

The Russell County Planning Commission
Emergency Called Meeting
February 10th, 2009
4:30 P.M. EST

An emergency called meeting was called to order by Chairman R. C. Adams. Members present were Dillie Elliott, Carla Thomas, Bill Friend, Dr. Thomas Shelton, David Ellis and J.C. Batchelor. Also present were Attorney Walter Gray, Ben Elliott, Engineering Assistant and Beth Monk who kept the minutes for LeAnn Horne, County Administrator, who was absent.

Chairman Adams requested a motion to approve the January 6th, 2009 minutes. Dillie Elliott motioned to approve the minutes and was seconded by Bill Friend. The vote was unanimous.

Bill Barrett, Engineer of Barrett-Simpson, Inc.: The Registry at West Gate Phase I, final plat. The preliminary plat for approximately 300 lots had been brought earlier for approval; this is the first section of that development. There are seventy six lots in this phase, which are now ready for final approval. This project is located on Owens road, across the railroad tracks and immediately to the left. Several lots were replaced with an amenities area.

Ben Elliott: Everything is compliance with the subdivision regulations.

Chairman Adams: If there are no questions or comments, is there a motion for approval?

David Ellis motioned to approve and was seconded by J.C. Batchelor. The vote was unanimous.

Chairman Adams: Is there any new information concerning the River's Reach?

Ben Elliott: I have tried to make contact with the company again, but was unable.

J.W. Brannen: I have had a lot of people contacting me with concerns about their taxes and who are not able to go get in the gate to their property. We need to call the County Attorney, and help these people obtain a way in to their lots. I understand they are going bankrupt, so we need to let Kenneth Funderburk call in the bond.

Chairman Adams: They have already advertized the foreclosure.

Attorney Walter Gray: I understand from the last meeting, we had already started the proceeding for calling in the bond.

Ben Elliott: That is correct, but it may go faster if, it was handed-off to the County Attorney.

Attorney Walter Gray: I suggested having the company sign the road back over to county; so owners of the lots would have access to them. Evidently, we are unable to make contact with the company.

J.W. Brannen: They may have a problem with that since it is set up as a gated community, which carries a different law in Alabama. If the bonding company is able to make good on the utilities, then the owner's association can take over that property. They own it and they can cut the locks off the gates. The Planning

Commission required the bond; I think we should pass a motion to ask the County Commission to turn this issue over to the County Attorney.

Chairman Adams: Ben, I also think the County Commission should be made aware of what has happened and let the County Attorney take over.

Walter Gray: I make a motion at this time to obtain all the bonding information that has been previously ascertained by the Engineering Department. We should get copies of that information and turn it over to the County Commission, so they can move forward with the assessments on the bond and obtaining the bond from the insurance company, through their attorney, Kenneth Funderburk.

Bill Friend: I second the motion.

The vote was unanimous.

Chairman Adams: If there are no more questions or comments, the next meeting will be March 3rd. The meeting is adjourned.