

MINUTES
WORTH COUNTY BOARD OF COMMISSIONERS MEETING

Tuesday February 3, 2009

8:00 A.M.

The Worth County Board of Commissioners met in regular session on Tuesday February 3, 2009 in the Commission Board Room, 3rd Floor Courthouse.

Chairman Matt Medders called the meeting to order at 8:00 A.M.

Present: Commissioners Tony Hall, Fred Dent, Bettye Bozeman and Jerry Childree
Chairman Matt Medders, County Administrator Robert Zellner, County Clerk Deborah Robinson and County Attorney Clarence Miller.

Approval of minutes: January 6, 2009

January 15, 2009

January 15, 2009 Work Session

January 22, 2009 Work Session

Commissioner Bozeman motioned to approve the above minutes. Commissioner Dent seconded. Motion carried with yes votes from all.

Invited Guests: A. Jason Brooks

B. Probate Judge Sheryl H. Hall

First on the agenda to address the Board was Jason Brooks, Deputy Director EMA/Fire Department. Mr. Brooks presented the Board with information about a grant to purchase "Turn Out Gear" for the firefighters. He informed the Commissioners that he had been given permission from the previous Chairman Dan Miller on March 11, 2008 to apply for the grant. He explained this grant was not a 100% grant but a 90/10 split with the State. The grant total was \$54,000.00 the County contribution would be \$5,400.00. Mr. Brooks explained that the Fire Department was in great need of this "Turn Out Gear" and requested to take the \$5,400.00 County portion out of line item # 100-08-3520-54-2200-00(auto & truck).

Commissioner Dent stated it would appear Mr. Brooks had done everything he was suppose to do and that he was sure the "Turn Out Gear" was needed. Mr. Dent stated he did however have a problem with the fact the Board as a whole did not know about this. He explained to Mr. Brooks that one Commissioner cannot give permission or approve anything by themselves, that it has to be presented to the Board and voted on and that it takes 3 yes votes to pass something.

With no further discussion on this issue:

Commissioner Dent motioned to approve the request to move forward with the Grant for "Turn Out Gear" presented by Jason Brooks. Commissioner Bozeman seconded. Motion carried with yes votes from all.

Probate Judge Sheryl H. Hall approached the Board with a request to hire a part-time person for her department. Ms. Hall explained there had been part-time help in the Probate Court Office for the last 15 years until the beginning of the 2008/2009 budget year. Ms. Hall also explained how the work load had practically doubled giving examples of Fire Arms License increased from 212 in 2007 to 498 in 2008 and how in just 18 working days of 2009 they had received 99 applications for a Fire Arms License. Ms. Hall asked the Board to consider a raise for her two full-time ladies Ann Goldinger and Carolyn Brown if they could not approve the hiring of a part-time person. Ms. Hall also stated she would like her answer in writing with an explanation if the requests are denied.

Attorney Clarence Miller:

Mr. Miller informed the Board he had received the revised PLATS for the two road projects that were pending and stated he should have both projects completed in the very near future.

Attorney Miller informed the Board of a change in management at the Pine Knoll Golf Course. Johnny Bowen would be replacing Lewis Jordan. Attorney Miller explained this would not effect the lease agreement with the County in anyway and did not think there would be any one opposed to the change.

Next item from Attorney Miller was in reference to Ted Bozeman of 285 Whittington Road, Omega GA. 31775. Mr. Bozeman had informed Mr. Miller how he had tried for 6 weeks to get a garbage can delivered and finally had taken the "Garbage Can" that he had on another property he owned. Attorney Miller stated he was not sure if Mr. Bozeman was receiving a monthly invoice.

County Administrator Robert Zellner:

Mr. Zellner informed the Board he had sent the Road Crew out to stake Cypress Lane. He stated there should have been an easement because of the way the power lines and road was located. He informed the Board the Tax Assessors Office had given him the "PLAT" and there was a subdivision although he had been unable to find anything in the Zoning stating where it was accepted as a sub-division. Mr. Zellner informed the Board that in the deeds to the property there is a 60ft easement set aside as follows "a mutual none exclusive easement for egress and ingress which is not a way of traffic to be used by the public." Mr. Zellner stated we should probably contact the property owners and ask them to sign a "Quit Claim Deed". Attorney Miller stated if the County wants to own the easement they would have to get a "Quit Claim Deed" from the developer and all of the residents.

Chairman's Report:

Chairman Medders stated the only thing he had was to re-visit the salary of the part-time judge Mike Carter and he would bring that up under personnel.

District 1 Tony Hall:

Commissioner Hall stated what he had to discuss would fall under personnel.

