

Russell County Commission
Russell County Commission Chambers
Meeting Minutes October 13, 2021
9:30 A.M. EST

An adjourned meeting of the Russell County Commission was called to order by Chairman Chance Corbett.

The invocation was given by Reverend Alan Griffith with Emmanuel Baptist Church.

Commissioner Costello led the Pledge of Allegiance.

PUBLIC COMMENTS:

Mr. Larry Person discussed about his road paving in Seale Alabama stating his wife came in and spoke January 6th in a public meeting with the names of the 37 taxpayers' that live in the loop that want it paved. He wanted something in writing to get on a list and see if it can be in the budget for the ½ mile road to be asphalted. He understands there has been COVID, but wants to bring attention to it, and it not be thrown out. He would like something in writing that if it's not in the budget, why it cannot be in the budget. Chairman Corbett stated for him to contact Commissioner Screws, and maybe the engineer to get his answers and to get help with it.

Chairman Corbett thanked BEAM and The Citizen of East Alabama for covering our meetings and for streaming on Facebook live for people not able to attend. He welcomed our elected officials, guests, department heads, media, and others in the Chambers, as well.

County Administrator Paulette Colbert called roll of the Commission. Member's present were Commissioner Rod Costello, Commissioner Cattie Epps, Commissioner Larry Screws, Commissioner Ronnie Reed, Commissioner Gentry Lee, and Chairman Chance Corbett. Commissioner Scott Chambers was off on business with Sheriff Taylor. Also, present was Interim County Attorney Hope Hicks and County Administrator Paulette Colbert, who kept minutes

A quorum was established by County Administrator Paulette Colbert.

Chairman Corbett stated that since there was no work session Monday night due to the Columbus Day holiday and the courthouse was closed, they need to approve the agenda at the beginning of today's meeting. Motion to approve the agenda was by Commissioner Epps as printed with any additions needed. Seconded by Commissioner Costello. All Commissioners were in favor by saying aye. None opposed. The Commission passed the motion unanimously.

APPROVAL OF MINUTES:

Chairman Corbett presented to approve the minutes for September 22, 2021 Commission meeting. Commissioner Costello motioned to approve minutes. Seconded by Commissioner

Epps. All Commissioners were in favor by saying aye. None opposed. The Commission passed the motion unanimously.

PROCLAMATIONS AND RESOLUTIONS:

No proclamations and resolutions were in today's meeting.

DISCUSSION ITEMS:

Chairman Corbett presented Commissioner Reed with the renovation of the old post office /library. Commissioner Reed said he wanted to move on renovation of the old post office because it's on the historic society registry and that we are eligible to get grants, so now is a good time to go ahead and do something on it since they've been putting it off for a long time. Chairman Corbett mentioned that he asked Mr. Holmes to attend today in case there were any specific questions of him. Chairman Corbett stated that 2 weeks ago, himself with Mrs. Colbert and Scott Holmes participated in a virtual meeting of the Alabama Historic Commission. He said it's the board that actually approves any requests or applications to be on the national register, it had to go to the state first and it was approved, and it has now been pushed to the national level. He is hoping that anytime we are going to get through the process, even though COVID's slowed it way down. As soon as the national level approves it and it's placed on the National Historic Register, then we would actually be eligible for historic tax credits. Mr. Scott Holmes stated that it passed Alabama national boards and it's going to the federal and it takes sometimes 30 days. It does 2 things for us: we get 20% national tax credits, and problem with the national is that it usually has to be a private entity that uses it, but the state tax credit is 25% and you do not have to be necessarily a private entity. He stated if you can't take advantage of the tax credits, our lawyer can write it up and we basically can get a check back from them and that's why it's such an important thing so we are waiting from the National Registry and then it will be time to move which should be within the next 30 days or so. Chairman Corbett stated that we don't want to touch the building until we get the approval because that could cause consequences in getting the national approval. Once we get that approval, we can then move forward and also know what we need to do (and not need to do) to work on the building.

Chairman Corbett presented Mr. Hal Cain with Business Alabama Magazine. Mr. Cain spoke about his magazine being a monthly business magazine that is statewide with 52,000 business readers every month. He referenced information in a blue packet he left at the Commissioners areas. He stated that "Spotlight" is a section in their magazine that helps areas attract new businesses and industries. Written from a promotional standpoint and covers every county in the state of Alabama and it takes them roughly 2 years to get to all sixty-seven counties in and this December they will be covering Russell, Lee, and Macon County together. He stated he has had good feedback, but he didn't ever make a presentation to the Russell County Commission. He shared information that other counties have done. Spotlight talks about everything from economic engines. What's driving the economy locally? Is there workforce there? Is it young? Along with many various areas business and industry people want to know about the workforce area. He spoke about details and asked if the Commission would like to purchase an ad (various sizes and prices) for his magazine. Chairman Corbett asked Mrs. Colbert to get our Economic Development Developer, Mr. Victor Cross, involved in this because he thinks it's a good thing for the county to be involved in. Commissioner Corbett added that

Victor, the Economic Development, the Chamber, also the Realty Board, along with a couple of the school systems that may be able to partner with us to do an ad and such as that. Mr. Cain said he is going to meet with Paula Thompson at the county school system after he leaves the Commission meeting. He stated the deadline is them receiving a yay or nay by the 25th of October and they'd need the ad, and they have a staff that will be glad to help build an ad, that's due on November 4th. Chairman Corbett stated the next Commission meeting will be October 27th and Mr. Cain said he probably could extend it to the 27th if they needed to vote on it and he could hold space for it. He said they'd be glad to help in any way that they can.

BUSINESS ITEMS:

Chairman Corbett presented Maintenance Director Leon Watson with a request to send out invitations to bid Seale Courthouse septic upgrade. Mr. Watson requested to take bids for the replacement of the sewer system at the Old Seale Courthouse. He proposed to advertise in the local newspaper, which LRCOG will advertise for it. He proposed to start running the ad on 10/20/2021, 10/27/2021 and 11/3/2021 and to open bids on November 18, 2021 at 3 pm ET in the Commission Chambers. Mr. Watson stated that he anticipated bid awarding will be at the November 24th Commission meeting. He said this replacement of the septic system will be paid for with some of the CDBG grant money, so it was not a budgeted item this year, but it will be used from the grant money that they were awarded. Commissioner Lee noted that there are 2 complete systems down there and Mr. Watson agreed. Commissioner Lee asked that with the system outside that has the restrooms and maybe the kitchen, will it stay like it is because it seems that they don't have any trouble with it much? Mr. Watson stated that he is almost positive that the engineering drawing only shows the courthouse, not the exterior bathrooms. Commissioner Lee stated that there is another septic tank system, and he thinks the kitchen also goes into that system. Mr. Watson was not positive about it. Commissioner Lee stated that there was a clean out plug right outside, down from the kitchen, and it seemed like it went to that septic tank. Mr. Watson said that they had the engineer draw specifications so upon requests for the bids, they will have to follow the engineering specifications, which they will elect to bore under the road rather than cut through the road and have to patch the road because the lines will actually go over into the school's old ball field, in front of the school. Chairman Corbett added that this is the CCBG money where the Commissioner appointed a committee to look at projects for this funding and one of the projects was identifying the fact that the courthouse, the center of the county, would be a good location for community type events around pandemic support, and because of the new restrooms and the other projects that have been done there making it ADA accessible was a good project that the committee voted to do it, it's just been awhile and he said they are not sure of the exact amount. He said they had one quote (not saying the amount) and it was below the bid limit, but Lee Russell Council of Governments says ADECA is still requiring it to be bid even though it's below the bid amount. He said that's the reason we are at the table now asking for it to be bid. Chairman Corbett said he thinks it's a good project for the county as well. Motion to approve by Commissioner Lee. Seconded by Commissioner Reed. Commissioner Screws said that he didn't see where there is any cost to the Commission, correct? Chairman Corbett agreed that it's 100% grant with CDBG money, provide it falls within the budgeted amount which he feels he is sure it will. Chairman Corbett stated that the courthouse venue is rented almost every weekend for events. County Administrator Paulette Colbert called the vote the Commission as follows: District 3: Costello,

yes. District 5: Epps, yes. District 7: Screws, yes. District 4: Reed, yes. District 1: Lee, yes. District 6: Corbett, yes. The Commission passed the motion unanimously.

Chairman Corbett presented Commissioner Epps with Chief Building Official Bubba Roberts about zoning in the county. Commissioner Epps spoke about zoning from the last Commission meeting and mentioned our attorney gave good advice and recommendations but since that time we had problems or concerns on which zoning that we need to go forward with. She asked Mr. Bubba Roberts if he would address that because the concerns came from him. Mr. Roberts stated that they've had an application for a building project on 165 and it sits on 5 acres of land between Sunoco Station, Tallapoosa River Electric, the Dollar Store, and right behind it there is a residential subdivision. He said the proposed use of this property is to be a 25-meter outdoor handgun range, with the size of the property and the backdrops that is required, the berms, and also be two buildings. After he did some research, he feels, along with Sheriff Heath Taylor and Commissioner Costello, who knows about this, and they've also contacted the Attorney General's office. Both himself and the Sheriff first called the County Attorney and there is nothing they can do because we don't have any restrictions as to set requirements of size of lots, or anything that would prohibit this going on this piece of property. Mr. Roberts said there are only two ways that he knows to do this, and one was that the Attorney General told the Sheriff to do it by local amendment, but still again we have to set the minimum standards as to lot size, setback requirements, and things of that nature. He said it's apparent to him and a bad subject to most people, but the simplest way is by the act that was passed in 1995 where you can approve your zoning and go ahead and put a zoning plan together to see if we can restrict some of these types of businesses to where you think they need to go which will be safe for the entire county. Mr. Roberts stated that he thinks zoning is a great use for land use and thinks it's a way to grow a county. He said Russell County will be predominantly agricultural and you have a few small areas that would be residential but there again you could put in your use of a plan unit development, and how you want it whether you want a subdivision and where you want it. He said he thinks this is something they need to look at but right now, if push comes to shove, the gentleman wants to continue this project, Mr. Roberts will have to issue a building permit. Commissioner Lee asked Mr. Roberts if the Commission decided to go with option 2, the time it would take it would take to do that wouldn't prevent this from happening, would it? Mr. Roberts said no, and that would be for either option 1 or option 2. Commissioner Lee stated that the time required to go through the zoning process, it may be worn out by then so we're not voting to stop this from taking place. Mr. Roberts said we might want to talk to the attorney, but he doesn't think you can stop it. Commissioner Epps asked the attorney to address this because the neighborhood in the area doesn't want it, it's in a bad area, and plus there is a shooting range already out in Fort Mitchell that people can use. Attorney Hope Hicks stated that because we don't have any zoning in place right now, there is nothing that can be done. She said the building permit would be lawful, and there's no way to deny that and the business license will be a lawful business license. She said it's sort of like what they talked about last time, it's not that you don't want this business, it's where you want this business in Russell County and right now, we don't have any guidelines that let us establish those type things. Ms. Hicks says if you want to move forward with zoning, you could do it by starting one area at a time after you designated it and maybe Fort Mitchell is the right area to be the first area you do zoning in Russell County and she can arrange a conference call with the Baldwin County Administrator, who's their former Planning and Zoning Official to maybe give some ideas about where you'd like to start

and the easiest route to go down to do this. Commissioner Lee stated that to take on a project of this size, wouldn't you have to have some study or some kind of idea of what you were planning on doing, how much it was going to cost because it's not free and you're going to have to hire someone to draw these zoning maps and contact the people. He said it's a long process. They can't vote to do zoning today, and Russell County be zoned by Monday next week. He said he'd be in favor if they had the money to do it, to hire someone to come in and give us a study on what zoning in Russell County would be because right now we're just talking about it. He called it spot zoning in one particular case and he's not in favor in that. Ms. Hicks said that you can't spot zone and that's not what we would do, but the Russell County Commission, in the past, has dealt with if they wanted to do zoning or not, and that's the first question what you have to answer is and if you are willing to explore what zoning would look like in Russell County. She recommends they have the conference call with somebody who is willing to talk to you for free, and then you're absolutely going to have to hire a consultant that will come in and do the study for you, tell you what it would take, and make some recommendation to you. Ms. Hicks asked if they want to move in that direction in having the conversation, because it seems like this might be an instance that you're not stopping this, but maybe understanding that planned growth, and deciding where certain businesses can come and where they don't need to be, is the purpose of zoning. Commissioner Lee said that he would have to have some assurance from of the landowners in Russell County, that if they didn't want something changed, it wouldn't be changed, until a new landowner or if they sold it, it wanted to be changed. He didn't want to vote to just go in and tell landowners that have owned land for hundreds of years, that now their land can only be used for this, and he couldn't favor it. He knows the two they had before, and that they voted on, said the original plan was if there was a shooting range there, it was going to be zoned a shooting range. If it was a hog farm, it was zoned that way. Mr. Hicks said they'd probably aren't to zone as specific as a hog farm and shooting range right now, but definitely business or industrial. Commissioner Lee agreed and was using that as an example. Ms. Hicks stated that she can't imagine that we'd implement any zoning that didn't grandfather in property as it's already currently being used with the understanding that if the property owners sold, or they divided it, that it could certainly change their zoning at that point. She added that as long as the property stayed intact with the same owner, you would grandfather that in and almost any zoning that would ever be adopted. Commissioner Screws stated that we are getting a little ahead of ourselves in this discussion, and that the first thing is to decide whether or not they want to listen to the gentleman from Baldwin County would be his recommendation. To vote that up or down then they go from there. Ms. Hicks said that's where the Commissions gages their interest, whether it's there or not. Chairman Corbett stated that Commissioner Screws made a good comment because he was concerned that someone was going to make a motion to approve zoning in this county, and he thinks they are way far away from that, and he thinks they need to get to the point where they are having this conversation, and they get the plan before they start trying to make decisions like that. He stated these are good comments and he's willing to listen to any conversation, be a part of any conversation. He just knows, like Commissioner Lee stated, there has been previous votes in the county and have voted against zoning because of the unknown probably more than anything because no farmer is going to want you to come in to say you're out of zone commercial or you're out of zone, and as them being Commissioners, if they were to go and vote on something like that and somebody asks him the question, he would not know how to answer it. Chairman Corbett stated that they need to be smart about this and take their time, not react after this range thing started coming up last week, which he didn't get a call about it, but he heard about it. He stated that one knee jerk reaction was to go into the next meeting and approve zoning because that's not the right thing and it still wouldn't stop that. Commissioner Epps moved to accept the recommendation of their attorney to get online with the consultant and have him talk to them about zoning and to give them some advice. Chairman Corbett stated that she motioned for their attorney to get this setup. Seconded by Commissioner Screws. All Commissioners were in favor by saying aye. None opposed. The Commission passed the motion unanimously and asked Ms. Hicks to please take care of it. Ms. Hicks agreed.

COUNTY ENGINEER:

The County Engineer had nothing to report but Chairman Corbett complimented and appreciated the Highway Department for coming out on the holiday fixing sign issues. County Engineer Shawn Blakeney shared an update about the Auburn Road where there was a water main break under that road and it caused issues with our pipe 15-foot down, so Phenix City is bringing a camera out and run through out pipe and look at the system to see if there's any problem with the pipe so the road will be closed this week and possibly next week, any further than that, he will let us know.

ADMINISTRATOR:

County Administrator Paulette Colbert had nothing to present.

COUNTY ATTORNEY:

Interim County Attorney Hope Hicks had nothing to present. Commissioner Lee verified that at the next work session will start early. She agreed and stated that they will talk about the American Rescue Plan money and for thoughts on which direction to move. Chairman Corbett clarified that this will be for the work session on Monday, October 25th, and will start at 4:00 pm EST instead of 5:00 pm.

COMMISSIONER DISCUSSION:

Commissioner Lee brought up the just approved meeting with Baldwin County and how it was going to take place because he thinks they all need to be on the conference call and wanted to know how it would be setup. Ms. Hicks stated that she would get with him with his schedule and if we can't do it at the work session on the 25th, then maybe the next work session he could call in and everybody could be in it. They could have a Zoom call at the same time whether it's video or audio, they could try to do at a work session so that it's on the Commissioner's calendars already. Commissioner Lee asked if it was in violation in any meeting laws by doing it that way. Ms. Hicks agreed because it would be open to the public, just like the work session is. Chairman Corbett stated that they'd love to pay his mileage if he'd like to come in person. Commissioner Lee agreed that they'd pay him to come and bring some pictures and information that they could see. Ms. Hicks said she will see what his schedules is and what the Baldwin County Commissioners have him doing.

Commissioner Screws had a question on the parking lot and it still having water because he thought they would have a grate for the draining. County Engineer Shawn Blakeney answered that the Commission decided not to put in a grate due to cost and not knowing what was underneath the parking lot.

Commissioner Screws asked about how the interviews are coming, and Chairman Corbett stated they have not been setup due to scheduling and holidays, but they should be coming up quick and he's spoken to Max about trying to get a date.

Chairman Corbett spoke about several events coming soon in the Crawford area. The Crawford Baptist Church Trunk-or-Treat on Sunday, October 31st will be at the Walking Trail this year for more space and more people. Also, the Crawford Walking Trail and gazebo will have holiday lighting on Tuesday night, November 30th. He added the Crawford restrooms are coming along well, and between Leon's crew along with businesses volunteering their time and equipment. The last Crawford Market days will be November 20th at Crawford Park.

ANNOUNCEMENTS:

- **Tuning Into Kids Program:** Weekly from Oct 21 to Nov 18th on Thursdays from 5:30 pm - 7:30 pm EST
~ at the Russell County Extension Office 508 14th Street, Phenix City ~*Registration is Required* ~
- **Ft. Mitchell Fall Festival:** Saturday, Oct. 23, 2021 from 9:00 am - 3:00 pm EST
~ at the Ft. Mitchell 1813 Historical Park & Museum, 561 HWY 165, FT Mitchell, AL 36856

Motion to adjourn by Commissioner Costello and seconded by Commissioner Screws.

The meeting was adjourned.