

MINUTES

WORK SESSION OF THE
COLQUITT COUNTY BOARD OF COMMISSIONERS
Tuesday, January 6, 2015
10:30 a.m.

CALL TO ORDER: The meeting was called to order at 10:30 a.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, Johnny Hardin, and Chairman Terry R. Clark. Also present were County Administrator Chas Cannon, County Attorney Lester Castellow, Human Resources Director John C. Peters, Finance Director Wayne Putnal, Compliance Officer Russell Moody, Solid Waste Manager Stacy Griffin and County Clerk Melissa Lawson.

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. The following agenda items were discussed:

- Citizens Having Business With The County – Mr. Cannon informed the board that citizen David R. Cass had requested to be placed upon the meeting agenda in order to petition the board to consider a discounted monthly residential solid waste tax disposal rate for all veterans located in the county. Mr. Cannon also stated that Mr. Cass wanted to approach the board regarding the potential rezoning of property adjacent to his own.
- Presentation of Chairman's Annual Committee Appointments – Mr. Cannon reviewed a list of committee appointments presented by Chairman Clark. Chairman Clark asked for any comments or suggestions regarding the appointments. Discussion ensued regarding placement of certain committees and frequency of committee meetings.
- Annual Appointments for Professional Services – Mr. Cannon explained that the positions of County Attorney, County Physician, and County Auditor were appointed annually. Mr. Cannon further explained that Lester Castellow has served as county attorney since 2007 and Dr. Woodwin Weeks was appointed as County Physician/Medical Review Officer in November 2014 due to the resignation of Dr. Jeanphis Laguerre. Mr. Cannon stated Wayne Putnal, Finance Director, requested that county audit services be re-bid.
- Appointments to Southwest Georgia Regional Commission Board – Mr. Cannon explained that if Chairman Clark could not serve on this board he had the option to defer appointment. Commissioner Hardin, who served on the board since 2009, explained that meetings were held in Camilla, on both a monthly and quarterly basis. Commissioner Nagy indicated that he would be willing to serve on this council in the Chairman's stead. Mr. Cannon noted that county's current non-public appointees,

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Mr. Henry Crumley and Mrs. Dollie Crumley, had both indicated their willingness to continue serving on the board.

- Appointment to Joint Development Authority – Mr. Cannon informed the board of a vacancy on the Joint Development Authority Board of Directors due to both the resignation and term expiration of board member F. Marion Hay. Mr. Cannon explained that the Joint Development Authority encompassed the counties of Brooks, Colquitt, Grady, Mitchell, and Thomas. Commissioner DeMott indicated his willingness to serve on the board.
- Resolution Authorizing Chairman to Use Facsimile Signature – Mr. Cannon stated that this resolution was tabled at December's meeting by former Chairman Alderman to allow for incoming Chairman Clark's decision regarding the matter. Commissioner DeMott stated that the use of facsimile signature was a common business practice. It was the consensus of the board to permit this practice.
- Approval of 2015 Workers Compensation Insurance Premium – Mr. Cannon presented the 2015 workers compensation invoice, in the amount of \$364,037.00, from the Association of County Commissioners of Georgia (ACCG). Mr. Cannon informed the board that due to meeting safety program requirements, Colquitt County received a 7.5% discount in the amount of \$29,517.00. Mr. Cannon stated that payment could be remitted in a lump sum or through a payment plan, and suggested the payment plan as the preferable option.
- Approval of E911 CAD/GIS Software Support Maintenance Contract – Mr. Cannon presented an invoice from Interact for the provision of CAD/GIS software support at the E911 center. Mr. Cannon explained that InterAct was on call twenty four hours a day to provide software updates and to provide maintenance and support on emergency dispatch services. Mr. Cannon noted that funds were available in the current budget for this item.
- Annual Bid for Concrete Pipe – Mr. Cannon explained that this bid was tabled at the December board meeting due to poor bid response. He stated that upon re-solicitation of bid, three bids were received for the annual provision of concrete pipe at the Roads and Bridges department. Mr. Cannon informed the board that Deep South Drainage was the low and recommended bid.
- Bid for Two Four Door Crew Cab Trucks – Sheriff's Department – Mr. Cannon explained that the trucks in question would be utilized by the Drug Enforcement division of the Sheriff's Department. Mr. Cannon stated that Edwards Motors was the recommended bid, due to the bid price being within 1% of the lowest bid and their presence as a local vendor.