District 2 Fred Dent:

Mr. Dent informed the Board he had 3 property owners on Ephesus Church Road who still have not signed. He stated one out of the three will sign if we give him a letter stating his property is worth some astronomical amount of money

Mr. Dent made the following motion

To have Frank Barbee appraise the 3 properties on Ephesus Church Road and then if the owners still do not sign offer to buy the property from them for what it is worth and then if they still refuse Mr. Dent stated he would ask the Board to vote to condemn the road at the next meeting. Commissioner Bozeman seconded.

Motion carried with yes votes from all.

Mr. Dent stated he had been out to Sands Drive in Poulan since the last meeting and he did not see where the water was causing a problem at all. He stated it was between 200 and 300 yards in front of the house where the trash had come to rest and as far as from the

Court House to Attorney Miller's Office where the water stopped, therefore, he did not think we had a problem with this situation.

Commissioner Dent then asked for an update in reference to reconciling the garbage bills. Mr. Zellner informed Mr. Dent we are making head way but it was a slow process. Mr. Dent stated he would like to see us work diligently on this project until it was complete.

Commissioner Dent brought up the request from the Magistrate Judge for link phones, which was on the agenda at the last meeting. He stated he thought the Board had got their point across and then made the following motion

As the cost would be very minimal to allow the Chief Magistrate Judge Strength his request. One phone with just link service and the other phone with link and phone service. Commissioner Bozeman seconded. Motion passed as follows.

Fred Dent Yes

Bettye Bozeman Yes

Jerry Childree Yes

Tony Hall No Vote

District 3 Bettye Bozeman:

Commissioner Bozeman asked for the list of equipment she had requested at the last meeting. Mr. Zellner informed Ms. Bozeman he and Clay had been working on it and that Clay was finishing it by putting the assigned operators names to it as well as where the equipment is used at on a daily basis.

Ms. Bozeman stated that Bozeman Agency did not have a value listed of any of the equipment for insurance purposes.

Next item for Ms. Bozeman was in reference to Garbage Issues. Ms. Bozeman informed the Board that Egypt Road was not on the "Master Customer List" and she knew there were five people living on that road for sure. Ms. Bozeman stated it was her opinion the only way to solve this problem and get a correct list of all customers was going to take manual labor and literally knocking on doors road by road to find out who lives there. Ms. Bozeman also stated the County is loosing about \$12,000.00 a month.

Ms. Bozeman asked about the "Knuckle Mower" the County had purchased. Was it operational asked Ms. Bozeman? Ms. Bozeman stated every time she asks about it she was told we did not have the attachment needed to connect it to the mini excavator in order to use it. Ms. Bozeman stated there are several areas this equipment is needed. Chairman

Medders asked Mr. Zellner to call Clay Smith and ask him to come to the meeting to answer some questions.

Ms. Bozeman stated the rest of her items for discussion need to be under personnel, with the exception of a few questions when Clay Smith arrives.

District 4 Jerry Childree:

Commissioner Childree informed the Board he would like them to approve to change the name of Lupo Road to Kari Hobby Road. He explained the reason for this was because the Hobby family had requested permission to do this in memory of their daughter who died. Commissioner Childree told the Board the only people who have property on this road is the Hobby family and Ms. Mary Jane Miller and Ms. Miller had submitted a letter stating she had no problem with it at all.

Commissioner Dent stated the Board had passed a resolution stating they would not change anymore road names unless it served some public good.

Commissioner Childree motioned to change the name of Lupo Road to Kari Hobby Road.

Commissioner Bozeman seconded. The motion passed as follows:

Jerry Childree YES vote

Bettye Bozeman YES vote

Tony Hall NO vote

Fred Dent NO vote

Tied vote broken by Chairman Matt Medders with a YES vote.

At 8:30 A.M. Chairman Medders called for a recess.

Board reconvened at 8:45 A.M.

Consent Docket:

Chief Magistrate Judge Tony Strenth is requesting as work load increases that Matthew Lovett be able to work extra hours and receive comp time in return.

Tabled until Personnel.

Action Docket:

Building & Zoning Administrator, Glenice King is requesting a refund for Mr. Arthur Terry in the amount of \$50.00 for an electrical permit purchased for Dave Bryan. The plans to place a pole at 1552 Ephesus Church Road did not materialize. Commissioner Dent motioned to approve the above request for refund. Commissioner Bozeman seconded. Motion carried with yes votes from all.

ConAgra Foods is requesting the use of the Community Center for employee training and pay the \$100.00 for utilities only.

Fred Dent motioned to approve the request from ConAgra. Bettye Bozeman seconded. Motion carried with yes votes from all.

Sheriff Freddie Tompkins is requesting to surplus the following.

(1) Computer Center Taskmaster 686 Pentium Series Ser. # 990325818-3 white

(1) Dell quiet key keyboard Model SK-8000 White

(1) Tower Stand White

Motion to approve request to surplus Commissioner Bozeman. Commissioner Hall seconded. Motion carried with yes votes from all.

Tax Commissioner Tabetha DuPriest is requesting approval of E&R's 2007-08 Tax Digest for the month of December 2008 Property \$177.83. E&R's for December 2008 on M/H for \$1.29 2009.

Motion to approve Commissioner Bozeman. Second Commissioner Dent. Motion carried with yes votes from all.

SPLOST Application for Yielding, Wakeford & McGee Architectural Bidding Phase Invoice # 7056 Renovation of Old Post Office for EDA in the amount of \$3,152.39.

Motion to approve Commissioner Bozeman. Second Commissioner Childree. Motion carried with yes votes from all.

SPLOST Application for Royal Surveyors Inc. for CR 231 Pearson Road in the amount of \$640.00.

Motion to approve Commissioner Bozeman. Second Commissioner Childree. Motion carried with yes votes from all.

The Warwick Police Department wants to donate a 1993 F-350 Truck to the Warwick Fire Department.

Commissioner Bozeman motioned to approve. Commissioner Dent asked about the condition of the truck.

Jason Brooks informed the Commissioners the truck was in good shape. He stated the truck had 88,000 miles on it that it is 4WD and is a 4 door truck. Mr. Brooks explained he would like to turn this truck into a "Brush Truck for the Northern part of the County.

Commissioner Dent seconded. Commissioner Hall asked for further discussion and stated the following:

Did the Board think that in the future the City of Warwick would say they want something from the County because they had made this donation?

Commissioner Bozeman responded by saying she did not think we would see that happen.

Commissioner Hall stated he would like this discussion noted.

With no further discussion: Motion carried with yes votes from all.

Accounts Payable Clerk Laverne Watkins is requesting an Amendment to the Budget for the purchase of a new Motor Grader line item #100-05-4200-54-2100-00.

Commissioner Dent stated Ms. Watkins should pay for the equipment and run in arrears for now. Mr. Dent wanted to make sure that monies from items sold had been put into the right accounts before making a decision on the Amendment to the Budget. Tabled until next meeting.

A Resolution is needed in order to open an interest bearing bank account for prisoner pay phone telephone money. This money is to be used for items that the Sheriff purchases for the jail. If this money is left in the general fund it will roll out of the revenue Line Item at year end. This money should be treated like the miscellaneous account that the Fire Dept. has for donations.

Commissioner Bozeman motioned to approve the new account. Commissioner Childree seconded. Motion carried with yes votes from all.

At this time Chairman Medders asked Mr. Clay Smith, Public Works Director to come forward.

Commissioner Bozeman asked Mr. Smith if the "Knuckle Mower" was being used and if so where. Mr. Smith informed Ms. Bozeman that they had started about 2 weeks ago using it in the Woodcrest Subdivision and also at Worthy Manor.

Ms. Bozeman asked when the shoulders on the roads were being clipped, stating that Massey Airport Road was in very bad shape. Mr. Smith replied that clipping shoulders is normally done on rainy days. All the Commissioners agreed it needed to be done more often. Mr. Smith stated his department could take a whole week and dedicate it to clipping. All the Commissioners agreed that all county Roads are in need of being clipped.

Commissioner Bozeman asked Mr. Smith how much more work needed to be done on the Public Works Office Building. Ms. Bozeman stated she knew a hot water heater was needed. Also a cabinet lying in the floor needed to be hung on the wall in the kitchen. Mr. Smith informed Ms. Bozeman the kitchen needed to be completed and the small break room needed painting. Also several receptacles were needed and some panelling had to be put up. Ms. Bozeman asked if any one knew why the hot water heater had been taken out. Mr. Zellner stated he thought it had been intended to replace it with a newer kind of water

heater. The Commissioners could not understand why the contractor had disconnected the hot water lines and the area where the heater plugs in to the electricity. Ms. Bozeman stated that \$37,000.00 had been spent and the project still was not finished and also added that the budget set for this project was \$30,000.00.

There was a brief discussion in reference to who had authorized all the work that had been done on the Public Works Office Building. Attorney Miller asked who claims responsibility. Ms Bozeman commented the previous Chairman of the Board was responsible. At this time there were no more questions for Mr. Smith.

Personnel:

Public Works Department

- To acknowledge emergency hire for Travis Walker, Truck Driver/CDL HAZMAT. Effective date of hire was January 29, 2009. Rate of Pay \$13.00 an hour.

