

# MINUTES

WORK SESSION OF THE  
COLQUITT COUNTY BOARD OF COMMISSIONERS  
**Tuesday, August 4, 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 Luke Strong, 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, Solid Waste Manager Stacy Griffin, Chief Compliance Officer Justin H. Cox, Road Superintendent Stanley Kirksey, Chief Tax Appraiser Bobby Carroll, Shop Superintendent Mac Lawson, E-911 Director Teresa Warburg, County Extension Coordinator Jeremy Kichler, Captain Julius Cox, and Alan Mauldin, Reporter with the Moultrie Observer.

**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.

- Citizens Having Business with the County – Mr. Cannon informed the board that Tim Barber intended to address the commission in order to request that the board consider allowing the on-site consumption of beer and wine at Ashburn Hill Plantation.

Mr. Cannon stated that Mr. Barber would present his case for the license from an economic standpoint, in the hopes that it would increase revenue for the plantation.

Commissioner Herndon questioned if any other similar establishments in the county was allowed to sell beer or wine for on-site consumption. Justin H. Cox, Chief Compliance Officer, stated that this was currently not permitted in the county.

Mr. Cannon stated that Lester Castellow, County Attorney, would provide the board with more information during the work session.

- Renewal of Contract with Department of Human Services – Family Connection Collaborative – Mr. Cannon explained that Colquitt County served as the fiscal agent for the contracted funding amount of \$46,000.00. He further stated that the term of renewal was July 1, 2015 – June 30, 2016.
- Renewal of Lease Agreement with Department of Human Services – Division of Family and Children Services – Mr. Cannon explained that this lease agreement resulted in annual rent proceeds in the amount of \$392,906.79, and stated that payoff

of the loan would be in 2018, at which time rent proceeds would become actual revenue. Wayne Putnal, Finance Director, stated that according to the contractual agreement, funds must continue to be set aside for maintenance of the building.

- Approval of Contract with Traylor Business Services, Inc. – Mr. Cannon explained that this particular contract renewal concerned the provision of a personal property verification program to be utilized by the Tax Assessors Department. Mr. Cannon called upon Bobby Carroll, Chief Tax Appraiser, to elaborate.

Mr. Carroll stated that payment for services was only applicable upon utilization of the program, and stated that it was a good contract to have for contingency purposes.

- Approval of Contract with Sturgis – Solid Waste Department – Mr. Cannon stated that the proposal from Sturgis Web Services would provide online search and payment capabilities regarding solid waste bills. He further stated that this would be extremely helpful to local attorneys during the title search process, and would more than likely result in more revenue for the department.

Commissioner Nagy questioned the length of the start-up process regarding this service. Mr. Cannon stated that he estimated that it would be completed in one week or less.

- Approval of Payment of Invoice – James, Bates, Brannan, & Groover, LLP – Mr. Cannon presented an invoice, in the amount of \$28,932.72, from the law office of James, Bates, Brannan, and Groover, LLP regarding the provision of legal services concerning litigation filed against the county by W. Lynn Lasseter/Northlake, LLC. Mr. Cannon stated that the board could expect further invoices at the September board meeting.
- Approval of Bid for 3 Crew Cab Trucks and 1 Regular Cab Truck – Mr. Cannon stated that bids were solicited regarding the provision of 3 Crew Cab Trucks and 1 Regular Cab Truck to be utilized by several departments. Mr. Cannon further stated that the low bid was from Langdale Chevrolet in the amount of \$26,059.00 for a 2016 Crew Cab truck and \$24,270.00 for a 2016 Regular Cab truck. Mr. Cannon explained that the difference in pricing between a 2015 and 2016 model was approximately \$500.00.

A plan to recycle existing vehicles for utilization in other county departments was briefly discussed.

Commissioner Nagy questioned if any local bids submitted were within 3% in terms of pricing. Mr. Cox stated that this was not the case.

(Alan Mauldin entered the meeting at 5:11 p.m.)

- Approval of Resolution Authorizing Adoption of Amended and Restated Association of County Commissioners of Georgia (ACCG) Defined Benefit Plan –

Mr. Cannon stated that adoption of the resolution presented was necessary in order to meet Internal Revenue Service requirements, and further stated that the specifics of the Defined Benefit Plan would not change. Mr. Cannon also noted that any changes to the plan had been approved by the ACCG Board of Trustees as well as the ACCG Board of Managers.

