

**MINUTES, LIMESTONE COUNTY COMMISSION, JANUARY 10, 2022
SPECIAL MEETING**

The Limestone County Commission met in a special meeting today at 10:00 a.m. at the Clinton Street Courthouse Annex, 100 South Clinton Street, Athens, Alabama. Prior to this meeting, all Commissioners and the Chairman signed the “Notice of Special Meeting” in order to go forward with setting same.

Present: Daryl Sammet, Danny Barksdale, and LaDon Townsend. Absent: Jason Black. Collin Daly, Chairman presided.

Mr. Mark Kane addressed the Commission on behalf of Ms. Shirley Johnson regarding the flooding problem on her property in Ricketts Farm Subdivision.

Attorney John Plunk addressed the Commission regarding the opioid litigation, and he also thanked the Commission for their efforts towards saving the Athens-Limestone Hospital Wellness Center’s pool.

The meeting began with the Pledge of Allegiance.

MOTION was made by Daryl Sammet and seconded by LaDon Townsend to approve the following subdivision:

Name	S/D Type	Approval Type	Lots	District	Location
Ricketts Farm, Phase II	Major	Final	41	2	North of Pepper Road

The Chairman asked if there was any discussion. Engineer Marc Massey stated, “Goodall Homes has gone out there and worked on that subdivision and redirected that water out toward the road. They have also put in some pipe, but they can’t set inlet tops on the pipes until they get their final grading complete. They do have a final plan in order to get that water into the end of the gutter which ultimately goes through their pond system, so those things have been put into place by the home builder. All those lots in that phase have been sold to Goodall Homes, and they are not owned by the developer that has submitted Phase II, so that is why I put the subdivision on the agenda previously because it’s a separate phase with a separate owner. It was separate from where the water issue was, and we have been working on trying to get it resolved. Week before last was when I had finally found out who to contact. The developer had been working with me and at least passing information along to the home builder. I didn’t realize how their business had been set up, but the week before the meeting I finally made contact with the home builder who could actually work on it and fix it. They have gone out there to make a temporary diversion berm to turn that water towards the road, but their permanent fix, which will occur after final grading and sod, will actually be catching that water in inlets and putting it into the storm water system for the subdivision.”

**MINUTES, LIMESTONE COUNTY COMMISSION, JANUARY 10, 2022
SPECIAL MEETING**

Commissioner Danny Barksdale stated, "First of all, I'd like to say we failed Ms. Johnson, and it's shameful and disgusting to me that we did."

Engineer Massey informed Commissioner Barksdale that he had been having conversations with the county attorney regarding the subdivision regulations and looking to revise some of the problem areas in those regulations and the possibility of building permits. The Commissioners all agreed that looking into issuing building permits would be something they would be interested in possibly pursuing.

Commissioner Danny Barksdale read the following statement: "I would like to thank my fellow Commissioners for allowing me to take Ricketts Farm Subdivision off the agenda at the last meeting. Your action gave Ms. Johnson some relief that she had been seeking for over a year as Goodall Homes was out a few days later creating a ditch to prevent water from continuing to flood her property. We need stricter and better subdivision regulations and possibly even permitting in order to strive to protect existing and future homeowners from similar issues. Mark and I have discussed this, and we are not sure if we had the support of the other Commissioners. Would any of you oppose tighter regulations? My understanding of what happened here is that Chris and Terry Preston own the property and do the infrastructure to get the subdivision ready for building homes. Goodall Homes then buys the property and begins building homes. We approved Phase I, and it was sold to Goodall. This flooding issue is a Phase I issue. Phase II is ready for development and apparently the Preston's are eager to sail as they were at the Commission Office a few days later threatening to sue the county. I asked Mr. Dill, our attorney, to visit the site with me. He says since we approved it, we will have to accept the subdivision. He also said that the regulations do not say when we have to accept it. I am amazed that we could not prevent a citizen's property from being flooded, but we can go out of the way for the developers who ignored her pleas for relief for over a year in calling a special session. I have some more research to do, and I ask that we postpone this until the next regular meeting. Thank you."

Commissioner Daryl Sammet stated, "This time of the year it's impossible to really do dirt work and there not be a problem. I don't know what the time frame was when this all started, but is everything per specs?"

Engineer Massey stated, "We have had some issues out there, and we did review. Phase II does meet the subdivision regulations when approved. At Phase I, we did have this drainage issue, and when it was brought to Danny's attention, we did start trying to approach the developer at that time. I was working with the developer and they were forwarding information to the home builder. I have since then been able to get in touch with the home builder, and they have mitigated the issue in Phase I. It is not the final solution, but it is not compounding the problem on the adjoining property. They do have a final solution on that, but like I said, those are two separate subdivisions so each one of them at the time that they were presented were presented in accordance with our regulations."

**MINUTES, LIMESTONE COUNTY COMMISSION, JANUARY 10, 2022
SPECIAL MEETING**

Commissioner Townsend and Engineer Massey discussed that the flooding problems are in Phase I and not Phase II, and they are two separate issues.

Commissioner Barksdale stated, "I'd like to go take another look at all this and review our inspection procedures. I'd ask that you all give me another week and let's continue this at our regular meeting next week. We are going to have to approve it eventually, but there is no difference in us approving it today and next week." Attorney Dill reported that the Code requires that if the phase meets the regulation that it be approved but it doesn't say when it has to be approved.

Chairman Daly stated, "I want to apologize to Ms. Johnson. This has not been brought to my attention whatsoever. Mr. Brent Hawkins, the contractor, is here, and I have known him for years, and I know he does good work, and he will do what he says he will do. We did call a special meeting out of respect for the developer and Ms. Johnson." Chairman Daly expressed his wish to be notified sooner about issues such as these. The Chairman further stated, "The first phase is a total different animal from what we are dealing with here today. We are dealing with a home builder versus the contractor itself or the developer. The issue that we're dealing with here today is a total different issue from Phase I, which we do have a construction bond, and if the problem doesn't get resolved, we can redeem that bond."

Commissioner Barksdale stated, "I am sure we will have to approve it, but I am just asking that we put it off until next week."

Commissioner Townsend commented that he trusted Engineer Massey and the fact that Phase II is not going to cause a problem with Phase I.

Administrator called the roll. Daryl Sammet, aye; LaDon Townsend, aye; and Danny Barksdale, nay. Motion carries 2 to 1.

Chairman Daly thanked everyone for attending and reminded everyone that the next regular scheduled meeting would be on Tuesday, January 18th, due to the holiday on Monday.

Adjourned at 10:23 a.m. until 9:00 a.m. on Tuesday, January 18, 2022, at the Clinton Street Annex, 100 South Clinton Street, Athens, AL.