

**MINUTES**  
WORK SESSION OF THE  
COLQUITT COUNTY BOARD OF COMMISSIONERS  
**Tuesday, October 6, 2015**  
5:00 p.m.

**CALL TO ORDER:** The meeting was called to order at 5:00 p.m. by Chairman Terry R. Clark. The purpose of the meeting was to discuss upcoming agenda items and any other county business deemed necessary. The meeting was duly called and advertised.

**PRESENT:** Those present were Commissioners Winfred Giddens, Marc DeMott, Donna Herndon, Paul Nagy, and Johnny Hardin. Also present were County Administrator Chas Cannon, County Attorney Lester Castellow, and County Clerk Melissa Lawson.

**ALSO PRESENT:** Finance Director Wayne Putnal, Chief Compliance Officer Justin H. Cox, and Captain Julius Cox, Sheriff's Department.

**ABSENT:** Commissioner Luke P. Strong, Jr.

**BOARD PREVIEW:** County Administrator Chas Cannon presented an overview of upcoming agenda items to be previewed before the regular meeting of the board at 7:00 p.m.

- Invocation and Pledge of Allegiance – Mr. Cannon stated that the Invocation and Pledge of Allegiance would be led by Commissioner Paul Nagy.
- Citizens Having Business With the County – Mr. Cannon explained that Ms. Verdailla Turner of the Georgia Federation of Teachers had requested to be placed upon the agenda to discuss the organization and its benefits.
- Renewal of Contract with Environmental Systems Research Institute (Esri, Inc.) – Mr. Cannon stated that renewal of this contract would provide both the Compliance and Solid Waste Departments with continued ArcGIS software capabilities. He further stated that the renewal amount of \$2,992.62 was included in the current fiscal budget. Mr. Cannon stated that a renewal for the Roads and Bridges Department could be expected within the next few months.
- Approval of Termination of Contract with Southwest Georgia Community Action Council (SWGAC) – Family Connection Collaborative on Children & Families – Mr. Cannon explained that the Executive Director of Family Connection had previously requested that the county eliminate the existing contract with the SWGAC and contract with her directly. Mr. Cannon stated that, if approved, required notice would be generated to the SWGAC.
- Approval of Contract for Inmate Medical Service – Jail and Prison – Mr. Cannon stated that the board had recently voted to terminate the existing medical services agreement due to a less costly offer for expanded and combined services from Colquitt Regional Medical Center. With services by the current provider terminating

November 2<sup>nd</sup>, Mr. Cannon recommended utilizing staff at Colquitt Regional Medical Center through an Intergovernmental Agreement with the hospital.

- **Renewal of Lease Agreement – Cox Truck & Van –** Mr. Cannon informed the board that Cox Truck & Van had recently requested renewal of the lease agreement concerning the rental of railroad property located at 23<sup>rd</sup> Street NW. Mr. Cannon stated that rental proceeds, in the amount of \$2,400.00 annually, were received as a result of the lease agreement. Mr. Cannon further stated that, if approved, the term of renewal would be November 1, 2015 – October 31, 2016.

Commissioner DeMott requested additional information regarding the lease.

Discussion ensued regarding the lease with Cox Truck & Van.

- **Approval of Payment of Invoice – Mauldin & Jenkins –** Mr. Cannon presented an invoice received from Mauldin & Jenkins, the county's external auditing firm, in the amount of \$15,600.00. Mr. Cannon explained that the amount due reflected professional services rendered regarding the June 30, 2014 audit.
- **Approval of Payment of Invoice – James, Bates, Brannan & Groover, LLP –** Mr. Cannon presented the latest invoice received from the law firm of James, Bates, Brannan, & Groover regarding legal services rendered in the ongoing litigation filed against the county by Northlake, LLC/Lynn Lasseter. Mr. Cannon explained that funding for the invoice, in the amount of \$65,469.95, would be derived from Contingency Funds. Mr. Cannon also noted that, to date, the county has expended approximately \$96,000.00 in legal fees regarding the litigation.
- **Approval of Bid for Landfill Truck Scales – Solid Waste Department –** Mr. Cannon announced that two bids were received regarding the provision of above ground truck scales to be utilized by the landfill. Mr. Cannon stated that the low and recommended bid was received from Atlanta Scales, Inc. in the amount of \$63,446.00. Mr. Cannon noted that funding was included in the current budget for this expenditure.
- **Approval of Bid for Two Dump Trucks – Roads & Bridges Department –** Mr. Cannon stated that five bids were received regarding the provision of two dump trucks to be utilized by the Roads & Bridges Department. Mr. Cannon further stated that the recommended bid was submitted by TransPower, Inc, for two 2017 GU813 Mack/OX trucks based on both a higher resale/auction price and the historical analysis of statistical data. Mr. Cannon informed the board that funding for this purchase would be derived from SPLOST.
- **Approval of Bid for Employee Health Clinic Service –** Mr. Cannon stated that two bids were received regarding the provision of health clinic services to county employees. Based on expanded services at an overall lower cost, Mr. Cannon stated that the low and recommended bid was submitted by Colquitt Regional Medical

Center – The Kirk Clinic. Mr. Cannon noted that he had also received positive feedback from department heads and employees regarding The Kirk Clinic.