- Approval of Budget Amendments – Mr. Cannon called upon Wayne Putnal, Finance Director, to present the following budget amendments to the board:
  - BA2015-27 – Mr. Putnal explained that this amendment concerned the Employee Health Insurance Fund, stating that it was necessary in order to provide funding for medical claims belonging to the previous fiscal year. Mr. Cannon stated that medical claims for the county increased in the previous fiscal year. He further stated that due to the fact that healthcare was one of the county's largest costs, it was imperative to strive to reduce and/or maintain these costs.
  - BA2015-28 – Mr. Putnal stated that this amendment also belonged to the previous fiscal budget, and further stated it was necessary to cover outstanding bills, to include legal fees, postage, and meals at the jail and prison.
  - BA2016-1 – Mr. Putnal explained that this amendment would apply to the current fiscal budget, and was needed in part to compensate for recent changes to the salary structure of court reporters within the Southern Judicial Circuit. In addition, Mr. Putnal stated that Jeremy Kichler, Extension Coordinator, was striving to recruit an individual to fill a vacant county agent position, and wished to increase the salary of the position by \$12,000.00 in order to attract quality applicants.

Commissioner Giddens questioned if the increase would be a total of \$12,000.00 for the position.

At this time, Mr. Kichler announced that there was some confusion regarding why the money was being requested. In earlier stages of the budget process, Mr. Kichler explained that he had requested a \$12,000.00 salary increase for a part time livestock program assistant position, in order to increase the position to full time. When the agent who occupied the now vacant county agent position resigned, Mr. Kichler explained that the funding for this position was taken in order to compensate for the increase in the part time livestock program assistant position.

Mr. Cannon clarified that it was basically a mistake in the allocation of funding, rather than a requested increase in the base salary of an existing position.

(Lester Castellow, County Attorney, entered the meeting at 5:21 p.m.)

- BA2016-2 – Mr. Putnal presented the last budget amendment to the current fiscal budget, which consisted of additional funding in order to compensate for increased funding to the Parks and Recreation budget.

Legal invoices submitted by the County Attorney were briefly discussed. Mr. Cannon explained that Mr. Castellow worked diligently upon several issues, simultaneously, and explained that his legal services were essential to the efficient operation of the county.

- Public Hearings – Mr. Cannon stated that a request for variance and a request for rezoning would be presented during the public hearings portion of the agenda. Mr. Cannon noted that Lester M. Castellow, County Attorney, would conduct the public hearings.
  - Mr. Cannon presented the request for rezoning, stating that Gary Milam, applicant, wished to purchase property located near the 1900 block of Georgia Highway 37 East, commonly referred to as the “Turtle Pond,” but further stated that the purchase was contingent upon approval of the rezoning request. Mr. Cannon explained that Mr. Milam wished to operate a metal fabrication business, which would create jobs and allow for future expansion.
  - Mr. Cannon presented the request for variance, submitted by Scott Wilson, for property located at 3755 Sumner Road. Mr. Cannon stated that Mr. Wilson desired the variance in order to allow the placement of an additional manufactured home upon the property in order to facilitate care for his ailing in-laws.

Mr. Cannon noted that both applications were recommended for approval by the Moultrie – Colquitt County Planning Commission.

Mr. Cannon declared the need for the implementation of an auditable system in which to monitor the status of variances that are granted by the county.

- Public Comments – Mr. Cannon stated that Brian Glass, J R Suber Road, intended to address the commission in order to request that road closure procedures begin for a portion of Nugent Road.

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

- Drug Enforcement Team Contract – Mr. Cannon explained that county personnel had completed review of the contract, and stated that the contract was currently being reviewed by the City of Moultrie. Mr. Cannon stated that he expected a final version of the contract soon, at which time it would be presented for the board’s consideration.

- Association of County Commissioners of Georgia Sponsored Meeting with the Department of Corrections – Mr. Cannon stated that he and Warden Billy Howell recently attended a meeting, along with several other counties, to discuss important issues affecting county prisons. Mr. Cannon stated that most complaints aired at the meeting concerned per diem prison reimbursements and the overall number of workable inmates. Mr. Cannon stated that ACCG was asked to adopt per diem prisoner reimbursement increases as an official portion of their legislative platform in 2016. Mr. Cannon stated that the meeting was extremely beneficial, with other counties sharing information and ideas regarding the most efficient methods in which to utilize inmate labor.
- Employee Recruiting Efforts – Mr. Cannon stated he had been approached by several department heads regarding possible efforts to recruit skilled employees. As a result, Mr. Cannon stated that he contacted Southern Regional Technical College regarding the possibility of county participation in job fairs. Mr. Cannon declared his belief that this was an excellent way to market county job opportunities to skilled, qualified individuals.

John C. Peters, Human Resources Director, stated that he was in the process of developing materials for distribution at the upcoming job fairs. Commissioner Nagy also suggested contacting the high school in order to participate in Career Day.

Mr. Cannon stated that the county was having consistent issues with recruitment and retention of quality employees.

Commissioner Giddens stated that it was difficult to attract quality employees with the county's low pay scale, stating that most county employees make less than \$13.00 per hour.

- Millage Rate Update – Mr. Cannon announced that the tax digest had been finalized, with final numbers showing a decrease in the digest, as predicted. Mr. Cannon stated this was the second consecutive year of negative growth in the tax digest.

