

MINUTES

DECATUR COUNTY BOARD OF COMMISSIONERS

COMMISSIONERS' BOARD ROOM

TUESDAY, APRIL 9, 2024

PRESENT: CHAIRMAN PETE STEPHENS, VICE CHAIRMAN DENNIS BRINSON, COMMISSIONERS, BOBBY BARBER, JR, RUSTY DAVIS, GEORGE ANDERSON, AND STEVE BROCK, COUNTY ADMINISTRATOR ALAN THOMAS, COUNTY ATTORNEY BRUCE KIRBO AND COUNTY CLERK MICHELLE WEST.

INVOCATION AND THE PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Chairman Stephens requested to amend the agenda by removing item number seven and replace it with executive session to discuss litigation matters. Commissioner Davis made a motion to approve the agenda, with the amendment. Commissioner Barber seconded the motion, a vote was taken and unanimously approved.

SPECIAL PRESENTATIONS

There were no Special Presentations.

PUBLIC PARTICIPATION

There was no Public Participation.

APPROVAL OF MINUTES

Vice Chairman Brinson made a motion to approve the minutes of the Commissioners' meeting held March 26, 2024, as presented. Commissioner Brock seconded the motion, a vote was taken and unanimously approved.

OLD BUSINESS

There was no Old Business.

NEW BUSINESS

Consider Request from Environmental Health – Ansley Johnson. Chairman Stephens recognized Lead Environmental Health Specialist Ansley Johnson who stated he is requesting to increase the fees for Environmental Health Services. Specialist Johnson stated the last fee increase was in 2015 and if the proposed fee increase is approved it will be effective July 1, 2024. The proposed fee increase is comparable to the other counties in the district and has been reviewed by the district committee. Commissioner Barber made a motion to approve the fee increase, a copy of which is attached. Vice Chairman Brinson seconded the motion, a vote was taken and unanimously approved.

Update from Public Defender Office – Tre McLendon. Chairman Stephens recognized Public Defender Tre McLendon who gave an overview of how the Public Defender's office operates.

Consider Amendment to Retirement Plan – Ron Rowe. Chairman Stephens recognized Regional Client Manager Ron Rowe who stated an amendment was approved in 2016 for the retirement plan, and the amendment was not implemented correctly. Manager Rowe stated the attached amendment will replace and correct the previous amendment submitted with the Board's approval. Commissioner Brock made the motion to approve the amendment, a copy of which is attached. Commissioner Davis seconded the motion, a vote was taken and unanimously approved.

Consider Engineering Proposal for Generators. Chairman Stephens recognized County Administrator Thomas who stated in the March 12, 2024 meeting, the Board approved the Georgia Emergency Management and Homeland Security Agency grant for generators. A proposal from Watkins and Associates has been provided to perform the surveying and engineering services necessary for the grant in the amount of \$39,000. County Administrator Thomas is recommending approval by the Board. Commissioner Davis made a motion to approve the Proposal, a copy of which is attached. Commissioner Barber seconded the motion, a vote was taken and unanimously approved.

Consider Proclamation – National Donate Life Month. Chairman Stephens recognized June Faircloth who is representing Lifelink of Georgia. and stated April is Donate Life month. Ms. Faircloth stated for years the Board has been requested to recognize April as National Donate Life Month by a proclamation and the Board has approved prior proclamations. Chairman Stephens proclaimed April 2024 as Donate Life month.

EXECUTIVE SESSION - LITIGATION

Vice Chairman Brinson made the motion to enter into executive session to discuss litigation. Commissioner Anderson seconded the motion, a vote was taken and unanimously approved.

After the executive session, the Commissioners assembled back in the boardroom. Commissioner Davis made the motion to enter back into regular session. Commissioner Brock seconded the motion, a vote was taken and unanimously approved.

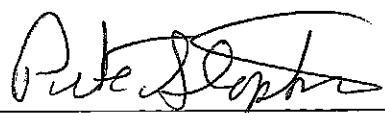
Chairman Stephens stated litigation was discussed in the Executive Session and recognized County Attorney Kirbo to briefly speak about the pending litigation that was discussed in executive session.