- Approval of Amendment to Employee Health Plan – Mr. Cannon explained that the existing employee health plan provided coverage to retired employees and their dependants if the retiree is age 62, until the retiree is age 65, or until they obtain other health coverage, including Medicare. Mr. Cannon stated that this clause could potentially expose the plan to significant health claims.
- Approval of Budget Amendment – Mr. Cannon stated that the purpose of the budget amendment was to provide partial funding for a vehicle purchase at the Sheriff's Department by transferring insurance recovery proceeds for a wrecked vehicle received during the previous fiscal year. Mr. Cannon further stated that this funding would be supplemented by Confiscated Asset funds in order to purchase the vehicle.

Discussion ensued regarding the purchase.

Lester M. Castellow, County Attorney, entered the meeting at 5:19 p.m.

**OTHER COUNTY BUSINESS FROM COUNTY ADMINISTRATOR:** Mr. Cannon reviewed issues received after the agenda deadline:

- Approval of Payment of Invoice – Southwest Georgia Regional Commission – Mr. Cannon presented an invoice received from the Southwest Georgia Regional Commission in the amount of \$7,844.93. Mr. Cannon explained that the invoice represented the dues assessment for the quarter ending 12/31/2015. Mr. Cannon further stated that funding was included in the current fiscal budget for this expenditure.
- Ratification of Approval to Submit Application to Georgia Transportation Infrastructure Bank (GTIB) – Mr. Cannon stated that verbal approval of the submission of a grant application to GTIB was granted on October 2<sup>nd</sup> and necessitated ratification in an open meeting. If awarded, Mr. Cannon stated that funding would be utilized to resurface 4.14 miles of Old Adel Road.
- Public Hearings – Mr. Cannon explained that two items on the agenda would necessitate public hearings:
  - Road Closure – Portion of Nugent Road – Mr. Cannon stated that a request for the closure of a portion of Nugent Road was made in the August board meeting by Brian Glass. As a result, Mr. Cannon explained that, pursuant to county ordinance, all adjacent property owners were notified and all required advertisements published in the legal organ.
  - Request for Re-Zoning – Mr. Cannon stated that an application was received from Thomas Rowell requesting to rezone property located at 1331 Hwy 319

N from AG to C-1 to allow for future commercial development. Mr. Cannon called upon Justin H. Cox, Chief Compliance Officer, to elaborate.

Mr. Cox stated that the intent was to develop two of three available tracts of the property, with the third tract serving as a buffer to a nearby residential neighborhood. Mr. Cox noted that the application received unanimous recommendation by the Moultrie – Colquitt County Planning Commission.

**COUNTY ATTORNEY:** Mr. Cannon informed the board that the following agenda item would be presented and discussed by County Attorney Lester M. Castellow.

- Beer and Wine Ordinance for On Premises Consumption – Mr. Cannon presented both a copy of the proposed ordinance and proposed license application to the board. Mr. Cannon noted that the following requirements were included in the proposed ordinance:
  - 65% of gross sales from food or lodging (or combination of both)
  - \$1,500.00 license fee (\$750.00 beer/\$750.00 wine)
  - Food must be consumed on premises
  - Minimum seating capacity of 50 seats
  - Minimum of 15 beds

Mr. Cannon called upon Lester M. Castellow, County Attorney, to elaborate.

Mr. Castellow stated that in addition to the allowance of the on premises consumption of beer and wine, the ordinance also contained stronger sanctions for violations, as well as the addition of the levy of excise tax on wholesale dealers of wine.

Discussion ensued regarding specifics of the proposed ordinance and the possibility of a proposed retail establishment being annexed into the city.

Justin Cox, Chief Compliance Officer, stated that the existing application for the off premises consumption of beer and wine was modified to reflect on premises consumption. Mr. Cox stated that a list of requirements must be met, including an extensive background check that would also apply to servers of beer and wine. Mr. Cox reminded the board that any individual wishing to be granted a license must come before the commission in order to obtain approval.

