needs to send a notice to North American Land and have them sign the road back over to the county.

Mr. Elliott replied: We are unable to contact them.

Attorney Gray advised to sending notices to property owners, instructing them how to negotiate their property values down for tax purposes and who to contact. We should let them know we are working to get this rectified and we are not going to take advantage of the situation.

Tim Simpson, Engineer from Barrett-Simpson presented the final plat of Farmbrooke Phase 6. Sixteen lots, that have been constructed, the roads are built, water lines installed and signed off by the water departments, perk test are done and septic systems have been signed off by the Health Department. The only thing lacking is approval from the Planning Commission. The Developer already has these ready to sell and builders ready to move in as soon as the plats are sold.

Chairman Adams asked Mr. Elliott what his recommendation was.

Mr. Elliott recommended approving.

David Ellis motioned to approve Phase 6 of Farmbrooke Subdivision and was seconded by Carla Thomas. The vote was unanimous.

Chairman Adams asked about if the amendments for the subdivision regulations were complete. Mr. Elliott stated there were a few things Mr. Kite was still investigating.

After a brief discussion on the need for a Comprehensive Plan for Russell County, Chairman Adams adjourned the meeting.