

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

Thursday March 24, 2009

7:00 P.M.

The Worth County Board of Commissioners met in regular session on Thursday March 24, 2009 in the Commission Board Room, 3rd Floor Courthouse.

Chairman Matt Medders called the meeting to order at 7:00P.M.

Agenda Amendments were necessary as follows.

Added under Invited Guests: Ms. Amaryllis Stephens.

Item D on the Action Docket: Deleted.

Item H on the Action Docket: Correction made as follows; The SPLOST Application amount changed from \$118,368.00 to \$349,970.00.

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.

First on the Agenda was a Public Hearing in reference to re-zoning Sumner Lakes Subdivision Lots 3 – 13.

Building & Zoning Administrator Glenice King came forward and explained the Agenda Item was a request on behalf of the Worth County Board of Commissioners to re-zone Lots 3 – 13 of the Sumner Lakes Subdivision, located off Sumner Road South. Ms. King explained the Subdivision had originally been plated prior to any zoning ordinances in Worth County. Ms. King explained at the time Worth County adopted zoning ordinances with the help of the Regional Development Center a R2 Zoning Classification was put on the subdivision. Ms. King stated this was due to the R2 zoning in the subdivision of manufactured mobile homes and just a few single family dwellings. Ms. King explained in 1996 the Board of Commissioners re-zoned some arterial roads and scenic routes 1000 feet from the right-of-way on both sides to R1 and this included Sumner Road South. Ms. King said "we are here tonight at the request of the Worth County Board of Commissioners to re-zone the Lots that

front Sumner Road South which will include Lots 3 – 13 back to R2. The Planning Commission as well as Robert & Company recommends an approval of the request.”

Attorney Miller addressed the Board, stating “all of the Lots in question except for two or three have already been developed as R2 and it was inadvertent when the Board set up zoning with the 1000 feet distance on each side and it was an oversight at that time.”

Mr. William G. Brooks addressed the Board in reference to the matter of re-zoning Sumner Lakes Subdivision.

Mr. Brooks stated in 1988 he purchased Lot 7 of the Sumner Lakes Subdivision and between 1988 and 1995 he purchased 3 more Lots. Mr. Brooks explained he was told that between 1988 and 1999 the property he owned was re-zoned. He stated at the time it was re-zoned he did not know anything about it. Mr. Brooks then explained in October or November of 2008 he came to the Courthouse to get a permit to put in a mobile home on Lot 7. It was his intention’s for his daughter and son-in-law to live there to enable them to be close to him and his wife due to their health issues and it becoming necessary to have some one look after them. Mr. Brooks stated he was told he could not put a mobile home on Lot 7; however, he could put one on Lots 9 or 10 if he wished as long as it was facing Sumner Lakes Road. Mr. Brooks explained he returned on many occasions to the court house to speak with Ms. King but was unable to get anything done about putting a mobile home on Lot 7. Mr. Brooks stated he met with the Planning Commission toward the end of the year and Mr. Rouse along with the rest of the Planning Commission told him the re-zoning that took place in 1996 should never have taken place. The Planning Commission instructed Ms. King to bring this to the attention of the Board of Commissioners.

Mr. Dent explained to Mr. Brooks the lengthy process that has to be followed in order to change the zoning of property. Mr. Dent stated he was sorry this had happened but it was an oversight and the board had every intention of correcting it, stating “this is why we are here tonight to do just that”

At this time Chairman Medders explained to Mr. Brooks it was time for him to take a seat as there were many more items on the agenda for the Board to deal with.

Chairman Medders asked Mr. Brooks to take a seat several times. Mr. Brooks continued to speak out of turn. Chairman Medders asked for the Sheriff to be called to escort Mr. Brooks out of the meeting. Mr. Brooks took his seat and was quiet there after. The Sheriff and a Deputy arrived but no action was taken towards Mr. Brooks.

At 7:15 P.M. The Public Hearing Closed and the Regular Meeting continued.

