MINUTES

DECATUR COUNTY BOARD OF COMMISSIONERS

COMMISSIONERS' BOARD ROOM

TUESDAY, JULY 22, 2014

PRESENT: CHAIRMAN FRANK LOEFFLER, VICE CHAIRMAN DENNIS BRINSON, COMMISSIONERS DR. BUTCH MOSELY, OLIVER SELLERS, RUSSELL SMITH AND JAN GODWIN, 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 7:00 p.m. After the call to order, Reverend Randy Moseley 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 stated there were no amendments to the agenda. Commissioner Mosely made a motion to approve the agenda as presented. Commissioner Smith seconded the motion. A vote was taken and unanimously approved.

SPECIAL PRESENTATIONS

ACCG – 100 Years. County Administrator Breedlove presented a slide show introducing the new "You are Why We're Here" campaign that was introduced during the ACCG Annual Conference & Centennial Celebration in April. ACCG designed this campaign to give counties professionally designed, creative communication tools to raise public awareness about the programs and services and increase appreciation for all that the County offers to the local community.

PUBLIC PARTICIPATION

Sheriff Wiley Griffin. Sheriff Wiley Griffin thanked all the citizens of Decatur County for their support. Sheriff Griffin said he stood behind his officers, stating they did nothing wrong. Sheriff Griffin said he was confident the four sheriff's officers indicted by a Federal Grand Jury will be exonerated after the legal proceedings are complete. Sheriff Griffin said he will not ask Decatur County Board of Commissioners to pay legal expenses for his son, Wiley Griffin IV. Sheriff Griffin said he, his wife Cindy Pennell Griffin, along with their family members, planned to take care of Wiley Griffin IV's legal expenses but he hoped that in the event that his son was found innocent of the charges he was indicted on, that County officials would do the right thing and reimburse his legal fees.

Jim Meredith. Jim Meredith took the position that Decatur County should not pay for legal expenses for these four officers. Mr. Meredith made several negative remarks pertaining to the sheriff's department.

Robert Tate. Robert Tate spoke on behalf of the Bainbridge Bikefest. Mr. Tate said he had received notice that this year's Bikefest committee would have to pay $2500.00 for a public gathering permit in order to hold the festival. Mr. Tate asked the Board of Commissioners to consider waiving this fee.

Ted Snell. Ted Snell spoke about elections and local governments' millage rates. Mr. Snell encouraged everyone to vote.

APPROVE MINUTES

Commissioner Godwin made a motion to approve the minutes of the Commissioners Meeting held July 8, 2014. Commissioner Smith seconded the motion. A vote was taken and unanimously approved.

OLD BUSINESS

EMS Transition Status. Warden Elijah McCoy gave a brief update on the renovations of the EMS building, stating by August 8, 2014, the entire facility should be completed. County Administrator Breedlove stated that Grady EMS has hired the staff and were fitted for uniforms.

Carters Mill Road – CDBG. Public Works Superintendent Dennis Medley gave a brief update on Carters Mill Road stating that Oxford Construction has completed the base material. Asphalt should begin Monday providing the tests are approved. This project should be complete by the end of the month and start the striping around the 1st of August.

Landfill Timber Management. County Administrator Breedlove stated that the representative from Southern Forestry Consultants was out of town. Col. Breedlove said he was waiting to go through their report with them to fully understand it before making a recommendation to the Board of Commissioners. Col. Breedlove stated he should have a recommendation for the Board to consider at the next commissioner's meeting.

Landfill Cell 4 Status. County Administrator Breedlove stated that Cell 4 was approved by EPD and ready for the HDPE liner application.

Propane Operation at Industrial Park. County Administrator Breedlove stated that the prospective user of the area that use to be the Peak Shaving Plant was in the process of removing the old equipment.

Waste Water Treatment Plant System Status at Industrial Park. County Administrator Breedlove stated that the upgrade to the Water System should be completed by the middle of August, 2014. The equipment is being refined according to technical details to be ordered and on site by the end of 2015. Col. Breedlove announced that David Knight, an employee of the Waste Water Treatment Plant took a test that would qualify him for Waste Water Treatment Class 2 Operator. It is said that only 1 of 5 test-takers actually pass the test the first time. David took the test and passed with a score of 83. David will be set to perform laboratory testing and sign off on reports that Decatur County has previously had to pay a consultant to do.

NEW BUSINESS

EPD at Industrial Park Water System. County Administrator Breedlove stated that EPD came and inspected the Industrial Park Water system on the 17th of July and gave a good report.

ISO at Planning Department. County Administrator Breedlove stated the ISO inspected the Planning Department on the 15th of July. The report given indicated that we need an additional inspector and continuing education to improve the County's ISO score.

