

**MINUTES
WORTH COUNTY BOARD OF COMMISSIONER'S MEETING**

Tuesday March 3, 2009

8:00 A.M.

The Worth County Board of Commissioners met in regular session on Tuesday March 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 Attorney Clarence Miller and County Clerk Deborah Robinson.

Request for Proposals:

The County received the following sealed bids for a 2008 – 2009 Pick-Up Truck.

BIDDER'S NAME, ADDRESS & PHONE NUMBER	BID FOR	BID FOR	BID FOR	TOTAL BID PRICE
Langdale Chev-Pontiac-Olds 1006 W. Franklin Street Sylvester, GA 31791	2009 Truck Chevy 1500 2WD Ext. Cab \$20,990.00			\$ 20,990.00
Wallace Chevrolet, Inc. 1001 S. Slappey Albany, GA 31701				\$ NONE
Action Chev.-Pont-Buick-GMC 2501 E. Shotwell Street Bainbridge, GA 39819				NONE \$
Peach County Ford 230 Hwy 49 North Byron, GA 31008	2009 Ranger 4x4 \$17,583.00	2009 F-150 Ext. Cab 4x4 \$17,563.00		\$17,583.00 \$17,563.00
Sunbelt Ford-Mercury 1002 West Franklin Street Sylvester, GA 31791	2009 F-150 Super Cab \$17,886.30	2009 Reg. Cab 4x4 \$17,988.30		\$17,886.30 \$17,988.30
Southland Ford 757 North Street Ashburn, GA 31714				NONE \$

Next to address the Board was Tabettha Dupriest, Tax Commissioner for Worth County.

Ms. DuPriest started by saying "In accordance with what Chief Appraiser, Lou Simms, has stated about the property **revaluation**, I wanted it to be on record that the revaluation of property was not the Board of Commissioner's, the Tax Assessor's or the Tax Commissioner's idea. For the past two years the State has fined Worth County for being, in its eyes, undervalued. We were being forced to reevaluate or continue to be fined. The first year they billed us over \$8,000 and last year's fine was over \$14,000. Now that SB 233 has passed we will not be reassessing property this year. I am also going to contact the State to make sure that they cannot fine us again this year due to the property freeze.

I also wanted to advise the Board that the HTRG has gone away for 2009. This means everyone that filed homestead and had been getting a credit on their tax bill from \$50 to \$250 will no longer receive this credit and their tax bill will increase by that amount. I am asking that the Board take this into consideration when discussing the 2009 millage rate." Ms. DuPriest thanked the Board for their time.

Third on the agenda under invited guests was Mr. Stanley Adams.

Mr. Adams stated the reason he was here was in reference to the Garbage Service. Mr. Adams stated he spent 10 years in the Marine Corp so he could live in a Democratic World, however, he had not been given a choice as to whether he wanted this service or not. Mr. Adams informed the Board he was on a fixed income and his wife does not work as she takes care of him. He showed the Board a copy of a check he receives every month in the amount of \$1064.00 from the United States Treasury Department on behalf of the Veterans Administration. Mr. Adams stated he thought Veterans under the age of 65 who cannot work and who are on fixed incomes should also qualify for the waiver of fees in reference to the Garbage Bill. Mr. Adams told the Board when he is burning his yard debris he also burns household garbage that contains Names, Addresses and Social Security Numbers for security reasons and then stated "so why not burn everything else". Mr. Adams told the Board he had returned his trash can to the Court House a couple of days ago, however, after finding out that the County Ordinance states all resident must utilize this service he had come back and picked it up.

The Board of Commissioners examined the waiver of fee application submitted by Mr. Adams. Chairman Medders informed Mr. Adams the Board would take this under advisement and get back with him.

Reports from Attorney, Administrator, Commissioners, Department Heads & Committees.

Attorney Miller:

Attorney Miller's first item was to inform the Board the EEOC cases are still pending. Next he informed the Board the creating of the combined Board of Elections and Registrars was completed once the second draft of the BILL and Resolution was received by our State Representative, Ed Rynders.

Attorney Miller next informed the Board he did not have all the road deeds as he thought he would have due to February being a short month and also he thought this meeting was next Tuesday. However, he stated they are close to being complete. He explained how on Zion Church Road he was down to 1 parcel of land titled to "Tommy Lee Greer". Mr. Greer had passed away approximately 20 years ago and there had not been any administration done on his estate and there are 15 heirs spread all over the world. Mr. Miller stated then he found out that Mr. Greer only owned half interest in the land and his sister who owned the other half had also passed away, 15 years ago, leaving heirs scattered all over the country. Mr. Miller informed the Board even though there is only the 1 parcel left to deal with this may still take quite some time. Attorney Miller then explained the problem with Seabrook Drive is between the Tax Assessor, the surveyor and his own record search they are still 72 feet short, therefore, 1 other parcel has to be found for that project to be complete.

