

MINUTES

WORTH COUNTY BOARD OF COMMISSIONERS

May 6, 2008

8:00 A.M.

The Worth County Board of Commissioners met in regular session on Tuesday May 6, 2008 in the Commission Board room, 3rd Floor Courthouse.

Chairman Miller called the meeting to order.

Present: Commissioners Tony Hall, Fred Dent, Bettye Bozeman, Jerry Childree, Chairman Dan Miller, Attorney Clarence Miller and Deborah Robinson County Clerk.

Approval of minutes: 04/17/2008

Commissioner Bozeman motioned to approve the minutes with corrections. Commissioner Dent seconded. Motion carried with yes votes from Commissioners Hall and Childree.

Public Notice:

Glenice King, Building & Zoning Administrator, came before the Board with two proposals from the Planning Commission. Their first suggestion is to amend the Unified Land Development Code section: 4.12 which references animals in residential areas. The amendment would be to allow no more than 6 domestic animals, e.g., 6 cats, 6 dogs, 6 rabbits etc, and no more than 15 fowl on a residential property, with no Grandfather Clause. Residents would be given a certain amount of time to comply. The second proposal is to delete section: 23.10 the Sunset Clause, which is no longer necessary since we have a planning commission. In order to make the proposed amendments it is necessary to advertise and have a public hearing.

Commissioner Childree motioned to approve to proceed with advertising for the public hearing. Commissioner Bozeman seconded.

Motion carried with yes votes from Commissioners Tony Hall and Fred Dent.

Invited Guests:

A. Best Friends Humane Society Board of Directors.

Arlene Schippang, President of the BFHS spoke to the Board of Commissioners about the possibility of a contract being formed between BFHS and the County, Ms. Schippang went on to explain how they would like the Animal Control Officer to remain as a County employee but work out of the BFHS facility which would allow them to close the County Pound. Ms. Schippang informed the Board of Commissioners that they had met with the City Council Members and had received a tentative offer of the City Public Works Facility being donated to BFHS. The Department of Agriculture {Animal Protection Division} had looked at the facility and had informed BFHS that there would be very minimal work to be done in order to obtain a license and open the facility.

Commissioner Bozeman and Commissioner Dent agreed to meet with BFHS at 5pm on May 13, 2008 for the purpose of discussing a contract with them and to assess what and how much help the County can offer.

B. City of Poulan.

Jessica Jones, Clerk for the City of Poulan approached the Board to discuss a way to resolve the situation of their garbage being refused at the landfill. Commissioner Dent explained to Ms. Jones that this was because the City of Poulan had not been paying and that the County could no longer accept their garbage unless they were to resume paying. Commissioner Dent went on to inform Ms Jones that unless the City of Poulan starts back collecting the fee from their residents that we will continue not to accept their garbage. Chairman Miller said that he had spoken with Veolia in reference to this matter and that they were willing to pay for Poulan's garbage to go to the landfill for right now, while the situation is being dealt with. Chairman Miller suggested that he and Commissioner Dent should talk with Mayor Grubbs and try to resolve the issue. Ms. Jones asked if that meant the city of Poulan would not have to pay the arrears the County had asked for. Commissioner Dent replied by saying, "that is not what we are saying, the Chairman and I will discuss it with Mayor Grubbs. Please ask him to call us."

District 3 – Commissioner Bozeman

Residents of the Woodcrest Subdivision.

Commissioner Bozeman spoke to the Board explaining that the group of residents from the Woodcrest Subdivision are here because of concerns about a house that had recently been moved from within the City limits of Sylvester out into the County and into the Woodcrest Subdivision. Ms. Bozeman explained that the covenants had expired after 20 years. Ms. Bozeman asked Attorney Miller if these people can extend their covenant by all the land owners signing and recording? Attorney Miller explained that it would have to be 100% of the land owners from the subdivision in order to do that. At this point Ms. Bozeman asked the elected speaker for the group Mr. John Barfield to step forward in order to address the Board. Commissioner Bozeman said that she was not sure how many of the Commissioners had been to Woodcrest and looked at the house in question but that she felt they needed to go and see for themselves. Chairman Miller addressed the situation by saying that Building & Zoning should do some research with other Counties to see how they handle things in reference to inspecting a house before it's moved. Chairman Miller went on to say that the house in question had been eaten away in the front by termites and that patch work had been necessary just to be able to move the house. Chairman Miller stated that there should be something written into the ordinance that before a house can be moved it should be inspected.

At this time, Mr. John Barfield addressed the Board and presented a petition requesting the Board of Commissioners to stop the further construction and or insulation of the structure now sitting on 110 Aspen Lane, Lot 29 parcel 17 of the Woodcrest Subdivision. Mr. Barfield explained and expressed many different points of view and reasons why they were asking the Commissioners to help in this matter, the issue of Business or Contractors license was mentioned as not being in order for the person responsible for the moving of the house in question. Glenice King informed everyone that the house owner did have a building permit and that it was not required for it to be posted on the site. Attorney Miller then addressed Mr. Barfield telling him that the County Commission has no authority to enforce or enact restrictive covenants, that the only thing they can do is to pass a building and zoning code and enforce it. There was further discussion mentioning that if the Building Inspector John Merritt found certain things wrong with the structure, we were required to give to Mr. Shipp the specified time to bring these things up to code.

9:05 A.M. The Board took a recess.

9:18 A.M. The Board reconvened.

Attorney Clarence Miller

Attorney Miller commented on the considerations for the BFHS stating that there is a hearing conflict between the Humane Society and the County Government, when BFHS started out they were going to do all the fund raising in order to see that the animals got more humane treatment. He stated that what they want is when animals are captured a longer holding process is in place to allow more time to find homes, and this is where the money is needed. It is fine if BFHS wants to further their ideas for more humane treatment for animals but they need to put their money where their mouth is, because what they are doing is asking the local government to provide them money to do things their way because they don't agree with our policy of putting them to sleep if they have not been claimed by their owner within 3 days.

Mr. Miller went on to say that he did not have any objections if that is what the Board decided to do but wanted to point out that it would increase the budget.

Attorney Miller informed the Board that he has finally got the Horse Creek Bridge project on Cane Mill Road completed.

Attorney Miller spoke of the Dexter Wilson Boulevard issue with the EDA and Mitchell EMC, and stated that he had finally got the plat completed of what Reese would sell to the County, EDA or the developer for \$15,000. He went on to say that he had sent them a copy of the plat and that Mitchell EMC had now asked for another 90 day extension of that option. Mr. Miller said he informed Mitchell EMC that he was not the EDA attorney and that he did not mind trying to assist them through communications. Mr. Miller stated he just wanted the Board to know where that particular project was at right now.

Chairman's Report

Chairman Miller informed everyone that sealed bids for the Ambulance will be opened on May 15, 2008.

There will be a Community Job Fair on May 14, 2008 at the Community Center, hosted by the Chamber of Commerce and sponsored by the EDA.

Mr. Miller also informed the Board that he had a list of the "Duties of the Registrar."

District 1 – Tony Hall

Commissioner Hall wanted to bring to the attention of the Board an issue that Commissioner Bozeman and he had dealt with concerning the Registrar Department. Mr. Hall explained how the department head Ms. Potts had written up an employee but that the write up had never been put in the employee's file that is kept in the Personnel Office. Commissioner Hall explained how he had informed Ms. Potts that if the write up did not reflect in the file in the personnel office then it basically does not exist. He felt that a memo should be sent to all department heads informing them that if they do have to write up an employee for any reason then a copy must be placed in the personnel file upstairs in Ms. Walker's office. The Board agreed that a reminder of this to all Department Heads was a good idea.

Commissioner Hall motioned to have a memo sent to all Department Heads in reference to the procedure to follow when having to write up an employee. Commissioner Bozeman seconded.

Motion carried with yes votes from Commissioners Dent and Childree.

District 2 – Fred Dent

Commissioner Dent informed the Board that he had been working on the garbage contract but that even though he had made a few changes he was still not quite finished with it. Mr. Dent suggested putting it back on the agenda for the next Board meeting which will be May 15, 2008.

Commissioner Dent mentioned his concern about the lease agreement on the Country Club. He informed the Board that we had agreed to keep up the maintenance on the equipment and that thus far we had not done that, because we have not had a mechanic to do so. Mr. Dent went on to say that the gentlemen who are leasing from us has spent a fair amount of money on this and that maybe we could waive a couple of months rent in order to pay them back once we had gone through the paperwork and itemized just what was spent that should have been our responsibility.

Commissioner Dent's final item was in reference to a complaint he had received about a new mobile home being moved onto a property before the old one was moved off. Mr. Dent felt that we should not give a permit for a new one to be moved in until the old one is moved out. The board agreed with Commissioner Dent, suggesting that we amend the ordinance surrounding this issue.

Commissioner Dent motioned to amend the necessary ordinance so that in the future a new mobile home cannot be moved onto a property until the old one is removed. Commissioner Hall seconded.

Motion carried with yes votes from Commissioner Bozeman and Childree.

Attorney Miller reminded the Board that this would have to be advertised and put on the agenda for public hearing.

District 3 – Bettye Bozeman

Commissioner Bozeman asked if anyone knew if Glen Greene had surveyed Zion Church Road, there had been a motion made earlier that once he finished with Seabrook Lane he would go to Zion Church Road to survey & stake. Ms. Bozeman requested to be updated on this. Chairman Miller commented on maybe putting some steel posts in the ground so that re-staking would not have to be done because of loss of stakes due to the farming going on. Ms. Bozeman agreed and suggested that steel posts should be used on everything that is surveyed in order for us not to have it re-done.

Commissioner Bozeman also mentioned an issue at the four way stop at Lundy & Strangward Drive, people are running straight through this stop sign. Commissioner Dent commented that he had received similar complaints. Mr. Dent also said it would be a good idea to up date the list of roads that had been paved and would now be eligible for law enforcement to use the radar in reference to people speeding. Ms. Bozeman also said that she had been asked by several people about putting speed bumps on certain roads. Attorney Miller said he would do some checking on that for the Board as there are some very tight regulations.

District 4 – Jerry Childree

Commissioner Childree mentioned employees using County vehicles for personal business. Mr. Childree motioned to send a memo to all employees informing them that County

vehicles could not be used for personal business of any kind. Commissioner Bozeman seconded.

Motion carried with yes votes from Commissioners Dent and Hall.

District 3 – Bettye Bozeman

Commissioner Bozeman motioned to send a copy of the survey for CR 231 Pearson Road, to Attorney Miller for him to prepare deeds. Commissioner Dent seconded.

Motion carried with yes votes from Commissioners Hall and Childree.

Consent Docket

A Tommy Bozeman, acting Chief of Police of Sylvester, is requesting use of the Community Center at no cost on May 30, 2008 for Meth Lab training classes. Commissioner Dent motioned to approve. Commissioner Bozeman seconded. Motion carried with yes votes from Commissioners Hall and Childree.

B Sheriff Freddie Tompkins is requesting to operate in arrears for the following line Item. # 100-71-3325-53-2311-00
Commissioner Bozeman motioned to approve. Commissioner Dent seconded. Motion carried with yes votes from Commissioners Hall and Childree.

C Judge Mike Carter is requesting the following items be put into surplus from the Magistrate office.
(4) Gray file cabinets
(2) Brown file cabinets
(3) Tan file cabinets
(1) Grey fireproof file cabinet

Commissioner Bozeman motioned to approve. Commission Dent seconded. Motion carried with yes votes from Commissioners Hall and Childree.

D Frances Nichols is requesting to surplus (1) Cannon super G-3 Fax Phone L80. Commissioner Bozeman motioned to approve. Commissioner Dent seconded. Motion carried with yes votes from Commissioners Hall and Childree.

E Waiver of Fees Application – Garbage Pick-Up.
(1) Willena T. Sanders
Tabled until Board Meeting on 5/15/2008.

Action Docket

- A Coastal Plain CASA is requesting \$10,000 for FY Budget 2009.
Tabled until Budget workshop.
- B Worth County Board of Commissioners SPLOST PROJECT – CR 56
Ephesus Church Road for Glen Greene & Associates in the amount of
\$4,650.00 for Survey, Plats & Staking.
Tabled until Board Meeting 5/15/2008 (Need to look at previous cost)
- C City of Sylvester SPLOST PROJECT 2006-10-08 to Hatcher Tractor Service Inc.,
in the amount of \$17,751.92 for Pope Street improvements.
Commissioner Hall motioned to approve. Commissioner Dent seconded.
Motion carried with yes votes from Commissioners Bozeman and Childree.
- D Tabetha Dupriest, Tax Commissioner is requesting approval on the following:

E&R's on the 2007 Tax Digest
E&R's for the month of March 2008 Property
E&R's for the month of January 2008 on M/H
Commissioner Bozeman motioned to approve. Commissioner Hall seconded.
Motion carried with yes votes from Commissioners Childree and Dent.
- E Lynn Ford submitted E-911 newly revised SOPs for review and approval.
Tabled until Board Meeting 5/15/2008.

Unfinished Business

- A Ambulance Services Management Agreement with Phoebe Worth Hospital
Commissioner Dent motioned to approve. Commissioner Hall seconded.
Motion carried at 9:50 A.M. with yes votes from Commissioners Bozeman and
Childree.

Personnel Department

Submitted Proposal for Group Health Insurance.

With no further business to discuss Commissioner Hall motioned to adjourn. Commissioner Childree seconded.

Motion carried with yes votes from all.

10:05 A.M. Meeting adjourned.

Deborah Robinson
County Clerk.

Dan E Miller
Chairman.