Acknowledged by the Board

Sheriff Dept/Jail

- To acknowledge emergency hire for Ronald Bozeman, Deputy Sheriff. Effective date of hire was January 28, 2009. Rate of Pay \$12.50 an hour.

Acknowledged by the Board

- Acknowledgement of separation of employment for Bertha Hamilton, Jailer. Employee retiring in good standing. Rate of pay \$12.42 an hour. Last day of employment February 6, 2009.

Acknowledged by the Board

Sheriff Tompkins has requested to advertise in the Sylvester Local to do an Emergency Hire for a Jailer to replace Bertha Hamilton.

Acknowledged by the Board

Mr. Zellner informed the Board that an employee had received a warning for carelessness in reference to her job on January 26, 2009.

Also that Sheriff Tompkins had submitted a notice of separation for Ronald Bozeman, last day of work will be January 30, 2009. Mr. Bozeman resigned after finding out he needed to complete 200 hours for his certification through post to be up to date.

Acknowledged by the Board

At 9:10 A.M. Commissioner Bozeman motioned for the Commissioners along with Attorney Miller go into Executive Session for the purpose of discussing personnel and that they do this in the smaller Board Room across the hall.

Commissioner Hall seconded.

Motion carried with yes votes from all.

Regular Session reconvened at 10:25

Attorney Miller commented on Mr. Leonard Shaw.

Mr. Miller stated he had overheard the conversation in the hall way between the Chairman and Mr. Shaw. He explained how Mr. Shaw is just annoying everyone with this continuous complaining about what he was told he needed to do. Attorney Miller stated he had explained to two lawyers what the Board's decision had been in reference to the Kennel License. It was his opinion Mr. Shaw is just trying to get out of the conditions that were set, blaming the health department for not telling him what size septic tank he should put in. Attorney Miller stated he told Mr. Shaw he should figure that out, as long as it's big enough for the amount of dogs he owns it would be ok.

In closing Mr. Miller stated the Board should stick to their guns on this regardless what Mr. Shaw brings to their attention and if he does not comply in a reasonable amount of time then they should bring a nuisance action against him and make him get rid of his dogs.

Next discussion was in reference to hourly employees.

Commissioner Dent wanted a letter to be sent to all Department Heads informing them that all hourly employees will punch in and out at the time clock. Also reminding them that punching someone else's card is grounds for immediate termination. The letter should also state that no hourly employee can work overtime unless prior approval has been given by their Department Head. Also in reference to salaried employees, they are not subject to comp time. Commissioner Dent made this statement a motion:

Commissioner Hall seconded. Motion carried with yes votes from all.

Attorney Miller addressed the Board in reference to Comp Time.

Mr. Miller stated that according to his interpretation of the law if an hourly employee worked more than 80 hrs in a 2 week period that employee had to be paid over time.

Chairman Medders asked the Board if they wanted to make a decision on the request from Judge Strenth in reference to comp time being allowed for Mathew Lovett.

Commissioner Dent stated this is what they had just got through talking about and that he did not feel they should allow this.

Commissioner Bozeman stated this is something that should be looked at when the Budget is being done.

Chairman Medders asked Mr. Zellner to send a letter to Judge Strenth explaining that this is not in the current budget.

Next Item for discussion was Judge Hall's request for part time help.

Commissioner Hall commented that this item was also not in the current budget.

Chairman Medders asked Mr. Zellner to send a similar letter to Judge Hall explaining this would have to be considered during budget time.

Next item for discussion was in reference to whether to pay the part time Judge Mike Carter a Salary or by the hour.

Commissioner Dent motioned to pay judge Carter \$22.22 per hour which is mandated by law and to authorize him to work 30 hours a week. Commissioner Bozeman seconded. Motion carried with yes votes from all.

Chairman Medders asked if there was anything else under personnel that needed to be addressed.

At 10:45 A.M. Commissioner Hall stated that if there was not anything else to discuss he wanted to motion to adjourn. Commissioner Childree seconded. Motion carried with yes votes from all.

Ms Bozeman stated the Board should discuss the truck that the Fire Department wanted to purchase. Commissioner Dent stated we could not just buy the truck we would have to accept bids.

Chairman Medders stated the meeting is adjourned.

At 10:55 A.M. Commissioner Dent stated there was another item that needed to be discussed and motioned to reconvene in Executive Session and asked Mr. Zellner to join them in the Board Room across the hall. Commissioner Hall seconded. Motion carried with all yes votes.

The Board came out of Executive Session at 11:45 A.M. and Commissioner Hall immediately called for the Board to adjourn. Commissioner Childree seconded. Motion carried with yes votes from all.

County Clerk

Chairman

Deborah Robinson

Matt Medders