Commissioner Dent motioned to re-zone the area back to R2. Commissioner Bozeman seconded the motion. Motion carried with YES votes from all.

Next on the agenda was the opening of sealed bids for a 1250 GMP Semi Water Tanker for the EMA Department. Only one bid had been received. Chairman read aloud the bid.

Global Truck & Equipment

16458 Bolsa Chica St.

Suite # 343

Huntington Beach CA. 92649

The vehicle was listed as follows:

1993 PETEBUILT 357 # 1XPAL50X9PD325415 with 24,134miles.	Price: \$39,900.00
Delivery to Sylvester GA.	2,550.00
Total Price	\$42,450.00

The specifications were also sent to:

Atkinson Truck Sales Inc.

11541 US Hwy 29

Chatham, Virginia 24531-3467

As well as:

IMPEXINTN'S TRUCK SALES, INC.

3498 West Hwy 326

Ocala, Florida 34475

No bids were received from Atkinson Truck Sales or IMPEXINTN'S TRUCK SALES.

Ms. Bozeman asked if anyone in Georgia had sent in a bid on the Water Tanker.

No other bids had been received.

After a brief discussion Commissioner Dent motioned to accept the bid from Global Truck & Equipment in the amount of \$42,450.00. Commissioner Bozeman seconded. Motion carried with all YES votes.

Approval of Minutes: March 3, 2009

Commissioner Bozeman motioned to approve the minutes. Commissioner Dent seconded.

Motion carried with YES votes from all.

There were four people on the agenda under invited guests as follows:

Jason Brooks

Claven Williams

Alfred McDonald

Billy McDonald

Chairman Medders invited Jason Brooks to address the Board; Mr. Brooks stated he was only at the meeting in reference to the sealed bids on the Water Tanker. Mr. Zellner commented that Mr. Brooks was not ready to make a presentation in reference to the FEMA GRANT, Mass Alert System at this time.

There was another brief conversation in reference to the purchasing of the Water Tanker Truck from Global Truck Inc.

Jason Brooks explained the money for this truck was in separate line item {Truck & Auto's} in the amount of \$50,000.00 and so far they had not spent any of the money.

Next to address the Board was Mr. Claven Williams.

Mr. Williams explained to the Board he was there to ask the Board to recommend him for the open position with the Southwest Georgia Community Action Council. Mr. Williams explained this is a non-profit organization head quartered in Moultrie that handles the Head start Program for Worth County and 17 other Counties in Southwest Georgia. Mr. Williams informed the Board the previous representative in this position was Ms. Mary Shipp, however, due to Ms. Shipp's poor health currently there is no one filling this position and has not been for quite some time. Mr. Williams stated it was his understanding that the Chairman or the Commissioners of Worth County had to recommend an individual for that position. Mr. Williams stated he had intended to bring a resume with him, but due to a fire at his mother's house he was running a little behind schedule and had left without it. He informed the Board he was a 1968 Graduate of Holley, 1972 Graduate of Albany State University, A Naval Pilot for 22 years and been back in Worth County for 4 years.

Commissioner Hall stated he would like to meet with Mr. Williams and discuss his credentials. Mr. Dent asked Mr. Williams to turn in a resume for the Board to look at. Ms. Bozeman stated that the Moultrie Office should actually send a request asking the Board of Commissioners to appoint someone to fill the open position. Mr. Dent thought the Board might have to contact them. Mr. Williams stated he would bring a resume to the Commissioner's Office.

Next to address the Board of Commissioners was Mr. Alfred McDonald.

Mr. McDonald stated he had asked to be on the agenda to bring to the Board's attention the excellent job one of the County Employees was doing. He stated he had been watching this person work for over a year. He stated this person is responsible for the "Pot Holes" in the County as well as other things. Mr. McDonald stated this employee is one that is going the extra mile so to speak to make sure that a really good job is done. Mr. McDonald went on to say that he wanted the Board to know he had watched this person work many times and that he appreciated the good job he was doing and wanted his thanks to this employee known.

