

MINUTES
REGULAR MEETING OF THE
COLQUITT COUNTY BOARD OF COMMISSIONERS
January 15, 2008
7:00 P.M.

CALL TO ORDER: The meeting was called to order at 7:00 p.m. by Chairman John B. Alderman.

INVOCATION AND PLEDGE OF ALLEGIANCE: The invocation was given by Commissioner Billy Herndon followed by the Pledge of Allegiance.

PRESENT: Those present were Commissioners Luke Strong, Rebecca Whitaker, Terry Clark, Billy Herndon, Johnny Hardin, and Chairman John B. Alderman. Also present were County Administrator Jack D. Byrd, Jr., County Attorney Lester Castellow and County Clerk Deborah Cox.

ABSENT: Commissioner Ray Saunders.

APPROVAL OF MINUTES OF MEETING HELD DECEMBER 17, 2007: Commissioner Whitaker made a motion to approve the Minutes as presented for the meeting held on December 17, 2007. Commissioner Strong made a second. The motion carried unanimously.

APPROVAL OF LIST OF UNPAID INVOICES: Commissioner Herndon made a motion to approve payment of the list of unpaid invoices. Commissioner Strong made a second. The motion carried unanimously.

APPROVAL OF TAX RELIEFS AND ADDITIONS: Commissioners Hardin and Strong made a motion to approve the tax reliefs and additions. Commissioner Clark made a second. The motion carried unanimously.

ANNUAL APPOINTMENTS: Commissioner Herndon made a motion to reappoint Lester Castellow as County Attorney. Commissioner Whitaker made a second. The motion carried unanimously.

Commissioner Herndon made a motion to appoint Dr. Mukul Khurana and Dr. Jeanphis Laguerre as County Physicians and Medical Review Officers. Commissioners Clark and Strong made a second. The motion carried unanimously.

Commissioner Hardin made a motion to reappoint Bowen, Phillips, and Carmichael, CPA's, as the county's Audit Firm. Commissioners Clark and Strong made a second. The motion carried unanimously.

CHAIRMAN'S ANNUAL COMMITTEE APPOINTMENTS: Chairman Alderman presented his list of commissioner committee appointments for calendar year 2008.

APPROVAL OF QUALIFYING FEES FOR 2008 ELECTIONS: Commissioner Clark made a motion to approve the following qualifying fees for the 2008 elections. Commissioner Strong made a second. The motion carried unanimously.

OFFICE	BASE SALARY	QUALIFYING FEE
PROBATE JUDGE	\$56,352.46	\$1,690.57
SHERIFF	\$70,227.59	\$2,106.82
CLERK OF COURT	\$56,352.46	\$1,690.57
TAX COMMISSIONER	\$56,352.46	\$1,690.57
SOLICITOR, STATE COURT	\$38,464.00	\$1,153.92
JUDGE, STATE COURT	\$81,724.76	\$2,451.74
CORONER	\$13,859.00	\$ 415.77
COUNTY COMMISSIONER	\$ 4,200.00	\$ 126.00
MEMBER, BOARD OF EDUCATION	\$ 4,200.00	\$ 126.00

PRESENTATION OF FISCAL YEAR 2007 AUDIT: This item was tabled.

APPROVAL OF RESOLUTION FOR STATE CABLE AND VIDEO SERVICE FRANCHISE FEES: Commissioner Whitaker made a motion to approve a resolution allowing Colquitt County to receive franchise fees from companies who apply for a state franchise through the Corporation Division of the Secretary of State's office rather than the county where their services will be provided. Commissioners Hardin and Herndon made a second. The motion carried unanimously. (Resolution Number 2008-R-1 is hereby made a part of the Minutes by reference thereto.)

APPROVAL OF RENEWAL CONTRACT FOR THE DEPARTMENT OF FAMILY AND CHILDREN SERVICES: Commissioner Clark made a

motion to approve the renewal of the contract from the Georgia Department of Human Resources for rental space used by the Colquitt County Department of Family and Children Services for Fiscal Year 2009. Commissioners Whitaker and Hardin made a second. The motion carried unanimously.

CONTRACT FOR COLLECTION OF PAST DUE SOLID WASTE FEES:

Chairman Alderman tabled this item until more information could be given as to the percentage that will be charged to the delinquent tax customers.

ACCEPTANCE OF ITD GRANT ON BEHALF OF THE ELLENTON HEALTH CLINIC:

Commissioner Whitaker made a motion to accept the Immediate Threat and Danger Grant (ITD) from the Georgia Department of Community Affairs in the amount of \$15,984.00 to enable the county to assist the Ellenton Health Clinic with their mold problem. Commissioner Hardin made a second. The motion carried unanimously.

APPROVAL TO DECLARE CERTAIN VEHICLES AND EQUIPMENT SURPLUS FOR PUBLIC AUCTION:

Commissioners Strong and Clark made a motion to approve a list of vehicles and equipment as surplus to the county's needs and to authorize these to be sold at public auction. This motion also included additional vehicles from the Sheriff's Department. Commissioners Herndon and Hardin made a second. The motion carried unanimously.

APPROVAL FOR SHERIFF TO PURCHASE CANINE VEHICLE FROM DRUG ASSET/FORFEITURE FUNDS:

Sheriff Whittington asked for the Board's approval to purchase of 2005 Dodge Durango from Robert Hutson Motors to replace the vehicle used to transport canines. Commissioners Clark and Herndon made a motion to approve this request. Commissioner Whitaker made a second. The motion carried unanimously.

APPROVAL TO BEGIN ROAD ABANDONMENT PROCEEDINGS:

Commissioner Clark made a motion to begin road abandonment proceedings for a portion of Holly Circle Road due to a plat showing this area as a cul de sac, when in fact, the area is a driveway to a house. Commissioner Herndon made a second. The motion carried unanimously.

COUNTY ADMINISTRATOR – JACK D. BYRD, JR.:

Dr. Byrd presented a request from Leonard McCoy, Superintendent for the Colquitt County Board of Education, wherein the Board of Education has asked that the county waive permit fees for the renovations/construction of projects at the County Bus Shop, Hamilton Elementary School, Doerun Elementary School, and Funston Elementary School. Commissioner Herndon made a motion to grant the request. Commissioners Clark and Strong made a second. The motion carried unanimously.

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Dr. Byrd announced that the Board will hold their 2008 Planning Retreat at Gin Creek on Thursday, January 24 and Friday, January 25, 2008.

Dr. Byrd then presented a request from the Sheriff and Warden for approval of contract agreements with Quest Diagnostics for lab work at the Jail and Prison and another contract agreement with Pri-X-Ray, LLC for their mobile x-ray services at the Jail and Prison. Sheriff Whittington stated that these companies had provided services in the past through Southern Health Partners, and have agreed to provide them directly to the county, which will be less expensive than our hospital. After discussion, Commissioner Herndon made a motion to approve the contracts. Commissioner Hardin made a second. The motion carried unanimously.

Dr. Byrd presented a letter from the Board of Assessors stating that the Assessors would hold a public meeting, as requested by the Board of Commissioners, to explain revaluations on property. The Assessors will also have representatives from the Department of Revenue at this meeting, which is scheduled for Wednesday, January 30 at 10:30 a.m. Commissioner Herndon stated his objections to holding a morning meeting. After discussion, Commissioner Herndon made a motion to have the meeting held on Tuesday, January 29, 2008 at 7:00 p.m. Commissioner Whitaker made a second. The motion carried unanimously.

COUNTY ATTORNEY – LESTER CASTELLOW: Mr. Castellow expressed his appreciation for his re-appointment as County Attorney.

OTHER BUSINESS: Sheriff Whittington informed the Board of several changes in personnel position in his department. Lt. Debbie Miller, Jail Administrator, retired and Sgt. Larry Byrd will replace her. Sgt. Donald Davis will move his office to the Courthouse. Chairman Alderman commended Sgt. Davis and expressed his appreciation for his attendance at the Board's meetings.

PUBLIC COMMENTS:

Ronne Holland gave his opinion on past due garbage collections, the zoning ordinance, a bridge, and the smell of chicken houses.

James Tabor congratulated the Sheriff on how he turns money into the county.

There being no further business to come before the Board, the meeting was adjourned at 7:26 p.m.

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Respectfully submitted,

John B. Alderman
Chairman

Deborah Cox
County Clerk

Approved:

RESOLUTION

STATE CABLE AND VIDEO SERVICE FRANCHISES

WHEREAS, Act No. 368, otherwise known as the *Consumer Choice for Television Act*, was passed by the Georgia General Assembly in its 2007 Session and codified at Chapter 76 of Title 36 of the Official Code of Georgia Annotated; and,

WHEREAS, the *Consumer Choice for Television Act* authorizes a statewide franchising option for cable service providers and video service providers providing cable and video services as defined therein; and,

WHEREAS, the Act further authorizes cable service providers and video service providers to obtain a state franchise to serve all or parts of the unincorporated areas of Colquitt County; and,

WHEREAS, in the event any cable service provider or video service provider operating within Colquitt County, Georgia elects, after January 1, 2008, to obtain a state franchise to serve all or parts of the unincorporated areas of Colquitt County, it is the intention of the Colquitt County Board of Commissioners that such cable service providers or video service providers be subject to any franchise fees authorized by law; and,

WHEREAS, Colquitt County is authorized by law to collect a franchise fee at a rate up to and including 5% of each cable or video service provider's gross revenues generated within the unincorporated areas of the county or the maximum amount established by federal and state law; and,

WHEREAS, Colquitt County currently collects a franchise fee of 5% of annual gross revenues generated within the unincorporated area of the County pursuant to existing franchise agreements and intends to collect that same amount on gross revenues generated pursuant to any state franchise or the maximum that may subsequently be allowed by law.

NOW, THEREFORE, BE IT RESOLVED, that the Colquitt County Board of Commissioners shall hereby require collection of franchise fees at the rate of 5% of annual gross revenues generated by any cable or video service provider providing cable or video services within the unincorporated areas of Colquitt County pursuant to a state franchise or the maximum that may be subsequently allowed by law.

BE IT FURTHER RESOLVED, that the County Administrator of Colquitt County is hereby designated to receive all correspondence on any new or revised state issued cable/video franchises.

BE IT FURTHER RESOLVED, that the County Clerk is hereby directed to forward a certified copy of this Resolution to the Georgia Secretary of State and to each applicant for or holder of a state franchise with a service area located within the unincorporated area of Colquitt County.

This 15th day of January, 2008.

COLQUITT COUNTY BOARD OF COMMISSIONERS

/s/ _____
John B. Alderman, Chairman

ATTEST:

/s/ _____
Deborah Cox, County Clerk

(SEAL)

CERTIFICATION

I do hereby certify that the above is a true and correct copy of the Resolution duly adopted by the Colquitt County Board of Commissioners on the 15th day of January, 2008.

I further certify that I am the County Clerk of Colquitt County and that the said Resolution has been duly entered into the official records of Colquitt County and remains in full force and effect this 16th day of January, 2008.

/s/ _____
Deborah Cox, County Clerk
Colquitt County, Georgia

(SEAL)