

The Public Hearing Abatement Minutes
1 Sommerset Drive
August 27th, 2014
9:30 A.M. EDT

The Public Hearing for land abatement of 1 Sommerset Drive was called to order by Chair Martin.

There were no comments concerning the abatement of property.

The meeting was adjourned.

The Russell County Commission
Meeting Minutes
August 27th, 2014
9:30 A.M. EDT

Chair Martin welcomed elected officials, department heads, media and guests. She also thanked Cable T.V. of East Alabama and the Citizens News for coverage of the Commission meeting.

An adjourned meeting of the Russell County Commission was called to order. Members present were: Chair Peggy Martin, Gentry Lee, Tillman Pugh, Ronnie Reed, Cattie Epps, Chance Corbett and Larry Screws. Also present was the County Attorney Kenneth Funderburk and County Administrator LeAnn Horne, who kept the minutes.

A quorum was established.

The invocation was given by Chair Martin; afterward she led The Pledge of Allegiance.

Chair Martin requested approval of the August 13th, 2014 meeting minutes. Commissioner Pugh motioned to approve the minutes and was seconded by Commissioner Screws. Six (6) commissioners voted to approve the minutes; Commissioner Corbett abstained due to his absence at that meeting. The motioned passed.

Commissioner Screws presented a proclamation to the family of the late Dr. Shelton in honor of his faithful volunteer service to his county and community.

The Commission has approved a proclamation to Peggy Seymour, who is retiring August 29th with over 39 years of service to the county. The proclamation will be presented to Mrs. Seymour at her retirement party on August 29th.

Commissioner Pugh gave a history of a gate that was installed several years ago at the end of Cochagalechee Creek Road on the county right-of-way. The gate was installed for security reasons by the landowner and was advised to follow proper abatement procedures. Abatement was not followed through. Since the owner has sold the land. The new land owner is having problems getting through the gate to maintain their property. Commissioner Pugh motioned to have the County Engineer to send a letter to the original owner requesting removal of the gate, which is on county property and is preventing current landowners' access to their property. The letter will give them 30 days with a 5 day mailing time, total of 35 days. If the gate has not been removed during those 35 days, the county will remove the gate and store it on county property for additional 30 days for pick-up by the owner. If not picked up the county will dispose of the gate. Seconded by Commissioner Corbett.

Commissioner Reed asked for the County Attorney's recommendation, who stated that the county had not given any permission at this point and has not been involved in the matter. One Commissioner cannot give permission, nor can the County Engineer. If permission is given it has to be done by the Commission body. Contrary to comments made at Monday night's work session, the Commission has not been involved in this issue. This is a civil dispute and needs to resolve in civil court. His recommendation was not to get involved in the matter. The County can do a lot of things but the issue is should the county do something.

After discussion took place concerning who gave permission for the gate to be installed, Administrator Horne polled the Commission. District 1(Lee) voted, yes; District 2 (Pugh) voted, yes; District 3 (Martin abstained; District 4 (Reed) voted, no; District 5 (Epps) voted, yes; District 6 (Corbett) voted, yes; District 7(Screws) voted, yes. Five (5) yes votes, one (1) abstention and one (1) no vote the motioned was approved.

Recreational Director Coach Parker requested approval of a pre-application for the Land and Water Conservation Grant to build a walking trail at the Seale Complex. Commissioner Screws motioned to approve the pre-application and was seconded by Commissioner Epps. District 1(Lee) voted, yes; District 2 (Pugh) voted, yes; District 3 (Martin) voted, yes; District 4 (Reed) voted, yes; District 5 (Epps) voted, yes; District 6 (Corbett) voted, no; District 7(Screws) voted, yes. Six (6) yes votes and (1) no vote the motioned passed.

Special Enforcement Officer Bill Friend gave a history of the abatement for 1 Sommerset Drive. The public hearing for the abatement was held prior to today's Commission Meeting. There were no comments made for or against the abatement. Mr. Friend requested approval to declare the property a public nuisance by resolution and to abate the property by removal. It is estimated that clean-up of the outside portion of the property will be \$500 and the bank that has foreclosed on the house has been contacted about the lien that will be placed on the property for the clean-up. Commissioner Pugh motioned to approve the abatement. Seconded by Commissioner Corbett. The vote was unanimous.

Attorney Kenneth Funderburk presented his letter of recommendation for the Commissioners to go into executive session to discuss a personnel matter. Commissioner Epps motioned to approve moving into executive session and was seconded by Commissioner Reed. The vote was unanimous.

Chair Martin made announcements before the executive session:

- The Courthouse will be closed September 1st for the Labor Day Holiday.
- The Labor Day Fair at the Old Seale Courthouse will be September 1st from 9:00 a.m. to 4:00 p.m. EDT.
- A District 6 Community Meeting is scheduled on September 4th at 6:30 p.m. EDT at Dixie School.
- Joint meeting for the Planning and County Commissions will be September 8th at 4:00 p.m. EDT prior to the work session.
- Commissioner Epps was nominated by the NACo to serve on the National Human Services and Education Steering Committee.

The Commission returned from the executive session. Commissioner Epps motioned to reconvene the Commission meeting. Seconded by Commissioner Lee. The vote was unanimous.

Attorney Funderburk recommended the application to appeal the termination of Johnathan Kirkland be denied. Commissioner Screws motioned to approve the recommendation and was seconded by Commissioner Corbett. The vote was unanimous.

Commissioner Lee motioned to adjourn the meeting

Meeting was adjourned.