Ms. Bozeman asked Mr. McDonald the name of the employee. Mr. McDonald stated it was Lonnie Murray.

Mr. Billy McDonald was next on the agenda.

Mr. Billy McDonald started out by saying when Lonnie Murray first came to work for the County he was the Chairman of the Board of Commissioners. Mr. Billy McDonald informed the Board he had spoken with Mr. Murray the other day when he had seen him out on a work detail in the County and that Mr. Murray had said he was not being treated right by the County and would appreciate it if Mr. McDonald came and spoke to the Board on his behalf. Mr. McDonald stated it was his opinion that David Farley was the problem, not Mr. Murray.

Final person under Invited Guests to address the Board was Ms. Amaryllis Stephens.

Ms. Stephens explained to the Board of Commissioners her reason for coming to the meeting was in reference to the bad conditions on McCarty Road. Ms. Stephens stated she had addressed this issue five years ago with the Board at that time. She explained since then traffic on McCarty Road has increased tremendously and also the speed people are traveling is in excess of the speed limit. Ms. Stephens stated just last week there had been two occasions where she had almost been hit by an oncoming vehicle and also her sister had almost been hit when she was travelling up the hill by another car coming down the hill

traveling in the middle of the road at a high speed, at least 50 miles per hour. Ms. Stephens went on to say the road needed to be widened and paved in order to make it safe for people to travel on. Ms. Stephens stated that a few years ago her cousin's house had burned to the ground because of rain washing the road out and the fire truck ended up in the ditch. Ms. Stephens stated she feared if an ambulance was needed there could be issues with it getting to the people that called if there had been rain a couple of days prior and the road were in bad shape. In closing, Ms. Stephens stated the people that live on McCarty Road where requesting the Worth County Board of Commissioners visit the road, take a look at the conditions and also that the road be put on the list of roads to be paved. Ms. Stephens informed the Board McCarty Road had been a project of hers for several years, she mentioned several different people she had spoken to in reference to this issue.

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

Attorney Clarence Miller:

Attorney Miller informed the Board he now had the final deeds for Ephesus Church Road. He explained there had been a dispute with a land owner in reference to the property survey, however, he handed the last deed to Commissioner Dent earlier this evening. Attorney Miller went on to discuss Zion Church Road stating at this time the paperwork was not complete due to the issue of two deceased owners and also stated it could take quite some time to track down their heirs, he added it would be nice if one of them stepped forward to administer the estate. Attorney Miller then mentioned Pearson Road informing the Board he hoped to have all the deeds completed by the next meeting. Final item from Attorney Miller was to inform the Board that Ms. Wanda Gordon had filed a complaint with the EEOC {Equal Employment Opportunity Commission} and mentioned again he thought there was an advocate trying to stir up other previous employees into filing complaints. Mr. Miller stated Ms. Gordon was only employed by the County for one week and then quit. Attorney Miller stated he was in the process of answering this complaint. He added there is a scheduled mediation for April from the first EEOC complaint and that is the only one that we have offered to mediate.

County Administrator Robert Zellner.

Mr. Zellner informed the Board Sheriff Tompkins had brought a purchase order to him and he felt it was an amount more than he had the authority to approve. He stated the Sheriff could probably explain what he needed much better than he could.

Chairman Medders asked Sheriff Tompkins to explain what he needed to buy.

Sheriff Tompkins addressed the Board and explained he needed to purchase "Bullet Proof Vest" he stated he had not purchased any vest since the first of last year.

After a brief discussion between the Board:

Commissioner Bozeman motioned to allow Sheriff Tompkins to run in arrears on his "Uniform" line item. Commissioner Childree seconded. Motion carried with YES votes from all.

District 1 – Tony Hall.

Commissioner Hall stated he only had two things to discuss; the first being with Attorney Miller in reference to Joyce Road which he stated he could do after the meeting. The second item falling under personnel, which he would bring up when we reached that part of the agenda.

District 2 – Fred Dent.

Commissioner Dent spoke in reference to marking of the survey of Ephesus Church Road by Glen Greene. He explained John Popham, one of the property owners on Ephesus Church Road, had Burnseed from Albany do a survey and there was a difference of a few feet between his and Glen Greene's. Mr. Dent explained Attorney Miller checked into this issue of the difference between the two surveys and in fact Mr. Popham's done by Mr. Burnseed was in fact more accurate. He explained the "Deeds" had been re-done to accurately reflect what the County is going to need. Mr. Popham was in agreement and had signed the deed which Mr. Dent stated he had with him this evening. Mr. Dent stated the only other deed still to be signed is that of Mr. Alan Davis and stated he was waiting on Mr. Davis to call; therefore, he would wait until the next meeting before going any further with the Ephesus Church Road Project.

District 3 – Bettye Bozeman.

Commissioner Bozeman informed the Board that Camp Osborne Road was falling apart. Ms. Bozeman passed pictures of the road for the Board to look at and told Mr. Zellner he would need to speak with some who was on a higher level with the D.O.T than the person

he spoke with before. Ms. Bozeman stated the re-surfacing was done in 2007 and also stated the County had called the local D.O.T. before the end of a 12 month period following the completion and informed them the road was not satisfactory. Ms. Bozeman stated it was even worse now.

The Board viewed the pictures.

Attorney Miller asked if the local engineer had been to look at the condition of the road. Ms. Bozeman replied saying "he supposedly went when the County had called and complained before she was not 100% sure". Attorney Miller suggested a phone call to find out if in fact some one had looked at the road and if they had not then re-start the process there or go to the next level.

The pictures were passed to Attorney Miller.

Commissioner Dent commented that it appeared the same company was doing every job under state contracts in Worth County and the quality of work by this company was very sub standard. Mr. Dent suggested informing the State that Worth County did not want this company to do any more work for them.

Commissioner Bozeman expressed to the Board the pictures they were looking at were actually not of the worst areas of the road and suggested they travel the road and take a look for themselves.

Ms. Bozeman addressed Ms. Glenice King in reference to commercial cat fish ponds on Egypt Road. Ms. King stated the property in question was zoned agricultural which permitted such use and the property owners do have a business license issued by Worth County. Ms. Bozeman informed Ms. King the "inert" landfill in the San Barnard Subdivision was getting bigger. Ms. King said she had planned on making some site visits the next day and would take a look at this particular location as well. Ms. Bozeman stated Mr. Tommy Pendley had been called about this before and had apparently buried everything at that time. Ms. Bozeman stated there is a stream that runs through there. Ms. Bozeman informed the Board all but one house on Egypt Road now has Garbage Cans, the one that does not have one has a sign posted stating "No trespassing" and it is so far off the road in the woods no-one wants to go in there to see who lives there.

Ms. Bozeman asked Mr. Zellner how many garbage bills were sent out this month. Mr. Zellner stated he thought it was 4,410 and added there were 64 exempt customers and 102 to be added that were mobile home parks. He also stated there were 378 that were still

being dealt with, and approx 60 duplications on the Advance Customer List to be taken off. Ms. Bozeman explained herself and Kim Joiner had rode through District 3 one day last week and there was only one home left to verify and added she planned on riding through the other districts with Kim in the near future.

There was brief discussion in reference to how much closer the County's Garbage Billing list is to Advance's invoice to us. Mr. Dent asked if we were going to receive credit for the duplications that advance had billed us for. Ms. Robinson informed Mr. Dent of the conversation with David Dent from Advance who had said they were accounting for all the credits they were going to give us dating back to November 1, 2008.

Commissioner Bozeman asked Mr. Zellner to get some of the Public Works crew out in the County picking up Veolia Cans, she said there are still a lot out there so they guys will need to go in more than one direction.

District 4 – Jerry Childree.

Commissioner Childree enquired if a Motorgrader Operator had been hired yet, to which the answer was "not yet" Ms. Bozeman asked Mr. Zellner if the Motorgrader Operators from other districts were still crossing over to district 4 in order to help Commissioner Childree's district stay caught up. Mr. Zellner replied "yes" they were. Mr. Childree asked why they could not do his first he stated he was tired of being last man on the pole.

Ms. Bozeman informed everyone there was an appointment on the Regional Mental Health Board. Ms. Bozeman stated that Becky Geer had agreed to go to the meeting and had stated she would love to be on that Board. Ms. Bozeman explained it has not been an easy task getting people to serve on this Board.

Ms. Bozeman motioned to appoint Becky Geer to the Regional Mental Health Board. Commissioner Childree seconded. Motion carried with Yes votes from all.

On the Consent docket:

ConAgra Foods 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 June 26, 2009 for their employee training since they don't have a facility large enough to accommodate all employees.

Motion to approve: Bettye Bozeman Second: Fred Dent Motion carried as follows:
Fred Dent YES Jerry Childree YES Bettye Bozeman YES
Tony Hall Abstained due to a business conflict of interests.

Lynn Ford, Worth County E-911 Director is requesting to operate in arrears for the following:

LINE ITEM #100-91-3800-51-1300-00 (Overtime E-911 Employees)

Lynn Ford E-911 Director addressed the Board in reference to this request:

Mr. Ford explained this is an ongoing problem due to being under staffed at the E-911 Center. He explained people have left and not replaced due to the hiring freeze being in effect. Ms. Bozeman stated a hiring freeze does not effect any hiring for Public Safety Departments. Mr. Ford stated he was not aware of that therefore they had not filled the full time position they have available.

Tina Ward, Deputy Director also commented on this issue stating that all E-911 centers stay Understaffed because people get burned out quickly in this type of work and leave so frequently. Ms. Ward explained the difficulty with part-time employees is they are not always available when you need them. Ms. Ward stated the E-911 center needed more part-time employees. Commissioner Dent explained the full time employees cannot always take vacation when they want to. He told Ms. Ward she should schedule vacation appropriately according to the needs of the center.

There was a discussion on the "County Mapping Program".

Lynn Ford explained the reason Tina Ward and Kannetha Clems are doing the "Mapping" is because they are the ones that went to Arkansas for the training. He also explained it takes two people together to get it done between taking the pictures and driving, he also mentioned he did not consider it safe for one person to try to go alone.

Commissioner Hall motioned to fill the full time position at the E-911 center. Commissioner Dent seconded. Motion carried with YES votes from all.

At 8:10 P.M. the Board took a recess. At 8:21 P.M. the Board reconvened.

Attorney Miller asked the Board if there were any other matters for discussion in which they required his presence. Ms. Bozeman asked Mr. Miller if he had received a phone call from some one in reference to Zion Hope Church Road. Mr. Miller said he had a number to call and was in the process of putting together "Power of Attorney documents" to allow them to administer the estate.

After a brief discussion Attorney Miller excused himself at 8:25 P.M.

On the Consent Docket:

Department of Administrative Services Surplus Property Division MOU renewal.

Motion: Fred Dent Second: Bettye Bozeman Motion Carried all YES votes.

Southwest Georgia Community Action Council, Inc. LifeLink Proclamation.

National Association of Social Workers (NASW) Proclamation to Recognize National Professional Social Work Month 2009.

Ms. Bozeman motioned to approve the two above proclamations. Second: Jerry Childree
Motion carried with all YES votes.

Tabetha DuPriest, Worth County Tax Commissioner is requesting approval of the 2007-08 Tax Digest for the month of February Property in the amount of \$1,657.12 and the E&R's for the month of February 2009 on M/H in the amount of \$3,211.52.

Motion: Bettye Bozeman Second: Fred Dent Motion carried all YES votes.

SPLOST Application CR 88 Seabrook Drive for the title examination and deed preparation by Attorney Clarence A. Miller in the amount of \$3,900.00.

Motion: Fred Dent Second: Tony Hall Motion carried all YES votes.

SPLOST Application for restoration of Old Post Office to Yielding, Wakeford & McGee in the amount of \$1,170.67.

Motion: Bettye Bozeman Second: Jerry Childree Motion carried all YES votes.

SPLOST Application for restoration of Old Post Office to LRA Contractors in the amount of \$349,970.00

Motion: Bettye Bozeman Second: Fred Dent Motion carried as follows:
Fred Dent YES Bettye Bozeman YES Jerry Childree YES Tony Hall NO

Commissioner Bozeman motioned to approve the Pay Request to LRA in the amount of \$118,368.00. Commissioner Dent seconded. Motion carried all YES votes.

Commissioner Dent addressed everyone in reference to department heads being over on certain items, he expressed to everyone the issues facing local government at this time. He spoke of what he had read in the paper about Cities and counties furloughing workers, expressing the fact of how serious this is. He stated everyone that works for the county needs to understand this budget problem is serious. He informed everyone he read that White County Commissioners had voted to suspend any more payments to the employee's

retirement accounts. He went on to say that there are a lot of people doing a lot of different things because money is short and so is Worth County's. Mr. Dent mentioned SPLOST accounts, stating our SPLOST monies are not going to be what we anticipated and we are going to have to do some cutting back. Mr. Dent said the people on the EDA Board are going to have to understand that as well. He also said just because there was \$450,000.00 allocated for the renovation of the Old Post Office does not mean that they have to spend all of it.

The Board agreed on Thursday April 2, 2009 for a Work Shop with the EDA Board to be held at the Community Center at 7:00 P.M.

SPLOST Application from the Town of Sumner for work being done to the building located at 412 Main Street, Sumner, GA 31789 for Cox Construction in the amount of \$28,182.63. Per Laverne Watkins in Accounts Payable, this account has only \$22,414.95 left in the account.

Commissioner Dent stated he would motion to approve an amended SPLOST Application in the amount of \$22,414.95. Commissioner Bozeman seconded. Motion carried all YES votes.

Acknowledgement of PRESENTMENTS OF THE GRAND JURY FOR JANUARY 2009 TERM, SECOND SESSION OF WORTH COUNTY SUPERIOR COURT.

Acknowledged by the Board.

New Business.

Election for continuation of SPLOST Taxes.

The Board discussed a meeting with all the Municipalities as they had done on prior SPLOST election years.

Ms. Bozeman explained how they had all got together and the Commissioners asked what their requests were and they new what they would get by the percentage.

Commissioner Hall talked about the last time with the City of Sylvester, stating they had wanted a higher percentage based on population of a day time count which included people traveling through the city and stopping at a store or gas station. Mr. Hall commented that the Board should just be prepared. Mr. Zellner explained the Board had a choice of July 20, 2010 or November 2, 2010 for the SPLOST election. Mr. Zellner also said he would recommend hiring an architect to access how much money we would need for certain projects being considered.

At 8:45 P.M.

Commissioner Bozeman motioned to move into executive session. Commissioner Childree seconded. Motion carried with Yes votes from all.

The Board returned to regular session at 9:10 P.M.

Personnel:

Policy for Bereavement Pay: NO ACTION TAKEN

Unfinished Business:

Re-hire County Employees.

Commissioner Dent motioned to approve the re-hire of County Employees. Commissioner Hall seconded. Commissioner Bozeman voted NO. Commissioner Childree voted NO.

Chairman Medders broke the 2/2 vote with a NO Vote.

Motion did not carry for lack of a majority vote.

Commissioner Dent motioned to adjourn. Commissioner Hall seconded.

Motion carried with YES votes from all.

County Clerk

Chairman

Deborah Robinson

Matt Medders.