The last item Attorney Miller mentioned was in reference to the mix up in reference to the "Revolving Loan" for Nether's Pork Skins. He explained how the County Bookkeeper and the Bank had missed the fact the payment should have gone up as of last October from around a thousand to two thousand a month and they were four months behind before this was noticed by the Bookkeeper making an annual report. Mr. Nether had promised to have this caught up by the end of February and the Board should check with the Bookkeeper to make sure that had been done.

Chairman Medders asked Mr. Zellner to check to see if this had been done.

Attorney Miller stated he did have something else to bring to the Board's attention and that was in reference to a Grant to buy an Ambulance. Attorney Miller explained the match to the Grant would have to be made before the end of this budget year. Mr. Miller asked Chairman Medders if he had received the message from him in reference to that. Chairman Medders stated he had received the information.

Robert Zellner:

Mr. Zellner informed the Board Congressman Sanford Bishop's Appropriations Director Michael Reed would be in Camilla, Georgia on Friday 6th of March at the RDC Office. Mr. Zellner stated he planned on attending to gather information about the Government's

Stimulus Package and how it is going to affect Local Government and also how to be able to access some of the funds.

Second item from Mr. Zellner was to inform the Board about a 3 stage cylinder on the dump truck needing to be repaired. A quote from RPM in Leesburg who do most of our cylinder repair work had been received in the amount of \$2077.32.

Ms. Bozeman asked Clay Smith when the cylinder had stopped functioning. Ms. Bozeman said "last Friday some one had left a trail of oil from Massey Airport Road, Hwy 313, Lundy Road and then on to Rebecca Drive". Commissioner Dent stated that would not have been from a cylinder. Mr. Dent also stated the quote from RPM was high. He suggested that Clay Smith look at the cylinder model. Ms. Bozeman told Clay Smith he needed to find out which piece of equipment left the trail of oil as well.

Attorney Miller addressed Chairman Medders stating there was an item he had overlooked in reference to the Board of Elections & Registrars. He explained the "BILL" would go into effect July 1st, 2009 and the present elections structure would be abolished at that time. He felt in order to be prepared for the implementation of the new law the Board should give some attention to the selection of the Supervisor of Elections. Mr. Miller also explained there are some training sessions that this Supervisor would need to attend between now and July 1, 2009. Also contact would have to be made with the Executive Committee of the Political Party's if one exists within the County, if one does not exist in the County then contact with the State Parties would have to be made in order to alert them to the fact that they will be selecting a member for that Board, although it will not begin functioning until July 1, 2009. He explained the appointments to the Board can be made 30 days prior to that time. He stated the Supervisor should be some one that is well versed on all the laws, regulations and procedures in reference to registering voters and holding elections.

Chairman Medders thanked Attorney Miller for the information.

Chairman's Report:

Chairman Medders informed everyone the Commissioner of Insurance; John Oxendine will no longer be sending a representative to Sylvester due to the cuts in State funds.

Chairman Medders also stated that Departments Heads should keep spending to a minimum as it was getting close to budget time and a spending freeze was in effect.

Mr. Zellner responded by stating he would send a memo out in reference to that after the meeting.

Commissioner Hall – District 1

Commissioner Hall stated he had a couple of items to discuss. The first was directed to Mr. Zellner as to whether we had all the necessary signatures from the property owners on Joyce Road. Mr. Zellner stated there were still 2 or 3 people that had not yet signed the petition.

Commissioner Hall's second item was in reference to the Community Center. Mr. Hall felt that as a Board they were waiving the rental fee for too many people to use the Community Center and just allowing them to pay the \$100 utility fee. He stated the Community Center was costing the County too much money for us to be able to waive the rental fee for so many.

Commissioner Dent – District 2

Commissioner Dent's first question was to Mr. Zellner inquiring if he had heard anything from the D.O.T as to when funds would be released for our already approved road projects. Mr. Zellner responded by informing Mr. Dent he had spoken with Jeff Bridges who had suggested it would be July before any news on funds being released was sent down from Atlanta. Mr. Zellner went on to say as of last week, the D.O.T. Commissioner Gena L. Evans is no longer employed. Mr. Dent commented it may not have been all her fault but since she had held that position many Counties had not received anything in the form of funding for road projects.