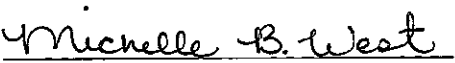
COMMISSIONERS/ADMINISTRATOR'S REMARKS

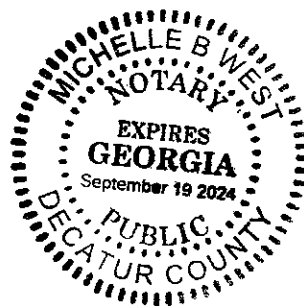
The Commissioners thanked everyone for coming.

ADJOURN

There being no further business, the meeting, on motion by Commissioner Barber, was duly adjourned. Commissioner Anderson seconded the motion, a vote was taken and unanimously approved.

Approved: 
Chairman, Pete Stephens

Attest: 
County Clerk, Michelle B. West



**Proposed Fee Increase for Environmental Health Services
February 2024**

	Old Fee	Proposed Fee
Land Use/Sewage Program		
Subdivision or Mobile Home Park Evaluation	1-4 lot eval 50 per lot + 25 per additional lots	75 per lot
Individual Lot Evaluation For Plat Approval	50	75 per lot
Evaluate Existing System	50	75
Septic Tank Permit Residential	100	150
Septic Tank Permit Commercial < 2000	150	200
Septic Tank Permit Commercial > 2000	150	400
Septic Tank Pumper or Portable Sanitation Permit and Inspection	100 (50/ each Add'l truck)	150 + 75 for each additional truck
Water Supply Program	Old Fee	Proposed Fee
Well Construction Permit/Inspection (Includes one courtesy resample if positive)	75	100
Individual Bacterial Water Sample (Includes one courtesy resample if positive)	50	50
Re-Check at Well/Well Site (Within 30 days of initial sample)	25	25
Non-Public Water Supply Annual Sampling	Cost of W33 plus 50	Cost of W33 plus 50
Non-bacterial Water Sample Collection		25
Food Service Program	Old Fee	Proposed Fee
Temporary Food Service Inspection Fee	50	50
Temporary Food Service Late Application Fee	Additional 25	Additional 25
Food Service Application Fee	25	25
Food Service Plan Review Fee	200	300
Food Service Annual Fee	150	275
Food Service Annual Fee with State Approved HACCP Review	150	375
Mobile Food Service Annual Fee with Free Standing Base	100 Commissary Fee, includes (1) unit Each Add'l Unit 100	275 (Base and one unit) + 150 for Each Additional Unit
Mobile Food Service Annual Fee with Free Standing Base and State Approved HACCP Review	100 Commissary Fee, includes (1) unit Each Add'l Unit 100	375 (Base and one unit) + 150 for Each Additional Unit
Mobile Food Service Annual Fee with Existing Food Service Permit	100 per unit	150 per unit
Mobile Food Service Authorization Fee		25
Food Service Required Additional Annual Inspection Fee		25
Tourist Court Accommodation Program	Old Fee	Proposed Fee
Tourist Accommodation Application Fee	25	25
Tourist Accommodation Plan Review Fee	200	300
Tourist Accommodation Annual Fee	100 (1-25); 150 (26-50); 200 (>50)	150 (1-25 rooms); 200 (26-50 rooms); 250 (>50 rooms)
Swimming Pools and Spa Programs	Old Fee	Proposed Fee
Swimming Pool/Spa Application Fee	25	25
Swimming Pool/Spa Plan Review and Construction Permit Fee	250	300
Swimming Pool/Spa Annual Fee	150	200

**Proposed Fee Increase for Environmental Health Services
February 2024**

	Old Fee	Proposed Fee
Body Art		
Body Art Studio Application Fee	25	25
Body Art Studio Plan Review Fee	300	300
Body Art Studio Annual Fee	200	200
Rabies		
Rabies Specimen Submission - No Exposure	50	150
Rabies Certificate	0.50	0.50
Miscellaneous Fees	Old Fee	Proposed Fee
Public Records Per Printed Page Fee	10 + .10 per page	.10 per page
Waiver/Variance Application Fee	250	250
Failed Inspection Fee	50	75
Late Annual Fee		50
Facility Change of Ownership Fee		100
Exam Proctor Fee (Per Exam)	50	50
Miscellaneous Hourly Rate	50	50

**RESOLUTION TO AMEND
ASSOCIATION COUNTY COMMISSIONERS OF GEORGIA
DEFINED BENEFIT PLAN
FOR DECATOR COUNTY EMPLOYEES**

WHEREAS, Decatur County, Georgia (the “Employer”) previously adopted the Association County Commissioners of Georgia Defined Benefit Plan for Decatur County Employees (the “Plan”) through an Adoption Agreement that was most recently amended and restated effective as of January 1, 2015;

WHEREAS, Section 16.02(b) of the Plan allows the Employer to amend the Plan with respect to one or more classes of Employees, subject to the consent of Association County Commissioners Defined Benefit Plan Board of Trustees, and certain other conditions;

WHEREAS, the Employer previously amended the Plan to permit a former Participant who has Retired but returns to employment as an Employee to continue receiving his or her Accrued Benefit but also accrue Credited Service and Compensation during the period of reemployment, and for the Participant’s subsequent retirement income to be calculated by including Credited Service and Compensation earned during both periods of employment and actuarially adjusting the resulting benefit to account for distributions made after the initial Retirement; and

WHEREAS, the Employer wishes to amend the Plan to permit the current County Administrator’s pre- and post-Retirement periods of employment to be treated separately for all purposes, including accruals of Credited Service, Vesting Service and Compensation, so that, upon his second or any subsequent Termination of Employment, the Accrued Benefit earned during each discrete period of employment will be calculated and paid without regard to any previous or subsequent period of employment.

NOW THEREFORE, at a meeting held on the 9th day of April, 2024, the Decatur County Board of Commissioners hereby resolves as follows:

RESOLVED, that the Board of Commissioners hereby approves the attached Plan Amendment #2 effective as of the date set forth therein;

FURTHER RESOLVED, that the Commission Chair is hereby authorized, empowered, and directed to take all further actions and to execute all documents necessary to implement these resolutions.

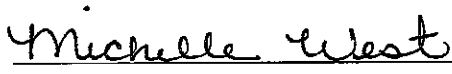
FURTHER RESOLVED, that any resolution in conflict with this resolution is hereby repealed.

THIS 9th day of April, 2024.

DECATUR COUNTY, GEORGIA BOARD OF COMMISSIONERS

By: 
Chair, Decatur County Board of Commissioners

Attest:

By: 
County Clerk

Date: 4-9-2024



**PLAN AMENDMENT #2
TO ASSOCIATION COUNTY COMMISSIONERS OF GEORGIA
DEFINED BENEFIT PLAN
FOR DECATUR COUNTY EMPLOYEES**

THIS AMENDMENT is made and entered into by the Decatur County Board of Commissioners (the "Employer").

WITNESSETH:

WHEREAS, the Employer maintains the Association County Commissioners of Georgia Defined Benefit Plan for Decatur County Employees ("the Plan") for the benefit of its eligible employees;

WHEREAS, the Employer adopted the Plan through an Adoption Agreement that was most recently amended and restated effective as of January 1, 2015;

WHEREAS, Section 16.02(b) of the Plan allows the Employer to amend the Plan with respect to one or more classes of Employees, subject to the consent of Association County Commissioners Defined Benefit Plan Board of Trustees, and certain other conditions;

WHEREAS, the Employer previously amended the Plan to permit a former Participant who has Retired but returns to employment as an Employee to continue receiving his or her Accrued Benefit but also accrue Credited Service and Compensation during the period of reemployment, and for the Participant's subsequent retirement income to be calculated by including Credited Service and Compensation earned during both periods of employment and actuarially adjusting the resulting benefit to account for distributions made after the initial Retirement; and

WHEREAS, the Employer wishes to amend the Plan to permit the current County Administrator's pre- and post-Retirement periods of employment to be treated separately for all purposes, including accruals of Credited Service, Vesting Service and Compensation, so that, upon his second or any subsequent Termination of Employment, the Accrued Benefit earned during each discrete period of employment will be calculated and paid without regard to any previous or subsequent period of employment.

NOW, THEREFORE, the Plan is hereby amended as follows:

1.

The Plan's previous amendment to designate Employees as belonging to one or more of Classes 1 or 2 shall be restated to read as follows:

"For purposes of the Plan, Employees shall belong to one or more of the Classes described below:

Class 1: Eligible Employees

All Eligible Employees as defined in Section 1.23 of the Adoption Agreement.

