

**Russell County Commission
Russell County Commission Chambers
Meeting Minutes May 25, 2022
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:

No public comments were made.

Chairman Corbett thanked BEAM Cable TV for broadcasting our meeting live for the public on Facebook, and The Citizen of East Alabama for covering the meetings. He welcomed our elected officials, department heads, media, and guests.

County Administrator Paulette Colbert called roll of the Commission. Members present were Commissioner Ronnie Reed, Commissioner Larry Screws, Commissioner Cattie Epps, Commissioner Rod Costello, Commissioner Scott Chambers, and Chairman Chance Corbett. Commissioner Gentry Lee was not present. Also present was County Attorney Hope Hicks, and County Administrator Paulette Colbert who kept the minutes.

A quorum was established by the County Administrator Paulette Colbert.

Chairman Corbett stated that the agenda was approved at the work session Monday night on May 23, 2022.

APPROVAL OF MINUTES:

Chairman Corbett asked for approval of the minutes of May 11, 2022, Commission meeting. Commissioner Epps moved to approve the minutes. Seconded by Commissioner Costello. All Commissioners present were in favor by saying aye. Motion passed.

PROCLAMATIONS, RESOLUTIONS AND PRESENTATIONS:

There were no proclamations, resolutions, or presentations to be made.

DISCUSSION ITEMS:

Chairman Corbett presented Commissioner Epps who discussed the installation of sewage in district 5 consisting of Fort Mitchell and Phenix City area and requesting the commission to allocate money in the budget to help sustain the sewage in Russell County.

Chairman Corbett discussed zoning in Fort Mitchell and asked Attorney Hope Hicks zoning questions. Ms. Hicks shared her answers to questions given to her by Chairman Corbett as follows: can the Commission vote to implement zoning in Russell County? She answered, yes, based on the 2007 law it doesn't have to go to a public vote. She stated that the initial law giving Russell County the ability to zone was passed in 1995, and that required it to go to a public vote. The law was amended in 2007 to where the Commission alone can vote for zoning. She said that if the Commission wants it, they can vote for it, but they have to have a master plan in place that you vote to adopt at that time. Her opinion was for the Commission to hire a professional planner or company to help put a plan in place. Next question: is the Planning Commission also empowered to be the Zoning Board if zoning is passed in Russell County? She said, yes, the Planning Commission would be the Zoning Board and that their name would remain Planning Commission. They would act as the Zoning Board for Russell County and said the 1995 Act goes into pretty specific details about what they would do. Appeals would go to the Russell County Circuit Court. Next question was, what is the correct term for zoning a particular area, whether it is spot zoning or area zoning? She stated that spot zoning is if you zone just one

parcel of property, and that is illegal, and you cannot do that. She added what can be done is implementing a master plan and start doing zoning based on districts. You don't have to try to implement the whole county at one time. She stated that your master plan would designate to have zone one, zone two, zone three, or types of zones or you could start doing zoning based on either a zoning number or district, or if you want to start doing commercial zoning all at one time. She said you have your choice in how you want to do it, but you cannot just zone a particular spot. She spoke that even if there is a master plan adopted today, you cannot zone an area (like a mobile home development request), because it will have to be done by zoning areas or districts. Next question: what are the rules dealing with current landowners? She stated that in the Act 1995-573, section 11 states "no zoning regulation adopted by the Planning Commission shall change any use to which land is being made at the time the zoning regulations become applicable in the county," so people are grandfathered in. If they change the use of it, it will have to comply with zoning but as long as they keep it what it is currently being used as, that will be fine. She stated a question Mr. Ellis asked was, what is considered a subdivision? This was related to a mobile home park proposal. Ms. Hicks stated that the state definition of a subdivision would include mobile homes, RV parks, and apartments. It is a division of a lot, tract, or parcel of land into two (2) or more lots, plats, sites, or other division of land for the purpose, whether it is immediate or future of sale, of lease, or of building development. So, if there are leased spots to put mobile homes, it is a subdivision. Chairman Corbett asked, as a summary of the questions she answered, if it is constitutional and did she see any reason that the 2007 law was not constitutional? She stated they absolutely have the right to do it, and that the 2007 law has been on the books for years, and there are other counties that have done this. Also, the Commission can vote for zoning without public input. She says the Commission has the ability to do it but has to take some steps before starting. She suggested a professional planner come in and help setup the zoning regulations, ordinances, and how things are going to be done. The Planning Commission has the right to do all of it but would want professional help to make sure they don't get planning zoning regulations that then become a problem with the law. Further discussion continued on zoning in the meeting.

Chairman Corbett presented Lisa Sandt and Ben McGarr from the Lee-Russell Council of Governments. Ms. Sandt gave an update of their agency's funding structure and the services they provide. Mr. McGarr discussed the process to apply for the Defense Community Infrastructure Grant.

Chairman Corbett presented Commissioner Reed who discussed the importance of the East Alabama Mental Health appointment and is to be placed on the next meeting agenda under business.

BUSINESS ITEMS:

There were no business items to be made.

COUNTY ENGINEER:

County Engineer Shawn Blakeney presented a business item to purchase a trailer (budgeted item) from Equipment /Furniture line item 541 for \$5,000 from Alabama Rock, for a BT 22 ft. tilt trailer for \$9,685.00. Commissioner Screws moved to accept the purchase. Seconded by Commissioner Epps. All Commissioners present were in favor by saying aye. Motion passed.

County Engineer Shawn Blakeney requested to combine two positions to create an Engineering Technician 2 position. He requested to combine both vacant positions of the Mechanic 1 position and the Equipment Operator 1 position for this new position. Both are salaries of \$29,736.52 each and he requested to combine them into the one new Engineering Technician 2 position with a salary of \$45,000. Commissioner Screws moved to approve the request. Seconded by Commissioner Costello. All Commissioners present were in favor by saying aye. Motion passed.