Mr. Cannon presented the Five Year History of Levy, emphasizing that the county would be collecting less taxes this year than the previous year. Mr. Cannon declared that the county needed positive growth, and proceeded to present a calendar regarding the required advertisements for establishment and adoption of the millage rate.

Commissioner Herndon questioned exactly which taxes were decreasing. Mr. Cannon stated that there were significant decreases in taxes regarding motor vehicles, mobile homes, and heavy equipment.

- E-911 Position Discussion – At this time, Mr. Cannon stated that he was approached by Teresa Warburg, E-911 Director, regarding the possibility of increasing a current part time position to full time. Mr. Cannon called upon Mrs. Warburg to elaborate.

Mrs. Warburg stated that her department normally maintained two part time positions, but further stated that it was extremely difficult to retain quality personnel in a part time position. As a result, Mrs. Warburg stated that there was a significantly high rate of turnover for this position, resulting in excessive overtime for experienced, tenured personnel within the department.

Mr. Peters estimated that increasing one part time position to full time would save the county approximately \$10,000.00 annually in overtime costs.

Mr. Cannon stated that he supported increasing the position to full time, but desired to present it to the board for their situational awareness.

Commissioner Herndon stated that it was imperative that the E-911 department be adequately staffed.

Mr. Peters stated that, due to Affordable Care Act requirements, part time employees already received benefits, emphasizing that increasing the position to full time would not result in extra benefit costs for the county.

- Update on Darbyshire Road Extension – Mr. Cannon stated that work was on-going regarding a solution to the problem concerning water run-off on Darbyshire Road Extension. Mr. Cannon informed the board of an additional meeting with engineering staff in order to derive an equitable solution for all parties involved.
- New County Web Site – Mr. Cannon stated that, after a year of diligent work, the new county web site was live and functional. Mr. Cannon further stated that the intent of the new web site was to be more user friendly, with more and more of the general public gravitating towards technology and the internet.

Chairman Clark asked Commissioner DeMott if the local financial institutions were pleased with the county's online Q-Public subscription. Commissioner DeMott stated that he received comments on a weekly basis regarding the benefits of this capability, stating that it was extremely well received and appreciated.

Commissioner Nagy remarked that he learned in a previous Economic Development class that most companies, when searching for potential sites, used websites as their first available resource.

At this time, Commissioner Giddens stated that he and Commissioner Strong had worked diligently over the course of several years to get waterways cleaned in Norman Park. Commissioner Giddens thanked Mr. Cannon for making sure this task was accomplished.

Commissioner Giddens declared that the waterways at Bear Creek still needed to be cleaned. Mr. Cannon stated that he, along with Road Superintendent Stan Kirksey, performed a weekly, on-site visit to meet with citizens regarding issues and complaints.

Commissioner Giddens voiced his concern for the waterways in Bear Creek if the county were to receive significant rainfall. Mr. Cannon stated that he would visit the site Friday.

**EXECUTIVE SESSION:** Commissioner Hardin made a motion at 5:58 p.m. to go into Executive Session to discuss pending litigation and a personnel issue. 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 portion of the minutes by reference thereto.)

**REGULAR SESSION:** Commissioner DeMott made a motion at 6:41 p.m. to reconvene into regular session. Commissioner Nagy made a second. The motion carried unanimously.

**BEER AND WINE ORDINANCE DISCUSSION:** At this time, Mr. Castellow informed the board that on-site consumption of beer and wine would not require a voter referendum, but could rather be approved by the board.

Commissioner DeMott mentioned that, according to similar ordinances, a certain percentage of revenue for such an establishment must be derived from the sale of food.

Mr. Castellow stated that an ordinance would have to be drafted for review and consideration.

Commissioner Herndon questioned the type of licensing the county currently issued regarding beer and wine sales. Mr. Castellow replied that the board only allowed sales for off-premises consumption.

Mr. Castellow stated that this issue was not something that the board would be prepared to vote upon at the regular board meeting, but stated it would be appropriate for the board to request that he investigate the matter further and subsequently, propose an ordinance.

Discussion ensued regarding the benefits and drawbacks of allowing beer and wine for on-site consumption.

Mr. Castellow stated that an ordinance, if drafted, would apply to the whole county, not just an individual operation.

Commissioner Giddens questioned what possible benefit, if any, would be derived from allowing the on-site consumption of beer and wine.

There being no further business to come before the board, the meeting was adjourned at 6:49 p.m.

Respectfully submitted,

August 4, 2015  
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Terry R. Clark  
Chairman

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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 August 4, 2015, at 5:55 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 4th day of August, 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 4th day of August, 2015.

Melissa E. Lawson  
County Clerk or Notary Public  
My Commission Expires: \_\_\_\_\_

