

The Russell County Planning Commission  
Public Hearing and  
Meeting Minutes  
May 3, 2011  
4:30 P.M.

The Public Hearing was opened for comments. David Ellis stated the advertisement published in the newspaper shows me as voting yes when I voted no. I would like for the record to reflect that I voted no.

Chairman Adams called for comments or questions.

David Ellis asked if subdivisions already approved are subject to the mandatory hook-up requirements.

Kenneth Funderburk stated if the line is in place and within 500 feet, the answer is yes.

Mark Griswold stated if the line is installed in front of the development, will they run the line all the way to the back for service to one or two houses?

Kenneth Funderburk stated if they want them to tap on to the sewer they will. The sewer provider is responsible for providing the sewer line. Legally the county is not responsible if the Sewer Authority or a private sewer company doesn't charge enough and goes broke. That is not the responsibility of the tax payers. Neither one, private or public authority can get a bond issue in their name, which they both can provided you have the mandatory sewer. Neither one can operate without the mandatory hook up.

David Ellis stated I want to make sure I understand what was said earlier. If we have a subdivision with a thousand lots in it. Five hundred homes have been built in phases there. They get ready to start on the second five hundred homes; who is responsible for running the sewer line, the developer or the sewer company?

Mr. Funderburk stated it is the sewer company that will run the line if they want those customers.

David Ellis stated the only other issue I want clarified is at 1.1 it says 500 feet of the property line and at 1.7 it says to the structure. Which is it?

Mr. Funderburk stated it is suppose to be to the structure.

Johnny Burrell outlined the procedure for failed systems. The homeowner will be contacted and required to repair the failed system. We will issue a permit for those repairs if they have the means to do that. If it cannot be repaired they will be required to hook up to the sewer line if it is available.

Mike Corcoran stated how would a private sewer company go about obtaining easements or rights-of-way to run a sewer line?

Kenneth Funderburk stated it doesn't matter public or private the sewer provider will have to get with the developer or land owner and obtain a permit to install the line. The purchase of an easement is another option.

Mr. Crawford asked for clarification of "new construction".

Mr. Funderburk stated when the permit is issued.

Commissioner Epps stated when you have an existing home and they begin to have problems with their septic tanks and wish to voluntarily connect, how would they go about hooking on to the sewer line?

Mr. Funderburk stated they would get with the sewer company, providing the line is available, and pay any required fees and follow the regulations.

Johnny Burrell asked if mobile homes fall under the same requirements.

Mr. Funderburk stated yes.

Chairman Adams called for a motion to close the Public Hearing. Bill Friend motioned to close the hearing. Dr. Shelton seconded the motion. The motion carried by unanimous vote.

An adjourned meeting of the Russell Planning Commission was called to order by Chairman R.C. Adams. Members present were Carla Thomas, Dillie Elliott, Gary Head, David Ellis, Dr. Shelton, Bill Friend, Ferdinand Crawford, and Peggy Martin. LeAnn Horne kept the minutes. Advisors present were Kenneth Funderburk; County Attorney, Brandon Bundy, Ben Elliott, Greg Smith; Russell County Building Inspector, Johnny Burrell; Russell County Health Department, Roger Conner; Russell County Water Authority, Commissioner Cattie Epps and County Engineer; Larry Kite.

Chairman Adams called for a motion to approve April 19, 2011 meeting minutes. Dillie Elliott motioned to approve. Ferdinand Crawford seconded the motion. Gary Head abstained. The motion carried.

Chairman Adams stated new business item we just had the public hearing about is Article 10 in the Sub-Division Regulations, are there any questions?

David Ellis stated in the letter we received from Mr. Funderburk it states Article 10-1 will be deleted.

Mr. Funderburk stated it can be deleted or amended.

David Ellis stated Article 10 states that a private entity can borrow money to fund the sewer installation.

Mr. Funderburk stated any sewer system needs this to borrow money. Public or private companies would need this to be able to borrow money to fund the sewer system. For example, if the Russell County Water Authority wants to have feasibility study done on the profitability in installing a sewer system, they would have to have this. It just sets the rules to require mandatory hook-up 500 feet from the structure, public or private. A profitable sewer wouldn't be turned down where if you didn't have mandatory hook-up and installed a sewer it might just sit there and not have anybody hook-up to it.

Chairman Adams called for a motion to amend Article 10 of the Subdivision Regulations.

Bill Friend motioned to approve the amendment. Gary Head seconded the motion. Mr. Crawford voted yes. Dr. Shelton voted yes. Carla Thomas voted yes. David Ellis voted no. Jimmie Batchelder voted no. Dillie Elliott voted yes. Peggy Martin voted yes. The motion carried with eight yes votes and two no votes.

Nathan McBride presented a re-plat for Mike Osman for approval. Mr. McBride stated this is one you approved earlier and the builder put the house on the property line. We will be doing away with the flag lot and combining lots two and eight, making three lots out of four. Ben Elliott recommended approval.

David Ellis motioned to approve the re-plat. Mr. Crawford seconded the motion. Mr. Friend abstained. The motion carried.

Nathan McBride presented a re-plat for Wade Wilkerson. Mr. McBride stated this is part of the Oaks Plantation Phase 1. Lots one, two and three are being re-plated in order to capture the 60 feet that was included for a proposed future road. We have taken that 60 feet and added it into lots one, two and three. Ben Elliott recommended approval.

David Ellis motioned to approve the re-plat. Gary Head seconded the motion. The motion carried by unanimous vote.

The next meeting will be May 17, 2011.

Meeting adjourned.