Next item from Mr. Dent was in reference to Ephesus Church Road. He stated he had not been able to get in touch with Mr. Alan Davis, he had however, met with Beth and had a meeting scheduled with John Popham as soon as the Commissioner's meeting was over today. Mr. Dent hoped he would have everything ready by the next meeting to be able to move forward with the project.

Commissioner Dent wanted to discuss the Election Supervisor position: He stated in his opinion we already have the person we need, and asked the rest of the Board what they thought. Tony Hall agreed, Ms Bozeman agreed but thought the Board should ask that person if they were interested in accepting the position. Mr. Dent then asked Ms. Sue Potts if she was willing to take on the position as Election Supervisor, he stated it seemed only natural to him since Ms. Potts had worked in that office for so long and was the Chief Registrar. Ms. Potts responded saying "yes, she would take it"

At this time Commissioner Dent motioned to appoint Ms. Sue Potts to the position of Supervisor to the Board of Elections. Commissioner Bozeman seconded. Motion carried with all yes votes.

Commissioner Bozeman – District 3

Ms. Bozeman informed everyone Clay Smith had cleaned out the ditches at Worthy Manor and 3 people had complained about it stating "their shrubs had been cut". Ms. Bozeman stated she and Clay had met with these people and looked at the ditches. Commissioner Bozeman said she could not see where any shrubbery had been cut other than maybe a little overhang. Commissioner Bozeman concluded by saying she had informed the people she would bring the matter up at the next Board meeting, which she had now done.

There were no comments from anyone in reference to this.

Next item from Ms. Bozeman was in reference to a Road Pipe out at the Sylver Lake Subdivision. Ms. Bozeman addressed Clay Smith on this matter stating it needed to be fixed immediately because of the school bus driving over it. Also at the Sylver Lake Subdivision

were some “pot holes” needing attention and the shoulders of the roads needed to be clipped.

Commissioner Bozeman informed the Board that the County had 5 dog bite cases in the last week. This concluded Ms. Bozeman’s report’s to the Board.

Commissioner Childree – District 4

Mr. Childree addressed Mr. Zellner and asked if the Bridge project in his district was still on hold with the D.O.T. Mr. Zellner informed him “yes” it was still on hold.

Commissioner Childree then stated he would like to know where his Motorgrader is. Ms Bozeman said “it’s in Fred Dent’s district he got the last 2 new Motorgraders” Mr. Dent stated “No this is not so” Mr. Dent then addressed Clay Smith and asked Clay to clarify where the Motorgraders were at. Clay Smith stated the last 2 Motorgraders the County had purchased went to Mr. Dent and Mr. Childree districts. Clay Smith stated the problem was one of the operators from district 4 had resigned; therefore, we had two Motorgraders but only one operator. Mr. Childree said he had more dirt roads in his district and he needed 2 Motorgraders all the time, if they get finished in his district then send one over to help in Mr. Dent’s district. Mr. Childree stated he was “tired of being the last man on the pole.” Ms. Bozeman stated another Motorgrader Operator needed to be hired because there should be 2 Motorgraders and Operators in each district.

Commissioner Bozeman motioned to hire a Motorgrader Operator for district 4. Commissioner Dent seconded. Motion carried with yes votes from all.

At 8:50 A.M. Chairman Medders called for a recess.

The meeting was called back to order at 9:05 A.M. by Chairman Medders.

Chairman Medders invited Chief Magistrate Judge Tony Strenth to step forward and address the Board in reference to his request of “hours needed” for the part-time Judge Mike Carter.

Judge Strenth acknowledged the Board had only put 20 hours a month in the budget for the part-time judge. He explained that he has been doing his best to keep it as close to that as possible, however, some months it was just not possible. He gave an example as follows: Judge Carter has 3 days of training next month, three, eight hour days in a week; this is more than he is allowed for the whole month. Then he will probably work a couple of week ends on call as well. Judge Strenth also stated there are sometimes conflicts in Court and he will recuse himself, in which case Mike Carter will step in regardless of how many hours he already has for the month. Judge Strenth informed the Board he would do everything possible to keep Judge Carter’s hours in line with the budget but that he wanted them to understand sometimes it just will not be possible.

Commissioner Dent addressed Judge Strenth and stated the Budget is set, there is no more money available and revenues are going to be below projection. Mr. Dent explained many Counties are putting their employees on a one day a month furlough because they cannot

afford to pay them. Judge Strenth responded by saying he would do his best to keep it to 20 hours a month but there may be times when it is just not possible. Judge Strenth thanked the Board for their time.

Consent Docket:

Angel Gray is requesting to waive the \$250.00 reservation fee and pay the \$100.00 for the electrical bill to reserve the Worth County Community Center on March 21, 2009 for a Regional Housing Fair for 14 counties.

Commissioner Hall commented on this by saying it would appear Ms. Gray has already made plans for using the building, there is a flyer advertising the event. Mr. Hall stated it appeared they are not asking us to use it but are telling us they are going to use it. Mr. Hall referred to what he had said earlier about us allowing a lot of people to waive the fees and only pay for the utilities is not helping the County maintain the building. Commissioner Dent responded by saying he understood Mr. Hall's frustration, however, the determination was made sometime back to allow bonafide not profit organizations to do this if it was something that served to benefit the County. Commissioner Dent stated the County does receive revenue for the Community Center on more occasions than it does not receive revenue. He stated this particular request is for a "Regional Housing Fair" and he felt it would be beneficial to the people of Worth County and that the Board should approve the request.

Mr. Dent stated he was making that his motion. Commissioner Bozeman seconded.

Motion carried 3 – 1 as follows.

Commissioner Dent YES VOTE

Commissioner Bozeman YES VOTE

Commissioner Childree YES VOTE

Commissioner Hall NO VOTE

Gina Connell, Nurse Manager Worth County Health Department is requesting to surplus (1) 1999 Ford Crown Victoria Vin # 2FAFP71W1XX238720 and take (1) 2005 Ford Crown Victoria Vin # 2FAFP71W25X165001 from surplus vehicles from the Sheriff's Department located at the Public Works Department.

Commissioner Bozeman asked if the 2005 Ford Crown Victoria had already been surplused.

Ms. Robinson informed Ms. Bozeman it had been surplused quite some time ago.

Commissioner Bozeman motioned to approve the request. Commissioner Hall seconded.

Motion carried with yes votes from all.

Action Docket:

SPLOST Application for the Worth County Board of Commissioners for the construction of the Animal Humane Society located at 797 Ephesus Church Road in the amount of \$400.00 for Sowega Soil & Property Services for a Soil Sample.

Motion Bettye Bozeman Second Fred Dent Vote All Yes

Tabetha Dupriest, Worth County Tax Commissioner is requesting approval of the 2007-08 Tax Digest for the month of January 2009 Property in the amount of \$62.31 and the E&R's for the month of January 2009 on M/H in the amount of \$5,130.18.

Motion Bettye Bozeman Second Fred Dent Vote All Yes

At this time County Administrator, Robert Zellner addressed Chairman Medders in reference to an application for waiver of fees for garbage pick up that he had been handed to him during recess. Chairman Medders told Mr. Zellner to present it to the Board.

Waiver of fee application for L.J. Young. Monthly household income \$833.00
Mr. Zellner stated this person met all requirements.
Commissioner Childree motioned to approve. Commissioner Bozeman seconded. Motion carried with yes votes from all.

Attorney Miller addressed Chairman Medders stating he has noticed that at every meeting the Board considers one or more waiver of fees for garbage applications. He stated this should be handled at an administrative level if there is a uniform program in place. Commissioner Dent motioned to designate Mr. Zellner, to give him the authority, when people meet the criteria to go ahead and waive the fee. Commissioner Hall seconded. Motion carried with yes votes from all.

Unfinished Business:

Attorney Miller informed the Board he had been contacted by a group of engineers that are dealing with the EPD apparently in reference to expanding our landfill. He explained these engineers are requesting some documentation limiting future use of certain County land. Mr. Miller stated a Mr. Payne had contacted him saying the County had additional land surrounding the landfill and are in the process of planning an expansion. Attorney Miller said he was not acquainted with this until he got the call from Mr. Payne wanting certain limitations placed on future land use.

Commissioner Dent commented he thought it had something to do with the monitoring of the wells. Mr. Dent asked Mr. Zellner if that was what this was about. Mr. Zellner explained the EPD is requiring us to expand the permitted area of the land fill due to one of the well readings showing more than 5% of Methane Gas. Attorney Miller stated this is something that should be addressed in a meeting with the Board and he should be instructed by the Commissioners not some engineer from Valdosta.