Commissioner Herndon questioned if funds for this purchase were included in the current budget. Mr. Cannon explained that it was included through the combination

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of two capital line items and stated that he would follow up with the Sheriff's department regarding their replacement plan for their current vehicle fleet.

- Proclamation in Honor of 2014 Colquitt County Packers – Mr. Cannon announced his intent to present a proclamation to Head Coach Rush Propst in honor of the 2014 state championship Colquitt County Packer football team and their exemplary season.
- Appointment of County Chaplain – Mr. Cannon explained that Commissioner Strong requested the appointment of Reverend Floyd Narcisse, Grant Chapel AME Church, as County Chaplain. He further explained that this would be a voluntary appointment, with no monetary compensation involved.

Lester Castellow, County Attorney, explained that from a legal standpoint, the appointment in itself was absolutely permissible. However, Mr. Castellow cautioned that it would not be wise to set the precedence and/or preference of any one denomination or religion and suggested the possible rotation of this duty with other pastors from other denominations. Mr. Castellow stated that another possible duty of the Chaplain would be to counsel inmates at the jail and prison. Mr. Castellow stated that Sheriff Whittington and Warden Howell would have to grant their permission to allow this activity. Mr. Castellow stated that a Chaplain's duties at the county jail could possibly become so time consuming that the subject of compensation might eventually be broached.

Commissioner Hardin voiced his concern regarding the appointment of one particular chaplain representing one particular denomination and stated that perhaps the county should not appoint anyone, but rather rotate this duty as in the past, with different pastors coming in and giving the invocation.

Commissioner Herndon questioned how prevalent the practice of appointing a County Chaplain was in other municipalities. Mr. Cannon stated that he was aware of a few instances in which a chaplain had been appointed. Again, Commissioner Hardin stated he was weary of the implications.

Mr. Cannon stated that he would contact Commissioner Strong regarding the possibility of not making an official appointment, but rather continuing to permit various pastors to give the invocation when requested. Mr. Cannon also stated that he would encourage Reverend Narcisse to continue attending meetings and would suggest that he contact the Sheriff and Warden regarding the possibility of counseling inmates and prisoners.

- Sabal Trail Update – Mr. Cannon informed the board that representatives from Sabal Trail would be in attendance to provide an update regarding the proposed natural gas pipeline. Commissioner Herndon stated that the committee formed to discuss this issue had never met and further stated that she would inform her constituents of Sabal Trail's upcoming presentation at the upcoming meeting.

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Mr. Cannon reminded the board of a resolution approved in March 2014 urging Sabal Trail to leave five feet of top cover over any pipeline transitioning through Colquitt County.

Commissioner Nagy questioned when the Federal Energy Regulatory Commission (FERC) would actually vote on this issue. He stated that he had recently become aware of the Environmental Protection Agency's opposition to the pipeline. Commissioner Nagy stated that he feared that mandating the five feet of top cover might be interpreted by some that the commission was facilitating the pipeline.

Mr. Castellow stated that the Federal Energy Regulatory Commission would make the final decision but must follow procedure in order to do so. Mr. Castellow stated his main concern, being that agriculture was so prevalent in Colquitt County, was that the commission weigh in on the five foot depth issue. He further stated that representatives from Sabal Trail had never reported back to the commission regarding the differences in cost between the standard three feet and five feet of top cover. Mr. Cannon encouraged the commission to take advantage of Sabal Trail's presence and voice any opinions or concerns they may have regarding the pipeline.