Effective Date: August 1, 2018

Class 2: Employees hired on and after August 1, 2018

Employees who are hired by the Employer on and after August 1, 2018.

Effective Date: August 1, 2018

Class 3: County Administrator

The Employee who holds the position of County Administrator as of April 1, 2024.”

2.

Section 10.07 of the Plan, **Reemployment of Retired Participant**, is hereby restated in its entirety to read as follows as to Class 3 Employees:

“A former Participant who Retired, commenced receipt of his Accrued Benefit and returns to employment as an Employee shall continue to receive his or her Accrued Benefit. To the extent otherwise permitted by the Plan, he shall accrue Credited Service, Vesting Service and Compensation during such period of reemployment. Upon his subsequent Termination of Employment, only the Participant’s post-Retirement Credited Service, Vesting Service and Compensation shall be taken into account in determining whether the Participant is entitled to a second Accrued Benefit and, if so, the amount of that Accrued Benefit. No election the Participant made as to his original Accrued Benefit shall apply to his second Accrued Benefit, or vice-versa, and the second Accrued Benefit shall not be actuarially reduced for the period during which the first Accrued Benefit was in pay status.”

Applicable Employees

Class 3

Amendment Effective Date:

April 1, 2024”

IN WITNESS WHEREOF, the Employer has caused its duly authorized officer to execute this Amendment on the date noted below.

DECATUR COUNTY, GEORGIA, BOARD OF COMMISSIONERS

By: 

Title: Chairman

Date: 4-9-2024

Accepted by: _____
ACCG Defined Benefit Plan Board of Trustees

Date: _____



WATKINS & ASSOCIATES, L.L.C.
CONSULTING ENGINEERS

March 26, 2024

Mr. Alan Thomas
County Administrator
Decatur County Board of Commissioners
P.O. Box 726
Bainbridge, Georgia 39818

Subject: Decatur County, Georgia
Proposal for Engineering Services for
GEMA Generator (s) Project

Dear Mr. Thomas:

Watkins & Associates, L.L.C. is pleased to submit this proposal for surveying and engineering related services necessary to design, bidding and construction administration services for the County's Georgia Emergency Management and Homeland Security Agency's grant for the installation of six stand-by power units at various county owned locations. As requested, we propose providing the following engineering services as described in the below scope of services.

Our proposed scope of services as follows:

- Site visits to include existing power requirements at each of the six locations.
- Prepare Construction Plans required for the construction and installation of the six stand-by power units including automatic transfer switches, generator pads, electrical panels/racks, etc. Each station will have its own respective electrical one-line diagrams.
- Provide Contract Documents and Specifications for bidding purposes. Bidding documents shall be in accordance with the requirements set forth in the County's award documents from Georgia Emergency Management and Homeland Security Agency.
- Submit to County for review and approval.
- Assist Decatur County in advertising for bids. Hold bid opening, prepare Bid Tabulation and Recommendation of Award.

- Attend Pre-Construction Conference and issue Notice to Proceed.
- Provide Construction Review Services.
- Review Contractor's payment request. Prepare any necessary change orders.
- Provide Final Construction Review.

Our proposed fee for the above-described scope of services is based on a **Lump Sum Basis of \$39,000.00** of which is based on a 6% design fee of the estimated construction costs. This not-to-exceed fee shall include all labor, materials, and equipment necessary to complete the services proposed listed.

On projects such as this, we do ask that the County provide all the necessary support to assist W&A in the performance of the services outlined above. We respectfully ask that the County to:

- Provide timely overall policy direction for project.
- Provide power usage reports from service provider.
- Provide access to each location for inspection.
- Inform Consultant of and assist Consultant with any unusual site conditions.

Again, I personally appreciate the opportunity to provide consulting engineering services to the Decatur County Board of Commissioners. Please do not hesitate to contact me if you have any questions or need additional information concerning our proposal. I will be glad to meet with you to discuss any questions or comments that you may have as part of this proposal.

Sincerely,

Proposal Acceptance

WATKINS & ASSOCIATES, LLC

Mr. Pete Stephens, Chairman

Stacy G. Watkins, P.E.

Pete Stephens

Stacy Watkins, P.E.