Chairman Medders suggested inviting Mr. Payne to our next meeting to get clarification of exactly what was going on. Attorney Miller asked if this was something that some one had come up with independent of this Board. Mr. Miller stated it seemed to him that this kind of project should start with the Board and if you have an engineering firm on retainer and they are trying to comply with some new EPA requirements they should bring it to the Board to make the decision. Attorney Miller stated he saw no following of protocol or chain of command when some engineer can just call him and ask him to help with language for restrictions of land use by the County in the future because of an expansion of the landfill. Mr. Miller stated he had not heard anything about it from the Commissioners and it appeared they did not know anything about it. Chairman Medders and Ms, Bozeman both stated they had no knowledge of this. Commissioner Dent stated quite some time back the Board did talk about the monitoring of the wells. He said he remembered a couple of the monitoring wells had to be re-done. Attorney Miller asked if anyone had presented any "PLATS" or "Titles of Land", if there had been anything for the Commissioners to look at. Commissioner Bozeman suggested Attorney Miller work with Mr. Zellner and find out exactly what is going on. Attorney Miller stated he had no problem helping Mr. Payne but when it comes to limiting the future use of your own property surely it has to come through the Board as far as decision making. Chairman Medders asked Mr. Zellner to have Mr. Payne attend a "work shop" with the Board at 6:00 P.M. on the third Thursday of the month so we can find out what they are talking about. Mr. Hall stated he and Mr. Childree would not be here for that meeting due to being out of town for training purposes. Mr. Zellner suggested setting up a meeting with Mr. Payne, himself and Chairman Medders, after which they could report to the Board what Mr. Payne had to say. Chairman Medders stated that would be fine.

At 9:20 A.M. Commissioner Dent motioned to go into executive session for the purpose of discussing personnel. Commissioner Hall seconded. Motion carried with yes votes from all. The Board reconvened in regular session at 10:06 A.M.

Commissioner Hall motioned to re-schedule the regular third Thursday meeting to Tuesday March 24, 2009 at 7:00 P.M. Commissioner Dent seconded. Motion carried with yes votes from all.

Commissioner Dent motioned to hire Kim Joiner full time as Deputy Director of Finance at \$15.00 an hour effective April 1, 2009. Commissioner Hall seconded. Motion carried with yes votes from all.

Commissioner Dent motioned to re-classify Laverne Watkins position from Accounting Clerk to Director of Finance. Commissioner Hall seconded. Motion carried with yes votes from all.

Commissioner Dent motioned to transfer Kathy McCleary to the Building & Zoning Department as of April 1, 2009. Commissioner Hall seconded. Motion carried with all yes votes.

Personnel Considerations:

Public Works Department

- Recommend full-time status for Susan Norman, Clerk I at \$8.00 an hour effective March 1, 2009. Hire date was August 4, 2008
Motion to approve Commissioner Dent. Second Commissioner Bozeman
Motion carried with all yes votes.
- Recommend full-time status for Martisha D. Williams, Jailer at \$9.50 an hour effective March 1, 2009. Hire date was August 29, 2008.
Motion to approve Commissioner Dent. Second Commissioner Bozeman
Motion carried all yes votes.
- To confirm pay rate adjustment for Marilyn Mims, Animal Control Officer Salary increase from \$16,550.04 to \$20,800.00. Effective date of increase was February 16, 2009. This action was taken by Phone Poll.
Motion to approve the phone poll Commissioner Dent. Second Commissioner Bozeman. Motion carried all yes votes.
- Sheryl Hall, Judge of the Probate Court is requesting a response from the Board of Commissioners regarding Ann Goldinger having to clock in and out each day. Memos are attached.
Commissioner Dent stated after looking at the budget he had determined Ann Goldinger to be a Salaried Employee and therefore is not required to clock in and out.

The Board agreed with this determination.

Commissioner Dent motioned to increase the salary of Marilyn Mimms to \$455.00 per week, this being the minimum salary amount required by law in order for an employee not to eligible to accumulate comp-time. Commissioner Bozeman seconded. Motion carried with yes votes from all.

There was a brief discussion in reference to the application for waiver of fees submitted by Mr. Stanley Adams.

The Board agreed Mr. Adams should show proof of income by submitting a copy of his 2008 tax return.

At 10:16 Commissioner Dent motioned to adjourn.

Commissioner Hall seconded.

Motion carried with yes votes from all.

Deborah Robinson

Matt Medders

County Clerk

Chairman