

RUSSELL COUNTY COMMISSION MEETING MINUTES
October 10, 2006
10:00 A.M. EST

An adjourned meeting of the Russell County Commission was called to order in the County Commission Chambers at the Russell County Courthouse. The following Commissioners were present: Gentry Lee, Gordon Cox, Peggy Martin, Ronnie Reed, Cattie Epps, Mervin Dudley and J.D. Upshaw. Assistant Administrator, Vickie Perry kept the minutes.

A quorum was established by the Assistant County Administrator.

Commissioner Martin motioned to approve the agenda business items. Commissioner Dudley seconded the motion. The motion carried by unanimous vote of the Commission.

The Pledge of Allegiance was led by Commissioner Reed.

The invocation was given by Rev. Nathan Sims, Pastor, Holland Creek Baptist Church.

Chairperson Cox welcomed visitors, the news media, department heads, elected officials and citizens.

Commissioner Dudley motioned to table the minutes of September 19, 2006 and September 26, 2006 meetings due to time constraints and length of the minutes. Commissioners Epps and Martin seconded the motion. The motion carried by unanimous vote.

Representative Lesley Vance stated several weeks ago the County Commission contacted me in regards to completion of County Road 4 in Pittsview. We had set up a meeting in Montgomery to discuss securing the funds for this project. After speaking with Don Vaughn at the Highway Department, we were able to this without having to go to Montgomery.

Assistant Administrator, Vickie Perry read the letter from the State Highway Department.

The Honorable Gordon Cox
Chairman, Russell County Commission
P.O. Box 969
Phenix City, AL 36868

RE: Extension of CR4 from
Old 431 to New US 431
Russell County

Dear Sir:

We have agreed to participate in your proposal for the subject project and the State will be responsible for the cost of the roadway portion of the project (Estimate-\$2,196,900 maximum state participation). As proposed by the County, the County will be responsible for the bridge (Estimate-\$1,870,00) and any cost overruns in excess of the roadway estimate.

The County will be responsible for all preliminary engineering, utility relocation and right-of-way acquisition associated with this project. The State will let the contract and the County will have construction inspection responsibilities.

If you or Mr. Richard Godhe has any questions concerning this matter, please contact Mr. Frank Courson, County Transportation Engineer, for assistance.

Sincerely,
D.J. McInnes
Transportation Director

Commissioner Upshaw stated I want to personally thank Mr. Vance for his participation in getting this help for completion of the County Road 4 project.

James McGill stated the state has approved the tax abatement for McLendon Trailers, LLC to be located in the old PillowTex building on Brickyard Road. This is a ten year tax abatement but does not include the taxes for Education.

Commissioner Epps motioned to approve the recommendation and allow the Chairperson to sign on behalf of the Commission. Commissioner Reed seconded the motion. The Assistant Administrator polled the Commission. District 1 (Lee) voted yes. District 2 (Cox) voted yes. District 3 (Martin) voted yes. District 4 (Reed) voted yes. District 5 (Epps) voted yes. District 6 (Dudley) abstained. District 7 (Upshaw) voted yes. The motion carried by six yes votes and one abstention.

County Engineer, Rick Gohde stated I would like to request approval to send out bids for bulk cement and heavy equipment rental. Bid opening date will be Thursday, November 2, 2006 at 3:30 p.m. EDT in the Commission Chambers.

Commissioner Lee motioned to approve the request. Commissioner Dudley seconded the motion. The motion carried by unanimous vote.

Rick Gohde stated we opened the bids for the 6th Place South sidewalk project. This is a State Highway Transportation Enhancement Grant for \$60,000.00 with \$15,000.00 in kind match from the county; for a total of \$75,000.00. We received only one bid totaling \$92,000.00. Looking at the bid however, there are three distinct items. Those items were contingency items just in case they were necessary. We do not feel those items are going to be necessary for the project, although we must award the project as it was bid. Even though the low bid was \$92,000.00; this is a unit price contract, meaning if you don't use it, you don't pay for it. In looking at the project we should finish at less than \$75,000.00; anything over \$60,000.00 the County would be responsible for that. Nix Construction was the only bidder and I recommend they be awarded the contract. Since they were the sole bidder we can negotiate on the aspects of the project.

Commissioner Reed motioned to accept the recommendation. Commissioner Dudley and Lee seconded the motion.

Commissioner Epps asked if have a starting date for this project.

Rick Gohde stated this is the first step in the process. We will send the bid results to the 6th Division Engineering for review and awarding of the bid. Any negotiations will have to be approved by the State as well.

Assistant Administrator Perry polled the Commission. The motion carried by unanimous vote.

Rick Godhe stated we have completed negotiations for acquisition of the right-of-way for portions of Wende Road. This has been ongoing for quite some time and we hope to move forward on paving and re-locating the fences on Wende Road in the near future. We did a basic design of what would be necessary and negotiated with the land owners for acquisition of those rights-of-ways. In this case, the land owners are Mr. Torbert and Mr. Lamb are not willing to donate the land to the county. The total amount for acquisition of land is \$12,000.00 and the relocation of the fencing totals almost \$29,000.00 for a grand total of \$41,000.00 for the complete package.

Commissioner Upshaw motioned to table this until it can be further discussed and reviewed. This seems like an excessive amount for relocating fence.

Commissioner Reed seconded the motion.

Commissioner Upshaw stated I want to talk to some of the people out there. Some of them have donated their land. If we come in here now and pay the landowners for the same thing, I would imagine the ones who donated their land might be upset. I know I would be in the same situation.

Commissioner Dudley stated in all fairness, I think we should look at this very closely and determine if we are doing the right thing. When most of us came on board, we were told that the standard operating procedure was that the county does not purchase land for making road improvements.

Commissioner Upshaw stated I am one of many who want this road paved. I still think this needs to be looked into further before moving forward.

Commissioner Epps stated we are going to have to be cautious when spending money. We are fresh out of the budget proceedings and have a tight budget. Is this part of your budget Mr. Gohde?

Engineer Gohde stated yes, acquisitions are within the budget.

Commissioner Epps stated we need to be fair to the people who donated their land to have their roads paved.

Commissioner Dudley stated in referring back to the costs of moving fencing, in the past \$1.50 per running foot was the amount spent for both sides of the road. This is the amount we worked with when Mr. Markert was here and would be a good tool to work with and compare when we review what we are talking about doing on this project.

Commissioner Lee stated I want Mr. Funderburk to correct me if I am wrong, but on some of these right-of-ways we have purchased in the past, before you can condemn property and go through Eminent Domain process; an offer has to be made and refused, is that correct? So, with that offer made and accepted, you bought it.

Commissioner Dudley stated just for the record. Mr. Lamb purchases property so he will know this. The Railroad property that was sold, do you know the purchase price per acre for that?

Mr. Lamb stated we paid \$850.00 per acre for the Railroad property. There were roughly thirty acres purchased.

Assistant Administrator Perry polled the Commission. The motion to table carried by unanimous vote.

Commissioner Dudley motioned to adjourn. Commissioner Lee seconded. The meeting adjourned.