

MINUTES

DECATUR COUNTY BOARD OF COMMISSIONERS

COMMISSIONERS' BOARD ROOM

TUESDAY, JANUARY 13, 2015

PRESENT: CHAIRMAN DENNIS BRINSON, VICE CHAIRMAN PETE STEPHENS, COMMISSIONERS DR. BUTCH MOSELY, RUSSELL SMITH, RUSTY DAVIS AND GEORGE ANDERSON, COUNTY ADMINISTRATOR GARY BREEDLOVE, COUNTY CLERK BEVERLY KING, COUNTY ATTORNEY BROWN MOSELEY AND NEWS REPORTER POWELL COBB.

INVOCATION AND PLEDGE OF ALLEGIANCE

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

AMENDMENTS / APPROVAL OF AGENDA

Vice Chairman Stephens asked the board to approve the following amendment: Have an Executive Session to discuss Personnel after Appointing the County Clerk. County Administrator Breedlove asked the Board to approve the following amendment: Add Under New Business: Petition for Black Jack Road; Commissioner Smith asked the Board to approve the following amendments: Add Under New Business: Litter on Roads and County Employees' Sick Time. Commissioner Anderson made a motion to approve the Agenda with these amendments. Vice Chairman Stephens seconded the motion. A vote was taken and unanimously approved.

Appoint County Clerk: Commissioner Smith made a motion to reappoint Beverly King as County Clerk. Commissioner Anderson seconded the motion. A vote was taken and unanimously approved.

Executive Session: Commissioner Smith made a motion to go into executive session to discuss Personnel. Vice Chairman Stephens seconded the motion. A vote was taken and unanimously approved.

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

Chairman Brinson stated that during executive session the Board discussed the County Attorney position. Commissioner Smith made a motion to appoint Bruce Kirbo, Jr. as the County Attorney for the year 2015. Vice Chairman Stephens seconded the motion. A vote was taken and unanimously approved.

Chairman Brinson explained that Bruce Kirbo, Jr. will be paid a monthly retainer of \$3,000.00 per month which his time will be charged against the retainer based upon \$125.00 per hour. In the event that the time devoted based upon \$125.00 per hour goes over the \$3,000.00 retainer in any given month, Mr. Kirbo will be compensated for each hour of service in that month subject to a maximum billing of \$4,000.00, with the exception for services rendered in a courtroom, mediation or arbitration, his services will be billed at the rate of \$125.00 per hour.

Commissioner Anderson made a motion to request that former County Attorney Brown Moseley stay with the County until February 1, 2015 to help with the transition. Commissioner Davis seconded the motion. A vote was taken and unanimously approved.

Identify / Select Board of Commissioners' Vice Chairman. Commissioner Mosely made a motion to select Pete Stephens as Vice Chairman. Commissioner Anderson seconded the motion. A vote was taken and unanimously approved.

SPECIAL PRESENTATIONS

Employee of the Year: Warden Elijah McCoy introduced Martha Hall, Fire Chief Charlie McCann introduced Brandon Draper and Public Works Superintendent introduced David Jackson as the three finalist for the employee of the year. Each supervisor gave a brief background of each employee nominated. Martha Hall was chosen for the Employee of the Year, with over 20 years of service to Decatur County.

Sheriff Wiley Griffin – Radios and Secondary Metal Recycling: Sheriff Griffin spoke to the commissioners concerning a statewide electronic Secondary Metals Recycler database agreement. Sheriff stated this agreement requires Secondary Metal Recyclers to register with the Sheriff's office of their respective county in order to legally purchase regulated metal property which will help slow down thefts. The sheriff shall establish and collect an annual registration fee for Secondary Metal Recyclers of \$200.00. The Georgia Sheriff's Association shall receive \$100.00 of the fee to help with training and the registration of an electronic database of these Secondary Metal Recyclers and \$100.00 shall go to the County. Vice Chairman Stephens made a motion to approve this agreement. Commissioner Smith seconded the motion. A vote was taken and unanimously approved.

Sheriff Griffin announced that he applied for and received a grant for the Sex Offender Registry in the amount of \$17,480.00 for a palm scanner.

Sheriff Griffin stated that his department had several radios that is not compatible with the current radio system in use at the Decatur County Sheriff's Office. Sheriff Griffin requested permission to donate this equipment to the Decatur County Board of Education for the Bainbridge High School Band to utilize. Commissioner Smith made a motion to approve this request. Vice Chairman Stephens seconded the motion. A vote was taken and unanimously approved.

PUBLIC PARTICIPATION

Chairman Brinson recognized Marvin Thomas. Mr. Thomas spoke to the commissioners concerning adequate fire protection for his property located at 1583 Newton Road. Mr. Thomas stated that his insurance went up due to the nearest fire station being nine miles away from his home. Mr. Thomas requested that the County enter into a mutual aid agreement with the City to provide adequate fire protection.

Chairman Brinson recognized Ray Brock. Mr. Brock spoke to commissioners concerning the recent law suit the City of Bainbridge filed against Decatur County. Mr. Brock urged the commissioners to negotiate with their neighbors to avoid law suits which potentially causes tax increases.

Commissioner Mosely stated that he appreciated Mr. Brock's comments and encouraged Mr. Brock to express the same concerns with the City of Bainbridge. Commissioner Mosely said "Remember who filed the law suit."

Vice Chairman Stephens stated that he asked that this situation not be put in litigation but it was. Vice Chairman Stephens stated he would do everything in his power to resolve this, and that his desire is to work these issues out without litigation.

APPROVE MINUTES

Vice Chairman Stephens made a motion to approve the minutes of the Commissioners Meeting held December 9, 2014. Commissioner Smith seconded the motion. A vote was taken and unanimously approved.

Commissioner Smith made a motion to approve the minutes of the Special Called Meeting held December 17, 2014. Commissioner Anderson 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 it is now open for soft trash to protect the liner. Col. Breedlove stated that revenues were down over \$400,000 for the year 2014.

Landfill Cell 5 GEFA Loan Resolution. County Administrator Breedlove presented the Board with a financial breakdown of Cell 5 construction and GEFA funding. Col. Breedlove stated the estimated time frame for Cell 5 would be approximately three years. Col. Breedlove discussed equipment needs for Cell 5 construction. Col. Breedlove requested that the Board authorize him to continue to pursue options to construct Cell 5 and approve the GEFA resolution. Commissioner Anderson made a motion to approve County Administrator Breedlove's request. Commissioner Smith seconded the motion. Commissioner Mosely questioned who will be the construction manager. Col. Breedlove stated that Billy Leverette would be the construction manager. A vote was taken and approved with a 5 to 1 vote. Chairman Brinson, Vice Chairman Stephens, Commissioner Anderson, Commissioner Smith and Commissioner Davis voted in favor. Commissioner Mosely opposed.

Contract for Natural Gas Line. County Administrator Breedlove presented bid results for the high pressure natural gas line extension. A total of three bids were opened and reviewed. Within the bids, we requested pricing on both a 6" and 8" high pressure natural gas main. R.A.W. Construction, LLC was determined to be the low bidder. Col. Breedlove requested that the Board enter into an agreement with R.A.W. Construction, LLC in the amount of \$880,485.80 to construct the option 6" high pressure natural gas main at the Industrial Park. Commissioner Smith made a motion to approve County Administrator Breedlove's request. Commissioner Anderson seconded the motion. A vote was taken and unanimously approved.

Contract for Waste Water Treatment Plant Equipment Installation. County Administrator Breedlove stated that the County was under a consent order to upgrade the Waste Water Treatment Plant. There are five companies expected to bid to install this equipment. Col. Breedlove stated that he will bring this back to the Board for the contract approval at a later date.

Resolution for Defense of County Personnel. County Attorney Moseley gave a brief background on the status of this resolution stating that the previous Board of Commissioners temporarily approved an amended resolution with guidelines and exclusions and was to be brought back before the present Board for approval. Vice Chairman Stephens made a motion to rescind the Resolution for Defense of County Personnel entirely or compose a resolution with the language in number 5 of the guidelines for legal defense if the Board so desires. Vice Chairman Stephens read aloud number 5 of the guidelines. Commissioner Smith seconded the motion. A brief discussion followed. A vote was taken and unanimously approved. Commissioner Mosely made a motion to direct County Attorney Moseley to draft a resolution using the language in number 5 of the guidelines for legal defense. Commissioner Smith seconded the motion. A vote was taken and unanimously approved.

NEW BUSINESS

Status at the Industrial Park. County Administrator Breedlove stated he was currently seeking an Industrial Park Manager in the wake of an incident that occurred on Christmas Eve involving two employees and resulting in their termination of employment. Col. Breedlove stated he has temporary personnel in place and has asked Assistant Public Works Director Andy Oliver to be the temporary Industrial Park Manager.

Industrial Development Authority Presentation / Request. Rick McCaskill, Executive Director for the Industrial Development Authority, requested the Board approve a substation, transmission and access easement agreement between Decatur County and Decatur Parkway Solar Project for Georgia Power to be able to service their solar panels. The easement area is a total of approximately 2.26 acres of land and shall be for a term of forty one years. The grantee agrees to lease the land for \$10,000.00 per acre and pay a one-time payment in the amount of \$22,600.00. Attached to the minutes is a copy of the Substation, Transmission, and Access Easement Agreement. Commissioner Mosely made

a motion to approve this agreement. Commissioner Smith seconded the motion. A vote was taken and unanimously approved.

Rick McCaskill requested the Board to approve Decatur Solar Project to abandon the sewer line, capping it off and relocate the water line that runs under the substation property. Customer will consume all costs involved in this project. Vice Chairman Stephens made a motion to approve this request. Commissioner Smith seconded the motion. A vote was taken and unanimously approved.

Rick McCaskill requested the Board approve an Accommodation Agreement between Decatur County and Decatur County Solar Project pertaining to the County installing a gas pipeline in connection with the Solar Energy Project at the Industrial Park. Attached to the minutes is a copy of the Accommodation Agreement. Commissioner Anderson made a motion to approve this request. Vice Chairman Stephens seconded the motion. A vote was taken and unanimously approved.

Approve Contract for WWII Hangar Roof. County Administrator Breedlove stated that this is phase III of the WWII Hangar Project. Col. Breedlove stated the original proposal to furnish labor and materials for the WWII Hangar roof renovation was \$69,000.00 and it was negotiated down to \$66,000.00. Col. Breedlove stated that personal donations, airport revenue and recycling materials were going to be used to fund this project and no county tax money would be used. Col. Breedlove recommended the Board approve the bid from General Contractor Billy Dollar in the amount of \$66,000.00 for this project. Commissioner Davis made a motion to approve the bid from Billy Dollar in the amount of \$66,000.00 for the WWII Hangar roof renovation. Commissioner Anderson seconded the motion. A vote was taken and unanimously approved.

Resolution on Selection of Chairperson and Vice-Chairperson. County Attorney Moseley stated at the request of some of the commissioners, he was directed to draft a resolution to change how the Board selects its chairperson and vice-chairperson and present it before the Local Legislation. County Attorney Moseley stated this resolution has to be unanimously approved before Legislation will act on it. This resolution would allow the duly elected county commissioners to elect the chairperson and vice-chairperson from among their number. Vice Chairman Stephens made a motion to approve this resolution. Commissioner Anderson seconded the motion. A vote was taken and unanimously approved.

Resolution on County Treasurer Position. County Attorney Moseley stated at the direction of this Board he is presenting a resolution for abolishment of the County Treasurer. Attorney Moseley stated that state law does not require any County to have a County Treasurer. Attorney Moseley stated that this resolution would require a unanimous vote before Legislation would approve it. The resolution states that the office of Decatur County Treasurer would be abolished effective December 31, 2016, or upon office becoming vacant. Commissioner Smith made a motion to approve this resolution. Vice Chairman Stephens seconded the motion. A vote was taken and unanimously approved.

Petition for Black Jack Road. County Administrator Breedlove presented to the Board a petition from the majority of citizens who live on Black Jack Road proposing the County install speed bumps or provide some solution to cars speeding on Black Jack Road. A brief discussion followed. Col. Breedlove stated he would contact the Sheriff Department and Public Works Department to hopefully get a solution to this problem.

Litter on the Roads. Commissioner Smith stated he was constantly getting calls from citizens on Highway 97 South complaining about litter along the sides of the Road. Commissioner Smith suggested that during budget time, funding for more guards at the prison be discussed to allow more work details go out to help control the litter problems.

Sick Time for County Employees. Commissioner Smith stated that he was approached by Warden McCoy to address the sick time for County employees. The Board recently approved employees to be able to use sick time without having to be out the initial five days as stated in the handbook. Commissioner Smith instructed the County Clerk to present an amendment for the Board to review at the next meeting.

COMMISSIONERS / ADMINISTRATOR'S REMARKS

Commissioner Anderson thanked everyone for coming to the meeting. Commissioner Anderson stated there was a lot of work to do and working together as a team it will be done.

Vice Chairman Stephens stated he was excited to be here and he accepted the challenges ahead. Vice Chairman Stephens thanked everyone for their confidence in him and their support.

Commissioner Smith welcomed the new commissioners and stated he looked forward to working with them.

Commissioner Mosely congratulated the new commissioners and stated he looked forward to working with them in moving the County forward.

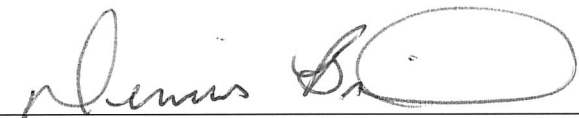
Commissioner Davis congratulated Chairman Brinson, stating he did a good job today. Commissioner Davis stated he appreciated everyone's support.

County Administrator Breedlove announced the Decatur County Firefighter Association's annual firefighter banquet to be held Saturday, January 17, 2015 at 6:00 p.m. at the Cloud Livestock Pavilion. Col. Breedlove thanked the new commissioners for their motivation and stated he looked forward to working with them.

Chairman Brinson stated he was excited about the upcoming year and looked forward to moving the County forward. Chairman Brinson stated that the Wounded Warrior's Banquet Friday night was a great testimony of the love and support of our local citizens.

The commissioners agreed to postpone issues to be discussed in executive session until the next meeting.

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

Approved: 
Chairman

Attest: 
County Clerk