MINUTES

DECATUR COUNTY BOARD OF COMMISSIONERS

COMMISSIONERS' BOARD ROOM

TUESDAY, OCTOBER 14, 2014

PRESENT: CHAIRMAN FRANK LOEFFLER, VICE CHAIRMAN DENNIS BRINSON, COMMISSIONERS DR. BUTCH MOSELY, OLIVER SELLERS, AND RUSSELL SMITH, COUNTY ADMINISTRATOR GARY BREEDLOVE, COUNTY CLERK BEVERLY KING, COUNTY ATTORNEY BROWN MOSELEY AND NEWS REPORTER POWELL COBB.

INVOCATION AND PLEDGE OF ALLEGIANCE

Chairman Loeffler called the meeting to order at 9:00 a.m. After the call to order, Reverend Paul Medley gave the invocation and all those assembled pledged allegiance to the flag of the United States of America.

AMENDMENTS / APPROVAL OF AGENDA

County Administrator Breedlove asked the board to approve the following amendments: Delete EMS Director Randy Williams Under Special Presentation; Add to #5 November 11th Commissioners' Meeting; Delete #7 Consideration of Lease of Airport Property; Add #9 Safety Action Plan; Add #10 Consideration of Public Works Semi; and Add #11 Miss Georgia Road Signs Update. Commissioner Mosely asked the board to Add Litigation to Executive Session. Commissioner Smith made a motion to approve the agenda with these amendments. Vice Chairman Brinson seconded the motion. A vote was taken and unanimously approved.

PUBLIC HEARING

Commissioner Mosely made a motion to go out of the regular meeting and go into a Public Hearing to discuss the Post Award for 2014 CDBG. Vice Chairman Brinson seconded the motion. A vote was taken and unanimously approved.

County Administrator Breedlove stated this is an informational hearing. Col. Breedlove stated the CDBG funds have been approved for construction of street and drainage improvements in the Simmons-McIntyre Road Neighborhood, benefiting 81 low and moderate income residents. County Administrator Breedlove read aloud the following: Funds are available for the following activities:

a. Approximately $25,150.00 for activity Contingencies.
b. Approximately $278,377.00 for activity Street Improvements.
c. Approximately $33,405.00 for activity Engineering.
d. Approximately $120,075.00 for activity Flood and Drainage Facilities.
e. Approximately $12,993.00 for activity Engineering.
f. Approximately $30,000.00 for activity Administration.

Approximately $142,416 for the project from Decatur County as match and leverage.
There were no public comments. Commissioner Smith made a motion to close this Public Hearing and go back into the regular session. Vice Chairman Brinson seconded the motion. A vote was taken and unanimously approved.

SPECIAL PRESENTATIONS

Chairman Loeffler recognized Engineer Stacy Watkins. Mr. Watkins gave a brief update on the gas project at the Industrial Park. Mr. Watkins stated the project was ready to go to the bid process. Mr. Watkins recommended the Board approve him to start advertising for bids on this project. Commissioner Smith made a motion to approve Mr. Watkins to start advertising for bids on this gas project. Vice Chairman Brinson seconded the motion. A vote was taken and unanimously approved.

PUBLIC PARTICIPATION

There was no Public Participation.

APPROVE MINUTES

Vice Chairman Brinson made a motion to approve the minutes of the Commissioners Meeting held September 23, 2014. Commissioner Smith seconded the motion. A vote was taken and unanimously approved.

OLD BUSINESS

Landfill Cell 4 Status. County Administrator Breedlove gave a brief update on cell 4 status, stating cell 4 is now completed. Col. Breedlove stated that EPD will be here tomorrow for the final inspection.

Water / Waste Water Treatment System Status at Industrial Park. Chairman Loeffler recognized Engineer Stacy Watkins. Mr. Watkins stated that the water project is now completed and commended the contractors for doing a great job. Mr. Watkins stated the next phase was the waste water treatment system upgrade. Mr. Watkins recommended the Board approve him to start advertising for bids on this project. Commissioner Smith made a motion to approve Mr. Watkins to start advertising for bids on the waste water treatment system upgrade project. Commissioner Sellers seconded the motion. A vote was taken and unanimously approved.

NEW BUSINESS

Financials. Chairman Loeffler recognized Accounting Manger Michelle West. Mrs. West gave a brief update on the County's financials for July through September 2014. Mrs. West presented the expenditures, the revenue and the TAN loan proceeds update. Mrs. West stated the financials looks better now than it did this time last year.

Property Variance for Childress Land. Commissioner Sellers stated this was a family that inherited some land and wanted to divide it up without having to install a paved road. Commissioner Sellers stated they were not going to create a subdivision, they were only wanting to divide the property. County Administrator Breedlove stated the procedure was to take this issue before the Planning Board. Commissioner Mosely stated he wanted to follow procedure but he also wanted to help this family out. After a brief discussion, Commissioner Sellers asked the County Administrator to get with the Planning Director to set up a meeting between the Childress family and the Planning Board. Commissioner Sellers stated he would talk with the Childress family and discuss this procedure with them.

Christmas Holidays & November 11th Commissioners' Meeting. County Administrator Breedlove stated that Christmas Eve and Christmas Day was on a Wednesday and Thursday this year. Col. Breedlove recommended that the Board change the holidays for 2014 for the County employees to take Thursday and Friday off. Commissioner Mosely commended the County employees for doing a good job this year and made a motion to give all the County employees ½ day off on Wednesday, December 24th, off Thursday, December 25th and off Friday, December 26th with pay. Commissioner Smith seconded the motion. A vote was taken and unanimously approved.

County Administrator Breedlove stated the first commissioners' meeting in November falls on November 11th which is Veteran's Day. Col. Breedlove recommended the Board cancel this meeting. Commissioner Smith made a motion to cancel the first commissioners' meeting in November, 2014. Commissioner Sellers seconded the motion. A vote was taken and unanimously approved.

Consideration of Facility Use Agreement. County Attorney Moseley stated this agreement was given to the Board at the last commissioners' meeting for their review and is now ready for consideration. Commissioner Sellers made a motion to approve this Facility Use Agreement. Vice Chairman Brinson seconded the motion. A vote was taken and unanimously approved.

Application for Defense Council. County Attorney Moseley stated he received a letter from Attorney Jami Lewis requesting attorney fees be provided pursuant to the resolution the Board

approved August 26, 2014 regarding defense of county personnel. Mr. Moseley pointed out under the last paragraph of that resolution in lines 3 and 4, the language "in its discretion" that means the commission is not obligated to provide defense in every situation. Each case can be evaluated on an individual basis. Mr. Moseley provided a letter from Sheriff Griffin explaining the background of this particular case involving Rachel Trolinger, a former employee with the Decatur County Sheriff's Office. Mr. Moseley also provided the Board with a copy of the warrant taken on this particular individual which indicates the nature of the charges.

Chairman Loeffler stated that he personally recommends that the Board refuse to pay for this defense. Chairman Loeffler stated he thought this was a long way from the resolution that the Board approved.

Attorney Jami Lewis stated "Per the Decatur County Board of Commissioners' August 26, 2014, resolution authorizing the county funding the attorney's fees for county employees involved in litigation arising out of the exercise of their duties through their employment, and based upon the reasoning for that resolution that has been promulgated by the commissioners through said resolution as well as in the media, in addition to the fact that the county has recently authorized the funding for attorney's fees to be paid in the defense of three federally indicted employees of the Decatur County Sheriff's Office, Mrs. Trolinger is requesting that the county pay for all legal expenses incurred by her in defense of this criminal action." Ms. Lewis stated she was confident Mrs. Trolinger will be exonerated.

After a brief discussion, Commission Sellers made a motion to table this issue to gather more information. Commissioner Mosely seconded the motion. A vote was taken and unanimously approved.

Safety Action Plan. Chairman Loeffler recognized Public Works Superintendent Dennis Medley. Mr. Medley stated this was the fourth year the County has participated in this project. Mr. Medley stated bids were opened September 25th and Peak Paving was the low bidder. Mr. Medley recommended the Board approve the low bid from Peak Paving in the amount of $132,085.75 to cover 34.48 miles of roads in the County. Commissioner Mosely made a motion to approve the low bid from Peak Paving for this project. Commissioner Smith seconded the motion. A vote was taken and unanimously approved.

Semi-Truck for Public Works. Public Works Superintendent Dennis Medley stated that he had two semi-trucks and one of his semi-trucks, the GMC Brigadier, had more than a million miles on it and was not reliable any more. Mr. Medley stated that he used these trucks to haul heavy equipment across the county and hauling away large trees that fall onto county roadways, which are taken to the county's landfill. The trucks have also been used to haul away containers of leachate water to the county's wastewater treatment plant. Mr. Medley stated that he and other county officials searched for a semi-truck and located one in Albany, Georgia for the best price. The truck has 407,000 miles and has been used to haul peanuts. Mr. Medley recommended the Board approve the purchase of this semi-truck in the amount of $42,000.00. The GMC Brigadier with over one million miles still has some value and Mr. Medley suggested listing it for sale on a government surplus auction. Commissioner Mosely made a motion to approve this purchase. Commissioner Smith seconded the motion. A vote was taken and unanimously approved.

Miss Georgia Signs. Public Works Superintendent Dennis Medley stated that the Department of Transportation approved 10 sites to put the Miss Georgia Signs. Mr. Medley stated the signs have been ordered and expected to be shipped by Friday. After they are delivered the Public Works Department will put them up.

COMMISSIONERS / ADMINISTRATOR'S REMARKS

Commissioner Mosely requested that the Public Works Department make the Whittaker Cemetery Road accessible. Commissioner Mosely stated he was in favor of making all cemetery roads accessible.

County Attorney Moseley stated the Board approved a procedure for the County to be able to work on private property which included an application to be submitted to the County Administrator. Mr. Moseley stated the County is not supposed to do any work on private property. Mr. Moseley stated he would research this application.

Commissioner Sellers asked County Administrator Breedlove to have the work crew check the restrooms at the voting precinct at the fairgrounds.

County Attorney Moseley stated the two pieces of property the Board voted to sell has been advertised and will open the bids at the end of the month.

County Administrator Breedlove stated he would be working out some details pertaining to the property that relates to the easement that was given to the Development Authority at the last meeting and the land that is needed to install the County's gas line and provide an access road necessary for maintaining the gas line.

County Administrator Breedlove announced that an ACCG insurance appraiser will be here next Tuesday to look at all our county property. This is a five year program to access property values.

Vice Chairman Brinson made a motion to go into executive session to discuss Personnel and Litigation. Commissioner Sellers seconded the motion. A vote was taken and unanimously approved.

After the executive session the Commissioners assembled back in the board room. Vice Chairman Brinson made a motion to go into regular session. Commissioner Smith seconded the motion. A vote was taken and unanimously approved.

Chairman Loeffler stated during executive session the Board discussed some Board appointments. Commissioner Mosely made a motion to appoint Gina Burke to replace Ray Chambers on the Board of Elections. His term will begin January 1, 2015. Commissioner Sellers seconded the motion. A vote was taken and unanimously approved.

Chairman Loeffler stated the Board discussed a litigation matter. No action is to be taken at this time.

There being no further business, the meeting, on motion by Commissioner Smith, was duly adjourned. Vice Chairman Brinson seconded the motion. A vote was taken and unanimously approved.

Approved: _____
Chairman

Attest: _____
County Clerk