- High Potential Leader Q&A Session – Mr. Cannon informed the board that participants in the High Potential Leader class would be present at the meeting to engage the commission in a question and answer session. Mr. Cannon explained the purpose of the session was for the participants to closely observe how county government operated and functioned. Mr. Cannon stated that Greg Coop, Chair of the High Potential Leader program, would also be in attendance.

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

Mr. Cannon referred to a memorandum distributed to the board requiring votes regarding amendments to the solid waste ordinance and the establishment of an interest-bearing solid waste account.

- Update on Stackhouse Amendment and Chicken House Moratorium – In order to update Commissioners DeMott and Nagy, Mr. Castellow gave a brief overview of the recently imposed chicken house moratorium and possible amendment to the zoning ordinance regarding Stackhouses. Mr. Castellow explained that during former meetings, there was strong opposition voiced by a rather large group in regards to a proposed chicken house operation to be located on J R Suber Road. He stated the potential location of the operation on J R Suber Road had been purchased and although an application had yet to be filed, one would be necessary due to the number of chicken houses the individuals were planning to construct. Mr. Castellow further stated that the individuals had made inquiries regarding zoning ordinance requirements and had originally planned to construct twenty-four houses, but had recently decreased that number to eight. Mr. Castellow explained this would still require a variance due to property line footage requirements.

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Mr. Castellow further stated that commissioners imposed a moratorium at the December board meeting on receiving any zoning applications or requests. He explained that the amendment being considered was to require a dry Stackhouse at any operation housing more than 1,000 birds. He stated that with the current setback requirements of 1,500 feet, the mandatory requirement of dry Stackhouses would virtually eliminate further chicken house operations in Colquitt County due to the fact that properties would not be large enough to accommodate such requirements.

At this time, Russell Moody, Compliance Officer, stated that an application to amend the zoning ordinance would be presented to the Planning Commission on Monday, January 12.

Mr. Cannon presented a letter from the Moultrie – Colquitt County Planning Commission on recommendations regarding the proposed zoning ordinance amendment. Mr. Cannon referenced the Planning Commission’s recommendations concerning proposed setbacks as opposed to current setbacks, which would significantly increase poultry house requirements.

Discussion ensued regarding the feasibility of stricter setback requirements and the responsibilities of both the Board of Commissioners and the Planning Commission in regards to the ordinance amendment process.

Mr. Cannon vowed to keep the board informed of any updates regarding this matter and informed board members to anticipate a vote on this issue at the February board meeting.

- Amendments to Solid Waste Ordinance – Mr. Castellow explained that phone calls had been received over the past several months regarding mobile homes that housed migrant workers that were currently not utilizing residential solid waste pickup, as is mandatory for all occupied residential units in Colquitt County. Property owners who facilitate these migrant camps on their property argued that the mobile homes were not residential units as defined in the solid waste ordinance, claiming ambiguity. Upon hearing this argument and further research, Mr. Castellow stated he would feel more comfortable if the ordinance were amended to clarify the definition of “residential unit,” so that the term would be inclusive of all mobile homes that were constructed prior to 1974. In closing, Mr. Castellow explained that the main objective was to enforce the solid waste ordinance in its entirety.

Mr. Cannon stated that recently, monthly income thresholds for solid waste exemption were increased, but suggested that the reduced rate of \$8.50 be increased to \$10.00. At this time, Mr. Cannon suggested a vote in order to adopt the amendments.

MOTION TO ADOPT AMENDMENTS TO SOLID WASTE ORDINANCE:

Commissioner Giddens made a motion to adopt the amendments to the solid waste

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ordinance as explained by Mr. Castellow. Chairman Clark made a second. The motion did not carry due to a lack of affirmative votes.

At this time, Commissioner Hardin declared his belief that it would be more beneficial to the public to vote on such matters during a regular board meeting. Commissioner Herndon agreed, stating that transparency in government was essential. Mr. Cannon stated that he understood and the matters in question would be placed under the "Other Business from County Administrator" portion of the board meeting agenda.