Decatur County, Dated:



National Donate Life Month Proclamation

DECATUR COUNTY PROCLAMATION

WHEREAS, one of the most meaningful gifts that a human being can bestow upon another is the gift of life; and

WHEREAS, more than 100,000 men, women, and children await lifesaving or life-enhancing organ transplants, of which nearly 3,000 reside in Georgia; and

WHEREAS, 46,630, a record number of transplants, occurred in the calendar year 2023 thanks to the generosity of 23,287 deceased and living donors, of which 1,268 transplant patients and 642 deceased and living donors, also a record number, were from Georgia; and

WHEREAS, more than 2.5 million people throughout the country and in Georgia benefit annually from tissue transplantation thanks to thousands of tissue donors; and

WHEREAS, the need for organ, eye, and tissue donation remains critical as a new patient is added to the national waiting list for an organ transplant every 10 minutes and millions more could experience improved quality of life through tissue transplantation; and

WHEREAS, the critical donor shortage remains a public health crisis as an average of 20 people die daily due to the lack of available organs; and

WHEREAS, organ, eye, and tissue donation can provide families the comfort of knowing the gift of donated organs and tissue endows another person with renewed hope for a healthy life; and

WHEREAS, donating life through organ, eye, and tissue donation is the ultimate act of generosity and kindness we **County** citizens can perform; and

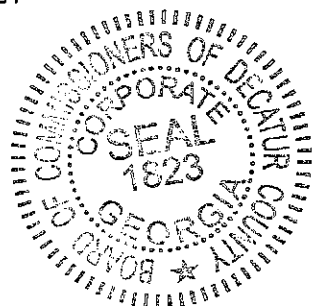
WHEREAS, nearly than 3.8 million Georgians have already registered their decision to give the Gift of Life at www.donatelifegeorgia.org, when getting or renewing their driver license or state identification card at a driver license office, or when getting a hunting or fishing license through the Department of Natural Resources; and

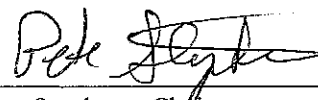
WHEREAS, LifeLink® of Georgia, the non-profit organization dedicated to the recovery of organs and tissue for transplantation therapy in Georgia, with a vision to maximize the gift of life while giving hope to donor families and transplant patients and mission to honor donors and save lives through organ and tissue donation; and

WHEREAS, **Decatur County** supports the life-saving mission of LifeLink® of Georgia; and


NOW, THEREFORE, I, Pete Stephens, **Chairman of the Decatur County Board of Commissioners** do hereby proclaim April 2024 as **DONATE LIFE MONTH** in **Decatur County**, to honor all those who made the decision to give the gift of life, to focus attention on the extreme need for organ, eye and tissue donation, to encourage all residents to take action and sign up on Georgia's Donor Registry at www.donatelifegeorgia.org, to discuss the miracle of transplantation as a family, and to make a family commitment to organ, eye, and tissue donation

On This 9th day of April 2024





Pete Stephens, Chairman



Michelle West, Clerk

AFFIDAVIT OF CHAIRMAN OR PRESIDING OFFICER

Pete Stephens, Chairman of the Decatur County Board of Commissioners, being duly sworn, states under oath that the following is true and accurate to the best of his/her knowledge and belief:

1. The Decatur County Board of Commissioners met in a duly advertised meeting on: April 9, 2024.
2. During such meeting, the Board voted to go into closed session.
3. The executive Session was called to order at 9:35 (a.m.)/p.m.
4. The subject matter of the closed portion of the meeting was devoted to the following matter(s) within the exceptions provided in the open meetings law;

Consultation with the county attorney or other legal counsel to discuss pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought by or against the county or any officer or employee or in which the county or any officer or employee may be directly involved as provided in O.C.G.A. 50-14-2(1);

Discussion of tax matters made confidential by state laws as provided by O.C.G.A. 50-14-2(2) and (insert the citation to the legal authority making the tax matter confidential) _____;

Discussion of the future purchase, disposal of or lease of real estate as provided by O.C.G.A. 50-14-3(4).

Discussion of deliberation on the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a county officer or employee as provided in O.C.G.A. 50-14-3(6).

Other _____

_____ as provided in _____.

This 9th day of April, 2024.

Pete Stephens, Chairman
Decatur County Board of Commissioners

Sworn to and subscribed
Before me this 9th day of

April, 2024.

Notary Public

Michelle B. West

Commission Expires:

