

**MINUTES
WORTH COUNTY BOARD OF COMMISSIONERS**

Thursday September 4, 2008

8:00 A.M.

The Worth County Board of Commissioners met in regular session on Thursday September 4, 2008 in the Commission Board Room, 3rd Floor Courthouse.

Chairman Miller called the meeting to order at 8:00 A.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.

Public Hearing:

Approval of Minutes: August 21, 2008 and February 21, 2008

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

Invited Guests:

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

Attorney Miller:

Attorney Miller informed the Board that there was a small issue concerning the contract with Caterpillar Financial Corporation in reference to the lease-purchase agreement for the 2006 CAT 615C dirt Pan. He went on to say that he was sure Mr. Zellner would discuss it with the Board during his deliberations.

Attorney Miller's next item for discussion was pertaining to the Subdivision Ordinance in reference to the number of fowl allowed in a residential subdivision which went into effect on June 19, 2008. Attorney Miller had found an error and was not sure if it was a typographical or a grammatical error. He stated that it did not affect the substance of the Ordinance but we would probably have to re-enact the Ordinance upon the correction being completed. Attorney Miller continued to explain the error being the word "and" used instead of "or". Attorney Miller also stated that we should delay the enforcement of the Ordinance until such time that all corrections and re-enactment had been completed.

Commissioner Dent asked if it was necessary to have another Public Hearing concerning the fowl Ordinance once the corrections had been made. Attorney Miller stated that he was not sure if there was a provision for correcting technical errors in the General Land Use Plan. Mr. Miller said he did not have a copy of the plan. Chairman Miller stated that a copy of the General Land Use Plan should be sent over to Attorney Miller's Office right away.

County Administrator:

Mr. Zellner informed the Board that he had put a plan together in order to get District 4 some help with the scrapping of the roads. He presented a map of the County which showed where the equipment and the workers from District 2 and District 3 would each cover a portion of District 4. District 3 will cover North West portion of district 4, which would also include some of District 1 and District 2 will cover the East portion of District 4. He felt this would be sufficient until such time that we had purchased more equipment and filled vacant positions. Mr. Zellner gave the Board a print out of our cash on hand current status, explaining how we had not received any tax revenues at this time and that is the reason for the delay in purchasing a new motorgrader for District 4. Mr. Zellner reported that the Budget report for July showed we had spent \$500,000.00 more than we had taken in and that is simply because the bulk of our money comes in at tax time.

Mr. Zellner informed the Board that he had received some requests in reference to certain properties that needed to be cleaned. The property located on Phillip Causey Road, Worth Road, and Pebble Hill Circle. Mr. Zellner explained that Ms. King, Building & Zoning Administrator, had been in touch with the property owners and one in particular had 10 days to respond and if they did not then the case would be turned over to the Magistrate Court. Mr. Zellner handed out pictures of the locations that he had taken on September 3, 2008.

At this time, Commissioner Bozeman stated that the property owned by Mr. Ricky Shipp in the Woodcrest Subdivision was supposed to have been cleaned up last year and that the same tree was still laying across the ground. Mr. Zellner stated that he would get with the Building Inspector Mr. John Merritt Jr. and request that he look at the site. Mr. Zellner then referred back to the pictures he had handed out of the other locations that needed to be cleaned-up. He referred to the properties located on Pebble Hill Circle, stating that basically these were just in need of the grass cutting and that as far as he knew we do not have the authority to enforce that.

Mr. Zellner's next item was in reference to the Purchasing Policy that the Board had asked him to put together. He went on to say that he and Laverne Watkins, Accounting Clerk, had

put a policy together and at this time he handed out a copy of the policy to everyone to take home and read. He asked that if they had any changes they would like to make to the policy to let him know and they would take care of them and then proceed forward. He also said that he felt what they had put together was a good policy, that it was something they could manage and that it would take care of any possible problems we might incur.

Mr. Zellner's next item was about some invoices we had received from the hospitals and doctors for a surgical procedure performed on an inmate who had been hospitalized. The total of the invoices to date are \$49,757.00. Mr. Zellner explained that an Officer from the City of Poulan Police Department had assisted a Deputy from the Worth County Sheriff's Department to arrest a certain individual. He went on to explain that during the course of the arrest, the Poulan Police Officer found it necessary to use her "taser weapon"

After some discussion, Attorney Miller stated that just because the Poulan Police Officer assisted in the arrest this did not make them a County Employee; therefore, the outcome should not fall on the County in reference to liability for injuries sustained due to being tased. He went on to say that his initial judgment is to send the invoice to the City of Poulan.

Mr. Zellner wanted to discuss the vacant mechanic's position within the Public Work's Department. He explained the other mechanic that has been with the County for quite some time was currently handling the extra work load and that he and Clay Smith felt that instead of hiring someone else let the current mechanic continue and if everything goes well just increase his pay for the extra responsibility and save some money by not hiring an extra person.

Chairman Miller wanted to hear Sheriff Tompkins opinion because the current mechanic does a lot of work with the Sheriff's Departments patrol cars.

Sheriff Tompkins stated that he felt the current mechanic stayed pretty busy as he was, stating that they normally have two or three cars for him to work on and service on a daily basis. Sheriff Tompkins went on to say this mechanic is also responsible for the Fire Departments vehicles as well.

After some discussion, the Board agreed to allow the current mechanic a trial period of six weeks to see if he could handle the workload by himself. If all went well then at the end of six weeks an increase would be given.

District 1 Tony Hall

Mr. Hall wanted to discuss assigning the public works truck that Clay Smith drives to the Recreation Department as soon as the new truck for Public Works has been purchased.

There was a brief discussion between the Board.

Commissioner Hall motioned to assign the "Public Works Truck to the Recreation Department once the new truck for Public Works was purchased." Commissioner Dent seconded.

Commissioner Bozeman asked why we should give them the best truck we have when the Recreation Department only has a short distance to travel. Commissioner Dent stated that the truck in question has more miles on it than the rest of the vehicles. He went on to say that the truck has approximately 240,000 miles on it.

With no further discussion the motion passed as follows:

Commissioner Hall YES vote.

Commissioner Dent YES vote.

Commissioner Childree YES vote.

Commissioner Bozeman entered a NO vote.

District 2 Fred Dent

First item for Mr. Dent was asking whether we had sent out bids for the Cotton Road Project (CR 55) that was discussed at the last meeting.

Mr. Zellner informed the Board that we had not received the "Notice to Proceed" from the D.O.T. He went on to explain that if we moved forward without that notice, we would risk losing funds. Mr. Zellner informed Mr. Dent and the rest of the Board that he had spoken to the D.O.T. just a couple of days ago and they had informed him it would take a couple of months for us to receive it.

Mr. Dent wanted to give an update on Seabrook Lane. He stated that after the meeting, he was planning to talk with Mr. Nether. He asked Commissioner Hall to go as well. He told the Board he had tried to explain to Mr. Nether the plans in reference to the paving of the road but stated that Mr. Nether had requested for Mr. Dent to come out there and show him exactly what he meant. Mr. Dent went on to say that he thought once he had shown Mr. Nether what we are proposing to do that everything would be fine with him. Mr. Dent said he would have a better report on that at the next meeting.

Attorney Miller commented that he had received the PLAT and asked to receive an updated PLAT once the project was completed due to the right-of-way being narrowed at the end of the road from 60 feet down to 50 feet.

Attorney Miller also asked about the paperwork concerning the financing of the CAT 615C Dirt Pan, County Clerk Deborah Robinson explained that we had missed the deadline for getting the Resolution and total package back to CAT Financial Corporation. Ms. Robinson

explained that we had new paperwork with a different finance company to get complete. Also, the interest rate is lower than before. Mr. Miller responded by saying the Commissioners would have to adopt a new Resolution.

District 3 Bettye Bozeman

Commissioner Bozeman reported that on Pearson Road someone had dumped a truck load of tires and a truck load of chemical cans into the Creek. Ms. Bozeman stated that the Environmental Protection Division should be called. Ms. Bozeman went on to say that if we get a lot of rain from this next hurricane that there would probably be water all over the road because of the tires and cans in the creek.

Commissioner Bozeman addressed Mr. Zellner as to the status of the building on Aspen Lane in the Woodcrest Subdivision. Mr. Zellner replied that he had not been out there in about a month and had not received anything from Glenice King or John Merritt Jr. in reference to it. He went on to say that he planned to get an update from the Building & Zoning Department later today. Ms. Bozeman stated that very little has been done to the building since the work started in May, 2008. Mr. Zellner explained that the six month permit extends once the work begins. Mr. Zellner said he had told Mr. Merritt to keep a check on the progress and to make sure that everything was being done according to code.

District 4 Jerry Childree

Commissioner Childree stated that he thought the Motor Grader Operators should be assigned a work area every day. He went on to say that he thought some of them spend time just sitting and not working. He also said that the quality of the work being done is very important and not just the time it takes to do it. He went on to say that if the operator really takes his time and does a good job of scraping the road then it last longer before needing to be done again.

Chairman Miller addressed this issue by saying that he would like Mr. Zellner to go out to the Public Works Department around 3:30 P.M. and just look at the crews that are already back in and just sitting around doing nothing. Ms. Bozeman stated that she had seen them earlier than that and suggested Mr. Zellner to go over there around 2:00 P.M.

Chairman Miller also wanted Mr. Zellner to check what time they leave out in the mornings. They should be fuelled up and ready to go by 8:00 A.M. He went on to say that he had seen them going past his place of business at 8:30 in the morning when it only takes 5 minutes to get there from the Public Works Department.

Commissioner Childree asked if anything was being done in reference to Carlton Road and Ms. Bozeman informed him that Attorney Miller had the survey.

Consent Docket

Sheriff Freddie Tompkins is requesting the following be surplus:

- (1) Dell Monitor, Model #M991, Ser. # MX-049VYR-47801-12M-11
- (1) KDS Monitor, Model VS1907 Ser. # 198BZB0002934
- (1) Epson LQ-870 Printer Ser.# 40V1108422
- (1) NEC Monitor Model # JC-14004HMA Ser. # 95M10929T
- (1) Dell Computer Model #OPTIPLEX 4661LE Ser. # 562HD
- (1) Crescent Computer Model # 501400001 Ser. # 0495-8405
- (1) CTX Monitor Model #PL-9 SER # 1V8-12802550

This equipment is obsolete or does not work.

Commissioner Bozeman motioned to surplus the (7) seven items with the serial numbers to be included in the minutes. Commissioner Hall seconded.

Motion carried with yes votes from all.

Action Docket

Resolution - Adopt the Worth County Consolidated Solid Waste Management Plan

Motion to adopt Commissioner Dent. Second Bettye Bozeman.

Motion carried with yes votes from all.

Resolution - Support A Four-Lane Project for State Highway Route 133 from
Albany to Valdosta

Motion to adopt Commissioner Dent. Second Bettye Bozeman

Motion carried with yes votes from all.

Rachel Willis is requesting to close a portion of CR 65 Souter Road.

After a brief discussion with the Board Mr. Dent stated that he would take a look at the road in person and have something to report at the next meeting. Chairman Miller reminded everyone that when someone requests to close a road, the person making the request is responsible for paying half of the cost of the closure.

Unfinished Business

Residential Solid Waste Collections (RFP' from previous meeting)

Commissioner Bozeman made the statement that she had spent a large amount of time going over all the bids that had been received for the Residential Solid Waste Collections.

Ms. Bozeman went on to say that she was sure all the commissioners had done the same.

Commissioner Bozeman motioned to award the contract to Advance Disposal Services of Middle Georgia LLC., at the price of \$10.72 per household. Commissioner Childree seconded.

Motion carried with yes votes from all with the exception of Commissioner Dent who chose to abstain from voting to prevent any perception of a conflict of interest.

Commissioner Bozeman directed a question to the representatives of Advance Disposal as follows.

Question. "Is it correct that you will have a spare truck available in case of a breakdown with the regular truck.

Answer from Advance. YES. It will be located in Americus Georgia, but can be here in a reasonable amount of time if something like that was to occur.

Ms. Bozeman commented for everyone to make a notation that this contract will be effective November 1, 2008.

New Business

Resolution – Adopt the Resolution for the lease-purchase agreement for the 2006 CAT 615C Dirt Pan through Bancorp South Equipment Finance.

Commissioner Dent motioned to adopt the Resolution. Commissioner Bozeman seconded. Motion carried with yes votes from all.

PERSONNEL CONSIDERATIONS

LANDFILL

- Recommend full-time status for Katherine McCleary effective September 3, 2008. Rate of pay \$9.27 an hour.

Motion: Commissioner Bozeman Second: Commissioner Hall Carried All Yes

E-911

- Request to extend Lesia Jackson's work-test until she completes the Basic Communication course September 8-12, 2008 in Forsyth.

Motion: Commissioner Dent Second: Bettye Bozeman Carried All Yes

SHERIFF DEPARTMENT

- Acknowledgement of Employee separation:
 - Michael W. Hill's last day of employment was August 20, 2008. Rate of pay \$15.97 an hour. Resigned in Good Standing.

Acknowledged By the Board.

- William C. Parker's last day of employment was August 29, 2008. Rate of pay \$13.67 an hour. Resigned not in Good Standing.

Acknowledged by the Board.

JAIL

- Acknowledgement of new hire for Martisha D. William as a Jailer. Rate of pay \$9.65 an hour. Date of hire was August 29, 2008. (Certified Jailer - Sheriff gave 1.5 percent increase)

Acknowledged by the Board.

PUBLIC WORKS

- Notification of Employee Separation: Randale Blackmon's last day of employment was August 22, 2008. Rate of pay \$10.30 an hour. Resigned in Good Standing.

Acknowledged by the Board.

At this time Ms. Bozeman motioned to go into executive session for the purpose of discussing personnel issues.

Commissioner Dent suggested taking a recess first which was agreed upon by all.

Recess 8:45 A.M.

Reconvene 8:59 A.M.

9:00 A.M. Commissioner Dent motioned to go into executive session for the purpose of discussing personnel issues.

Commissioner Bozeman seconded. Motion Carried/ All Yes

9:25 A.M. Continue Regular Session.

Sheriff Tompkins showed a map of Worth county to the Board. He stated that the extreme West End of Pearson Road is being graded by Worth County but is actually in Dougherty County. There was a brief discussion about other areas on the outskirts of the County where this is happening.

Commissioner Dent made a motion for Attorney Miller to prepare a Resolution in reference to Health Care.

If an employee has a known physical condition they must seek medical attention. If they do not seek medical attention then they must pay 25% of the Health Care Premium.

Chairman Miller stated that as soon as the Resolution is complete we should enact it and make it retro active as well.

Commissioner Bozeman Seconded.

Motion carried with Yes votes from all.

At 9:27 A.M. Commissioner Childree motioned to adjourn.

Commissioner Dent seconded.

Motion carried with Yes votes from all.

County Clerk
Deborah Robinson

Chairman
Dan E. Miller