

## MINUTES

### WORTH COUNTY BOARD OF COMMISSIONERS

July 17, 2008

7:00 P.M.

The Worth County Board of Commissioners met in regular session on Thursday July 17, 2008 in the Commission Board Room, 3<sup>rd</sup> Floor Courthouse.

Chairman Miller called the meeting to order at 7:10 P.M.

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

#### **Request for Bids:**

##### **A. Track Excavator**

3 bids had been received and were opened at 7:15 P.M.

Commissioner Hall read aloud the bid from Yancey Bros.

Model # 307E      30 days delivery time

Price \$79,995      Buy Back \$34,000/5000hrs/5years      Total after buy back \$45,995

Commissioner Dent read aloud the bid from Flint Equipment Company

Model 75D      60-90 days delivery time

Price \$96,250      Buy Back \$35,000/5000hrs/5years      Total after buy back \$61,250

Commissioner Bozeman read aloud the bid from Tractor & Equipment Company.

Model # PC78US (Kamatsu)      30 days delivery time

Price \$76,000 Buy Back \$35,000/5000hrs/5years Total after buy back \$45,500

After a brief discussion the Chairman Miller stated that they would announce their decision the next day.

**Approval of Minutes: March 4, 2008 and July 1, 2008**

Motion to approve: Bettye Bozeman. Second: Fred Dent. Motion carried yes votes from all.

**Invited Guests:**

A. State Senate District 13.

No one was present to discuss.

B. Ruth's Cottage and Patti Cake House.

Rosemary Alexander Executive Director of Ruth's Cottage approached the Board to discuss their request for funding from Worth County's 5% funds and also to put an end to some allegations made about their organization. Ms. Alexander spoke of the importance of Ruth's Cottage and explained some of what they do for the Residents in Worth County. Ms. Alexander gave specific figures of expenses as well as specific numbers of people helped in Worth County this year.

Next to approach the Board was Dr. Bridges who is a member of the Board for Ruth's Cottage. Dr. Bridges spoke of how there is no profit within the organization, it is always at a loss. He informed the Board about some other counties that had questioned certain things when it had come to the time for them to decide on funding, he went on to say how they had joined with the Carl Vinson Institute at the University of Georgia and completed a comprehensive review of how 5% funds are spent. They concluded that Ruth's Cottage and other associated organizations not only deserved what they had been receiving but actually deserved more.

Katie Brown Executive Director of Patti Cake House was next to speak, Ms. Brown also wanted to reassure the Board of Commissioners that Patti Cake House provided a very necessary service to Worth County Residents, quoting numbers and referencing how many interviews have been conducted so far this year with children that have been abused.

Ericka Johnson, Assistant District Attorney assigned to prosecute a lot of the cases that Patti Cake House and Ruth's Cottage handle, spoke to the Board also about the importance of what these two organizations do. Ms. Johnson stated that the last two homicides in Worth County had been acts of domestic violence. Ms. Johnson also mentioned that it is extremely important to have a Trained Forensic Interviewer available. Ms Johnson also spoke of the overwhelming dedication of the employees who work in both of these organizations, and while thanking the Board for allowing them all to speak urged the Board to continue their support.

After a brief discussion as to what funds were available immediately:

Commissioner Dent motioned to pay the \$2000 that was available in the 5% fund account right now and to pay the rest as it comes in. Commissioner Bozeman seconded. Motion carried with yes votes from all.

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

### **Attorney Clarence Miller:**

Attorney Miller asked the Board if the resolution between the City of Sylvester and the County in reference to the water tower had been amended. Chairman Miller informed Attorney Miller that it had and that it was also an item on the Action Docket in today's meeting. Attorney Miller also mentioned Lolly Creek Bridge on Jones Road, stating that we should be able to get the certification the next day. The next item for attorney Miller was the Cotton Road Project CR 55, stating that he was working on phase 1 & 2, that he had been told by Mr. Zellner that the D.O.T. was now allowing a 60 foot right-of-way. Final item for Attorney Miller was to inform the Board that he had looked at the request for bids proposal for the garbage contract and that the legal format was quite satisfactory. Attorney Miller had another item that he wanted to mention that would be coming up in the near future and that was the proposal of a Pecan Shelling Company coming to Sylvester. The proposed land for this business is on Griffin Houston Road and Hwy 82 which is in a 100 year flood plane zone. Mr. Miller went on to say that the Land Use Planning Guide mentions only certain kinds of buildings can be constructed and a certain amount of elevation would be required. Mr. Miller also stated that he did not see any rational of denying it, but just wanted the Board to be aware that this is something that will be presented to the Board in the near future through the Building & Zoning Department.

## County Administrator Robert Zellner

Mr. Zellner informed the Board that he had met with the Mayor of Sylvester as well as Debbie Bridges, City Manager, and they had agreed to the E 911 agreement in the amount of \$70,497.00. That would cover the expenses for 2 dispatchers 24 hours a day, 7 days a week, and 365 days a year. Debbie Bridges had called Mr. Zellner and informed him that they would formally approve it at their next meeting on August 21, 2008. They had also discussed the portion on the Quit Claim Deed for the 12,000 gallons of residential water a month to the public works department and that too would be officially approved at the same meeting. Mr. Zellner also informed the Board that he had received a letter from the D.O.T on CR 91 Cane Mill Road Bridge Project at Horse Creek and it stated that they had reduced the Wet Land Credits to 2.57 credits but that the Stream credits remain the same 1879.5 credits and that it was at the point now where we had to decide if we wanted to buy all of those.

Chairman Miller stated that a motion should be made. Attorney Miller stated that we had until around March of next year due to a recent extension.

Commissioner Childree motioned that we go ahead with the process of purchasing the necessary credits. Commissioner Bozeman seconded.

Motion carried with yes votes from all.

Mr. Zellner updated the Board in reference to the Jones Road {Lolly Creek Bridge} project stating that he had a quote from Southern Concrete. The contract from D.O.T stated they would give us \$48,000 dollars plus surplus steel. Commissioner Dent stated that this was a project that we should put out for bids.

Commissioner Childree motioned that we put out a formal bid proposal. Commissioner Bozeman seconded.

Motion carried with yes votes from all.

Mr. Zellner also mentioned that at the last meeting there had been a discussion about the Carlton Road project. Mr. Zellner explained how he had pulled the file and found out that in 2003 the Board had ask the D.O.T to cancel that project. Mr. Zellner stated that a letter had been received from Commissioner Lindenkohl where they had approved the cancellation. Mr. Zellner went on to say that he had spoken with Clay Smith Director of Public Works and

that they agreed that something could be done in house, possibly putting in two culverts for now while we are waiting on some of these other projects to get finished. Commissioner Bozeman and Commissioner Childree stated that the project as they understood it for Carlton Road was to widen and pave the road. Chairman Miller asked Mr. Zellner to look into this a little more in reference to whether a survey had been done and deeds prepared or not and put this back on the agenda for the next meeting. Mr. Zellner's next item was in reference to the speed zone ordinance, stating that the Sheriffs Department had requested we look at these roads and include them in our speed ordinance in order to run radar. The State has to approve them once the Board has approved the updated list.

Commissioner Bozeman motioned to accept the updated list. Commissioner Dent seconded.

#### LIST OF ROAD WAYS

Camp Osborn Road (CR11) from GA Highway 300 to Jewel Crowe Road (CR 418)  
Doe Hill Road (CR3) from GA Highway 313 to Isabella-Terrell Road (CR1)  
Douthit Road (CR 404) from Evergreen Road (CR160)  
Fowler Road (CR13) from Jewel Crowe Road (CR418) to Cowford Bridge Road (CR233)  
Henry Road (CR 13) from County Line Road (CR417) to Peafowl Road (CR45)  
Isabella-Terrell Road (CR1) from Old Mail Road (CR15) to GA Highway 112  
Lundy Road (CR283) from GA Highway 313 to GA Highway 33  
Massey Airport Road (CR374) from GA Highway 520 to GA Highway 112  
Oak Grove Road (CR171) from GA Highway 33 to Douthit Road (CR404)  
Sledge Road (CR413) from Brown Cemetery Road to GA Highway 256  
Thomas Road (CR314) from County Line Road (CR417) to Deer Valley Drive (CR 470)  
York Road (CR173) from GA Highway 112 to Evergreen Road (CR 160)

Motion carried with yes votes from all.

Mr. Zellner's next item was about the letter sent from the Tax Assessor's Office to the Board in reference to Ms. Brown and her claim of overpayment in taxes due to only owning 4 acres and not 5 acres. The letter claims that on July 11, 2008 they spoke with Ms. Brown in reference to the property bought at a foreclosure sale and explained to her that all the warranty deeds state that there was 6 acre tracts recorded in the 7<sup>th</sup> District less and except 1 acre of security deed recorded in the deed book at the Court House and that there was no warranty deed recorded that changes that. Therefore there is no refund due.

Attorney Miller commented that he had done his own research on this and that the Tax Assessor's Office information was not correct.

Mr. Zellner informed the Board that Clay Smith was requesting the transfer of the 1999 Crown Vic from surplus to the Public Works Department to use as a run around vehicle.

Commissioner Bozeman motioned to approve. Commissioner Childree seconded.

Motion carried with yes votes from all.

Mr. Zellner directed the Board's attention to the letter he had given them from the EPD about the nominations for the regional water planning council. Mr. Zellner explained that if the Board had anyone in mind that they would like to nominate they should do so, Mr. Zellner stated how this was very important and that he wanted to make sure that Worth county was represented in this as eventually this council would be telling you how much water you can use and later on would also be handling sewage as well.

Several members of the Board mentioned a person whom they thought would be ideal for such a nomination. It was decided to talk with this person to see if he would be interested and then re-discuss at the next meeting.

Next item for Mr. Zellner was about the Landfill Monitoring Report from TTL, he explained how the Methane Concentration BPB had not exceeded the LCL level and that if it stays below this for two more readings then we would only have to read quarterly there after.

Mr. Zellner's final item was the insurance settlement from Trident on the ambulance; they were offering to settle for \$85,000.00 less the \$500.00 deductible giving a total of \$84,500.00. Trident stated that this was for the ambulance only and that we would still own all accessories from inside the ambulance.

At 8:15 P.M. the Board took a recess.

At 8:24 P.M. the Board reconvened.

## **Chairman's Report**

Chairman Miller informed the Board that the Excavator that caught on fire was deemed a total loss by the insurance company and we would be receiving \$87,000.00.

Commissioner Dent motioned to approve the settlement from Trident Insurance on the Ambulance and sign a Power of Attorney Document releasing the Ambulance to them. Commissioner Hall seconded. Motion carried with yes votes from all.

Chairman Miller informed the Board that the Grand Jury Presentments were in their packages for them to look at.

**District 1 – Tony Hall.** No items for discussion at this time.

**District 2 – Fred Dent.**

Commissioner Dent informed the Board that he and Mr. Zellner had spent a reasonable amount of time on the Garbage Proposal as well as Clay Smith that they were satisfied with it and that Attorney Miller had looked at it from a legal stand point and was satisfied. That the bids should be opened on August 21, 2008 and the bid would be awarded on September 2, 2008.

After a brief discussion:

Commissioner Dent motioned to send out the Garbage Bid Proposals to be opened on August 21, 2008. Commissioner Bozeman seconded.

Motion carried with yes votes from all.

Commissioner Dent also mentioned the Pecan Shelling Plant, stating that he had received a phone call from a resident who informed him of the proposal for the plant. Mr. Dent asked that the Building & Zoning department inform the Commissioners Office immediately when they receive any applications of any kind, making sure that the Commissioner for the District involved is notified immediately.

**District 3 – Bettye Bozeman**

Commissioner Bozeman requested that we clean out the drain ditch behind the house of Chris Shedd on the corner of Rebecca Drive & Lundy Road. Chairman Miller asked if there

was a written easement before we do anything. If there is not an easement then we need to get one done so that we can go in and clean it out.

Commissioner Bozeman also mentioned complaints about the Building & Zoning Department again. Ms. Bozeman had been told that the clerk was seen wearing bedroom slippers in the hall way while at work. Ms. Bozeman stated that there was a formal complaint in the form of a letter being sent.

Commissioner Bozeman informed the Board that herself and Arlene Schippang, President of the Humane Society had looked at some buildings earlier in the week just to get an idea of prices and the different type structures. Ms Bozeman went on to say that what was really needed was for the survey to be done.

Commissioner Bozeman motioned to have a survey done on the property on Ephesus Church Road where the Humane Society Project would be. Commissioner Dent seconded.

Motion carried with yes votes from all.

Commissioner Bozeman informed the Board that she had received a phone call from a lady in Texas in reference to McDonald Road, stating that the lady is requesting all her dirt that she gave for the road to be upgraded be put back where it came from if there are plans to re-survey the road. Ms Bozeman stated that she informed the lady that the best thing to do was to leave the road alone, it had been upgraded and looked good and the fact is that it's on a prescription easement.

**District 4 – Jerry Childree.** No items for discussion.

### **Consent Docket**

**A.** Pine Knoll Golf Club waiver of Monthly Rent for May and June 2008.

Motion Bettye Bozeman                      Second Fred Dent                      Carried all yes

**B.** Surplus (I) TOSHIBA Copier 2550 Commission Office.

Motion Bettye Bozeman                      Second Tony Hall                      Carried all yes

### **Action Docket**

**A.** Approve Phone Poll *07/09108* in reference to purchasing Peterbilt Dump Truck from Prince Truck Center for \$67,400.00



At 8:52 P.M. Commissioner Hall motion to go into Executive session for the purpose of discussing personnel issues. Commissioner Dent Seconded. Motion carried all yes.

At 9:17 P.M. the Board reconvened in Regular Session.

Commissioner Bozeman motioned to dismiss the employee at the Public Works Department who tested positive for Cocaine. Also the 2 employees that tested positive for alcohol at .199 and .218 are dismissed. Commissioner Hall Seconded.

Motion carried with yes votes from all.

Commissioner Bozeman made the following statement

The accident involved with the dogs and a Public Works Department Employee at the Animal Control Pound should be referred to the County Administrator for investigation.

### **Sheriff Department**

- To acknowledge separation of employment for Marco Kirk, Jailer \$10.23 an hour. Resigned in good standing July 11, 2008.

### **EMA/Fire**

- Employee warning: Sim Bozeman received oral warning for tardiness. Date of violation was July 16, 2008. Asst. Chief Jason Brooks gave the warning. Employee will be sent home if he is tardy again.
- Asst. Chief Jason Brooks requested permission to have payroll check direct deposited to his account with Sylvester Banking Company. (Sylvester Banking is the only bank in Worth County that has not been approved for direct deposit.)

Motion Fred Dent            Second Tony Hall            Carried all yes  
Sylvester Banking Company approved for direct deposit.

### **Public Works Department**

- Recommend hiring Susan Norman for Clerk I at \$8.00 an hour.  
Motion Bettye Bozeman            Second Tony Hall            Carried all yes

- For the record: Robert Dixon was terminated July 17, 2008 for cause (sufficient documentation on record).
- A written warning was issued to the following employees:

- Thomas Warren
- Larry Richey
- Riley Cheevers

The date of violation was July 14, 2008 (sufficient documentation on record).  
The Board of Commissioners after further discussion decided that the above employees should be terminated.

### **Commissioners Office**

- Request inter-departmental transfer for Jimmy Parker, Equipment Operator IV to Facility Superintendent. Rate of pay will increase from \$14.62 per hour to \$35,000.00 annually. Effective date of transfer July 21, 2008.

After a discussion between the Board:

REQUEST DENIED

Chairman Miller stated that all terminated positions should be advertised immediately.

### **NRCS Department**

- Paul Long, District Conservationist recommends and requests that LaTosha Daniel status change from Clerk I to a Clerk II. Rate of pay requested is \$10.00 an hour (letter attached).

REQUEST DENIED. This item was not submitted in the Budget.

Commissioner Bozeman motioned that all items for the agenda should be submitted 3 days before the day of the meeting by 10:00 A.M. Commissioner Hall seconded. Motion carried with yes votes from all.

Commissioner Dent informed the Board that John Merritt Jr. had approached him in reference to a raise.

After discussion by the Board it was decided that at this time an increase was not budgeted.

Commissioner Dent also mentioned the bids on the Excavator, stating that the Kamatsu would not be able to accommodate our mower attachment without spending more money. Chairman Miller stated we should make a decision before we adjourn.

Commissioner Dent motioned to approve the bid from Yancey Bros on the CAT 307E.

Commissioner Bozeman Seconded. Motion carried with yes votes from all.

At 9:27 P.M. Commissioner Hall motioned to adjourn. Commissioner Bozeman  
Seconded. Motion carried with yes votes from all.

Deborah Robinson

County Clerk

Dan E. Miller

Chairman