Decatur County Correctional Institute Audit. Chairman Loeffler recognized Warden Elijah McCoy. Warden McCoy stated six Wardens and the Field Operation Manager from the State of Georgia came in and performed an audit on the institution. This procedure is done annually. Warden McCoy stated his institute was audited in 5 different areas and reported that it was an excellent audit and he was very proud of his staff.

Resolution for Millage Rate. County Administrator Breedlove stated that the County's and the Board of Education's millage rate is going to remain the same as last year. The County will not receive certification from the Board of Education until they approve their millage rate at their meeting Thursday night, July 24, 2014. The Board of Commissioners agreed to hold a Special Called Meeting, Friday, July 25, 2014 at 9:00 a.m. to approve the resolution for the millage rate after they have received certification from the Board of Education.

Miss Georgia Proclamation. County Administrator Breedlove stated the Board of Commissioners needs to officially adopt the proclamation that was presented to Miss Georgia dated July 17, 2014. Commissioner Mosely made a motion to adopt the proclamation for Miss Georgia, Maggie Bridges. Commissioner Godwin seconded the motion. A vote was taken and unanimously approved.

Commissioner Godwin requested that signs for Miss Georgia be put on the major roads in Decatur County.

Extension Office Items. County Administrator Breedlove discussed with the Board of Commissioners the purchase of a van for the 4-H group and another Extension Agent as requested by Commissioner Mosely at the last commissioners' meeting. Col. Breedlove stated the inititive

would have to come from the State of Georgia for an additional County Extension Agent. Commissioner Mosely made a motion to direct County Administrator Breedlove to follow up with the necessary procedures in trying to secure another Extension Agent for Decatur County. Commissioner Godwin seconded the motion. A vote was taken and unanimously approved.

COMMISSIONERS' REMARKS

Commissioner Godwin thanked everyone for attending the meeting and invited them to come back.

Vice Chairman Brinson thanked everyone for attending also and encouraged them to come back.

Commissioner Smith stated that he knew how it was to be a deputy and the responsibility that they have. Commissioner Smith said he didn't know if the sheriff's deputies were guilty or not but it is the obiligation of Decatur County to support them. Commissioner Smith stated that these deputies are County employees and he respected Sheriff Griffin for supporting his people.

Commissioner Mosely said he shared his concerns and all he wants is to make the right decision. Commissioner Mosely stated at times when he knew he was right, he was accused of being wrong. Sometimes he was wrong and he was accused of being right. Commissioner Mosely stated it would all come out at some point in time and we just need to be patient until it comes out.

Commissioner Sellers stated he was glad to see progress being made on Carters Mill Road.

County Administrator Breedlove stated he received from the State Department of Audits our state ratio which is 39.02.

County Administrator Breedlove stated someone abandoned an old sail boat at the Spring Creek Landing which now has to be put in the Decatur County's landfill.

Vice Chairman Brinson made a motion to go into executive session to discuss litigation, real estate and personnel matters. Commissioner Godwin seconded the motion. A vote was taken and unanimously approved.

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

Chairman Loeffler stated a personnel matter was discussed but no action was taken at this time. Chairman Loeffler stated a real estate matter was discussed but no action was taken at this time.

Chairman Loeffler directed County Attorney to explain the litigation matter.

County Attorney Brown Moseley stated a litigation matter was discussed and because of the nature of the matter, I'm not going to go into any more specifics than I have to other than to say that we dealt with an issue involving a federal indictment that was handed down recently in the United States District Court of Georgia naming four defendents with criminal violations. This indictment specifically charges these officers and former officer with depravation of rights under Color of Law. Under Color of Law has a legal significance that addresses any state or federal actor acting under the authority of some specific authority such as a police department or sheriff department or some other authority figure with extraordinary powers such as arrest powers. These officers were charged based on acts that are alledged to have been committed while they were in uniform and while they were acting under the authority or direction of the sheriff of Decatur County. After reviewing State Law and several other cases, it is my assessment that the County has an obiligation to provide legal representation to these charged individuals based on the language of the charges in this indictment.

Chairman Loeffler stated these fees will be paid out of the Sheriff's budget. Chairman Loeffler directed County Attorney Moseley to draw up an ordinance or policy as it relates to this matter for future references to include all County employees.

Chairman Loeffler asked for a motion that we pay these officers' attorney fees according to County Attorney Moseley's explanation. Commissioner Smith made the motion. Commissioner Mosely seconded the motion. A vote was taken and unanimously approved.

There being no further business, the meeting, on motion by Commissioner Godwin, was duly adjourned. Commissioner Mosely seconded the motion. A vote was taken and unanimously approved.

Approved: _____
Chairman

Attest: _____
County Clerk