WITHDRAWAL OF MOTION TO AMEND SOLID WASTE ORDINANCE:

Commissioner Giddens stated he would like to withdraw his motion to amend the solid waste ordinance.

- Establishment of Solid Waste Account: Mr. Cannon suggested that an additional solid waste checking account be established to track unbudgeted revenues that might be utilized for future equipment purchases and other endeavors. Mr. Cannon explained that these unbudgeted revenues would consist of revenue from the landfill timber harvest, Department of Natural Resources Hazardous Waste Trust Fund reimbursements, and past due residential solid waste collections.

Commissioner DeMott asked if the funds in question, if not utilized, would be distributed to the General Fund. Mr. Putnal stated the funds would more than likely remain in the solid waste account in order to fund future equipment purchases.

Discussion ensued regarding possible revenue sources for the account. Commissioner Hardin questioned if the solid waste fund had repaid the debt it had incurred to the general fund. Mr. Putnal explained that it was paid in full.

- Final Heavy Equipment Auction Results – Mr. Cannon stated that anticipated revenue for the heavy equipment auction was originally \$148,000.00, and auction proceeds exceeded this estimate by approximately \$9,000.00. Mr. Cannon estimated cost savings originating from the buy-back program and auction to be approximately \$499,000.00.
- Internet Payments – Mr. Cannon informed the board that online payment capabilities were currently increasing, thereby making use of a smoother, more efficient means of remitting payment to the county.

EXECUTIVE SESSION: Commissioner Hardin made a motion at 11:52 a.m. to go into Executive Session to discuss the disposition of real estate and a personnel matter. Commissioner Giddens made a second. The motion carried unanimously. Before the affidavit could be executed and any subject matter discussed, it was suggested the board reconvene into regular session in order to take a five minute break.

REGULAR SESSION: Commissioner Giddens made a motion to reconvene into regular session at 11:54 a.m. Commissioner Nagy made a second. The motion carried unanimously.

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The board recessed for a five minute break.

EXECUTIVE SESSION: Commissioner Hardin made a motion at 12:00 p.m. to go into Executive Session to discuss the disposition of real estate and a personnel matter. Commissioner Giddens 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 to reconvene into regular session at 1:00 p.m. Commissioner Giddens made a second. The motion carried unanimously.

VOLUNTEER FIRE DEPARTMENT OFFICE SPACE: At this time, Commissioner Hardin stated that he had been contacted by Volunteer Fire Department personnel regarding money allocated for their own meeting and office space. Commissioner Hardin stated that previously space located adjacent to the EMA building on Veterans Parkway had been discussed as a potential location.

Mr. Cannon stated that the Emergency Management personnel needed their own space as well as the Volunteer Fire Department.

KEY DATES: At this time, Mr. Cannon reviewed several upcoming dates with the board.

- Thursday, January 15 Work Session – Energy Audit
- Monday, January 19 Martin Luther King, Jr. Holiday
- Tuesday, January 20 Commissioner Retreat – Sundown Farms
- February 8-10 Winter Session – Lifelong Learning Academy/
District Day at the Capitol

Mr. Putnal urged the board to be proactive in their planning for the future of the county.

At this time, Commissioner Giddens declared that he had served on the board for six years. During this time, Commissioner Giddens stated the county had been unable to grant raises to county employees, with the exception of the amount budgeted for distribution by Mr. Cannon. Commissioner Giddens stated that the economy has affected many, especially consumers. He urged the board to consider lower level employees.

Commissioner Hardin stated that while he knew savings would be realized from the decrease in the price of fuel, additional items were added to the budget. In addition, he stated that revenues for the next budget year could also be less.

Mr. Putnal stated that the county's revenue base was comprised of mostly property taxes. He informed the board that most cities have enterprise funds that supplement the general fund, thus easing the burden upon taxpayers.

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There being no further business to come before the board, the meeting was adjourned 1:13 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 Jan. 6, 2015, at 12:00 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 6th day of January, 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 6th day of Jan, 2015

Melissa Lawson
County Clerk or Notary Public
My Commission Expires: _____