SANITATION:

Chairman Corbett recognized County Engineer Shawn Blakeney who requested to solicit bids for the remodeling of the new sanitation building. He will advertise in the newspapers on June 4th, June 11th, and June 18th. Plans will be available to be picked up June 8th from the general contractor, Mr. Scott Holmes with Hecht Burdeshaw. The mandatory pre-bid meeting will be on site, Monday, June 20th at 10:00 am ET. They will open

bids on June 30th at 2:00 pm ET in the Commission Chambers, and then be awarded at the next Commission meeting. Commissioner Costello moved to approve the request to solicit bids. Seconded by Commissioner Chambers. All Commissioners present were in favor by saying aye. Motion passed.

Chairman Corbett recognized Sanitation Director Ward Dudley with the request to surplus vehicles. Mr. Dudley requested to surplus 3 vehicles because they are inoperable as follows:

Serial Number:	<u>VIN #2FZHCHDJ67AY90341</u>	Model Number:	<u>2007</u>
Color:	<u>WHITE</u>	Vehicle:	<u>STERLING TRK CORP</u>
Serial Number:	<u>VIN #1FALP52U5VA168519</u>	Model Number:	<u>1996</u>
Color:	<u>WHITE</u>	Vehicle:	<u>FORD TAURUS</u>
Serial Number:	<u>VIN #1GCCS14X6W8182950</u>	Model Number:	<u>1998</u>
Color:	<u>WHITE</u>	Vehicle:	<u>CHEVY PICK-UP TRUCK</u>

Commissioner Costello moved to approve the request. Seconded by Commissioner Chambers. Chairman Corbett verified that it would be advertised and sold on GovDeals.com. Mr. Dudley agreed. All Commissioners present were in favor by saying aye. Motion passed.

ADMINISTRATOR:

County Administrator Paulette Colbert presented the retirees' one-time lump sum payment approval. Mrs. Colbert stated the Alabama Legislature has provided the opportunity to grant a one-time lump sum payment to retired members and beneficiaries of deceased retirees who retired prior to March 1st of 2022 with the employee's retirement system. The retiree will receive a one-time lump sum payment of \$2 for each month of service credited to the retiree's account or the beneficiary of a deceased retiree with payments made in October this year. The 2022 estimated lump sum payment cost is \$45,022, which will require 0.44% to be added to the employer contribution rate effective for the one-year period from October 1, 2023 through September 30, 2024. Mrs. Colbert stated that if approved, a resolution must be approved and received by the employee's retirement system before August 31, 2022. Commissioner Screws moved to approve the motion. Seconded by Commissioner Reed. Mrs. Colbert stated that the last lump sum payment was in 2017. Chairman Corbett stated that this has been done across the state in TRS and RSA as well. Mrs. Colbert stated it will be received directly from the retirement system and not through our office. All Commissioners present were in favor by saying aye. Motion passed.

CORONAVIRUS RESCUE ACT FUND:

Chairman Corbett recognized County Administrator Paulette Colbert who presented the Hecht Burdeshaw Architects, Inc. invoice payment of \$11,520 for architectural services rendered through April 20, 2022, for design contract for the covid Sheriff/EMA Building to be paid by the Coronavirus Rescue Act Fund. Commissioner Chambers moved to approve the payment. Seconded by Commissioner Reed. Roll call vote was taken by County Administrator Paulette Colbert as follows: District 4: Commissioner Reed, yes; District 7: Commissioner Screws, yes; District 5: Commissioner Epps, yes; District 3: Commissioner Costello, yes; District 2: Commissioner Chambers, yes; and District 6: Commissioner Corbett, yes. Motion passed.

Chairman Corbett recognized County Administrator Paulette Colbert who presented the Ball, Ball, Matthews & Novak, P.A. invoice for services rendered and expenses incurred in the amount of \$900.00 to be paid by the Coronavirus Rescue Act Fund. Commissioner Costello moved to approve the payment. Seconded by Commissioner Chambers. Roll call vote was taken by County Administrator Paulette Colbert as follows: District 4: Commissioner Reed, yes; District 7: Commissioner Screws, yes; District 5: Commissioner Epps, yes; District 3: Commissioner Costello, yes; District 2: Commissioner Chambers, yes; and District 6: Commissioner Corbett, yes. Motion passed.

County Administrator Paulette Colbert presented the approved expenditures/amounts paid monthly update report that was included in the Commissioner's binders. Mrs. Colbert added that from the American Rescue Plan Act there were offset funds that the county was eligible for from the state for housing state inmates in our county jail for the period March 3rd through December 31st, 2021, she applied for those funds, and Russell County received a check this week in the amount of \$195,963.16.

COUNTY ATTORNEY:

Attorney Hope Hicks had nothing to report.

COMMISSIONER DISCUSSION:

Commissioner Epps thanked Lee-Russell Council of Governments for coming and updating the Commissioners and the importance of the Economic Development Advisory Committee meetings. Commissioner Epps recommended Mr. Cross to Chair this committee. Commission Chairman Corbett then appointed Victor Cross, Russell County Economic Developer as the Russell County Economic Development Advisory Committee Chairman.

Commissioner Reed discussed the American Rescue Funds appropriation's distributions.

Chairman Corbett asked Mrs. Colbert to add to the next agenda, under business, to set dates for both re-districting and ARPA discussions.

ANNOUNCEMENTS:

Announcements were made.

Commissioner Epps moved to adjourn the meeting. Seconded by Commissioner Reed. All Commissioners present were in favor by saying aye. Motion passed and the meeting was adjourned.