Mr. Cannon noted that additional demands on the Compliance Office and law enforcement were expected, in addition to the generation of additional revenue.

Commissioner Nagy questioned the location of establishments in the county that currently serve beer and wine for off premises consumption.

Discussion ensued regarding specific elements of the proposed ordinance.

Mr. Castellow noted that if the commission was not satisfied with the proposed ordinance in its current state, it could be revised and redrafted.

**OTHER COUNTY BUSINESS:** Mr. Cannon stated that representatives from Sabal Trail wished to update the board during the Other County Business portion of the meeting agenda.

- Sabal Trail – Mr. Cannon stated that the Federal Environmental Regulatory Commission (FERC) recently issued Sabal Trail a Draft Environmental Impact Statement, which is a key part of the permitting process. Mr. Cannon noted that most individuals in opposition to the natural gas pipeline were now researching avenues in which to economically benefit from the installation of the pipeline.

**ADMINISTRATOR UPDATES:** At this time, Mr. Cannon discussed pertinent issues to be brought to the board's attention.

- Legal Representation for Board of Assessors – Mr. Cannon informed the board that the Board of Assessors has requested legal services from the county attorney in the past and continues to do so. Mr. Cannon stated that it was the wish of County Attorney Lester Castellow to ensure that the board approved of this service.
- Special Local Option Sales Tax (SPLOST) Collections – Mr. Cannon informed the board that SPLOST collections for the month of September 2015 totaled \$416,597.00. Mr. Cannon stated that the average monthly SPLOST collection since February 2013 was \$440,543.00. With the average monthly collection needed for the referendum totaling \$556,315.00, Mr. Cannon projected a shortfall of \$4,630.887.00 over the course of the referendum.

**KEY DATES:** Mr. Cannon presented a list of key, upcoming dates to the board.

**EXECUTIVE SESSION:** Commissioner Hardin made the motion at 5:54 p.m. to go into Executive Session to discuss personnel and pending litigation. Commissioner DeMott made a second. The motion carried unanimously. (An affidavit, as required by Georgia Law, was executed by all Board members present stating under oath that the subject matter of the closed meeting was devoted to the matters within the exception provided by law and identified the specific relevant exception as provided by law. The affidavit is hereby made a part of the minutes by reference thereto.)

**REGULAR SESSION:** Commissioner Hardin made the motion at 6:21 p.m. to reconvene into Regular Session. Commissioner DeMott made a second. The motion carried unanimously.

Commissioner Herndon mentioned the upcoming energy retrofits to the Courthouse and the potential impact it might have on Downtown events at the Courthouse Square.

October 6, 2015  
Page 6

Mr. Cannon stated that he had previously contacted the associated Project Manger to ensure coordination throughout the process. Mr. Cannon stated that every effort would be made to ensure that the project is as least invasive as possible.

There being no further business to come before the board, the meeting was adjourned at 6:23 p.m.

Respectfully submitted,

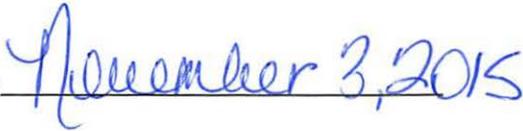


Terry R. Clark  
Chairman



Melissa Lawson  
County Clerk

Approved:



# AFFIDAVIT

This is to certify that the Colquitt County Board of Commissioners held an Executive Session Meeting (closed meeting) on October 6, 2015, at 5:54 o'clock a.m./p.m. The majority of the quorum present voted in the open meeting to go into Executive Session (closed meeting). The subject matter discussed was applicable under the following code section(s):

O.C.G.A. 50-14-2(1) - Consultation with an attorney regarding pending or potential legal action.

O.C.G.A. 50-14-3(4) - Discussion of future acquisition of real estate. (Notice was given as required and minutes taken.)

O.C.G.A. 50-14-3(6) - Discussion of personnel matters.

I further certify that the subject matter of the Executive Session (closed meeting) was devoted to matters within the exception provided by law and the above checked identifies the specific relevant exception.

This 6<sup>th</sup> day of October, 2015.

Terry Clark  
Terry Clark, Chairman

Winfred Giddens  
Winfred Giddens, Commissioner

Donna Herndon  
Donna Herndon, Commissioner

Johnny Hardin  
Johnny Hardin, Commissioner

Luke Strong  
Luke Strong, Commissioner

Marc DeMott  
Marc DeMott, Commissioner

Paul Nagy  
Paul Nagy, Commissioner

Sworn to and subscribed  
before me, this 6<sup>th</sup> day of  
October, 2015.

Melissa Lawson  
County Clerk or Notary Public  
My Commission Expires:

