

**MINUTES
TERRELL COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING**

DATE: FEBRUARY 4, 2020

TIME: 6:00 P.M.

Place: TERRELL COUNTY GOVERNMENT BUILDING

COMMISSIONERS AND STAFF PRESENT: CHAIRMAN WILBUR T. GAMBLE, III, VICE CHAIRMAN LUCIUS HOLLOWAY, COMMISSIONERS ERNEST JOHNSON, LARRY FAUST, AND BRAD STAFFORD, FINANCIAL OFFICER COURTNEY deLAMBERT, ATTORNEY JIMMY SKIPPER, HUMAN RESOURCE CLERK KENNA PATE – COUNTY CLERK SANDRA O’STEAN WAS NOT PRESENT DUE TO OUT OF TOWN TRAINING

OTHERS PRESENT: BO HAMBY, MAUREEN WELSH, GREG WELSH, GAIL FAUST, JAMES WOODS, DARLENE PAUL, LINDA FREEMAN, JANICE S. BRYANT, VICTORIA FREEMAN, Nanci AYERS, MAX SELLERS, DR. C. BROWNER, MARY ALICE BROWNER, SUE EWINGS, MARGARET HALBROOK, FREDDY GRIMSLEY, GARY FREEMAN, LOUISE DARLEY, CHRISTIE COOPER, GARY MCNEELY, JOE HUNKELE, PAUL RAKEL, JOHN BOWEN, BEVERLY BOWEN, EDWARD HARVEY, GREGORY MCLAUGHLIN, DOROTHY TOMLIN

CALL TO ORDER – CHAIRMAN WILBUR T GAMBLE, III

PRAYER – MINISTER MAMIE SMITH

APPROVAL OF AGENDA – CHAIRMAN GAMBLE ASKED FOR THE AGENDA TO BE AMENDED TO MOVE THE ITEM OF RESIGNATION OF MAX SELLERS FROM TAX ASSESSOR BOARD FROM NEW BUSINESS TO ITEM UNDER CHAIRMAN’S REPORT. BO HAMBY ASKED FOR THE CORONER REPORT BE ADDED TO THE AGENDA UNDER HIS 911/EMS/EMA REPORTS. COMMISSIONER STAFFORD ASKED TO ADD NEW BID FOR SPRINKLER SYSTEM FOR THE JAIL TO THE END OF OLD BUSINESS. BRAD STAFFORD MADE THE MOTION TO AMEND THE AGENDA BY MOVING THE ITEM REGARDING THE RESIGNATION OF MAX SELLERS FROM THE TAX ASSESSOR BOARD, TO ADD THE CORONER REPORT TO THE EMS/911/EMA REPORTING, AND TO ADD THE NEW BID FOR THE FIRE SPRINKLER SYSTEM AT THE JAIL. LUCIUS HOLLOWAY GAVE THE SECOND. ALL IN FAVOR OF THE MOTION WERE BRAD STAFFORD, LUCIUS HOLLOWAY, ERNEST JOHNSON, AND LARRY FAUST. THE MOTION CARRIED.

APPROVAL OF MINUTES – JANUARY 7, 2020 REGULAR MEETING – BRAD STAFFORD MADE THE MOTION TO APPROVE THE MINUTES OF JANUARY 7, 2020. ERNEST JOHNSON GAVE THE SECOND. THOSE IN FAVOR OF THE MOTION WERE BRAD STAFFORD, ERNEST JOHNSON, LUCIUS HOLLOWAY, AND LARRY FAUST. THE MOTION CARRIED.

CHAIRMAN’S REPORT – THE SOIL & WATER CONSERVATION GROUP ISSUED A \$300,000 GRANT FOR CONSERVATION PURPOSES FOR TERRELL COUNTY PROPERTY OWNERS AND WILL HIRE A PERSON TO ADMINISTER THE PROGRAM FOR THREE (3) YEARS. THE COURTHOUSE IS BEING REPAIRED AND THE COUNTY IS WILLING TO ISSUE A LAWSUIT AGAINST THE INSURANCE COMPANY IF THE ADJUSTOR DOES NOT GIVE AN ANSWER BY FRIDAY OF MOVING FORWARD WITH THE MOLD REMEDIATION.

RESIGNATION OF MAXWELL SELLERS FROM TAX ASSESSOR BOARD – THE RESIGNATION LETTER OF MAXWELL SELLERS WAS ACCEPTED. HE WAS PRESENTED A CERTIFICATE OF APPRECIATION FOR HIS DEDICATION AND SERVICE TO THE COUNTY AND THE TAX ASSESSOR BOARD.

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FINANCIAL REPORTS – BANK BALANCES, VENDOR ACTIVITY – REPORTS WERE READ BY COURTNEY deLAMBERT AND PAYABLES TO VENDORS WERE EXPLAINED. SHE ANSWERED QUESTIONS REGARDING MEMBERSHIP DUES PAID AND REGISTRATIONS FOR CLASSES.

EMPLOYEE RETIREMENT WITH NATIONWIDE - UPDATE – (CHILD SUPPORT, INSURANCE, OTHER PAYROLL DEDUCTIONS) – COURTNEY deLAMBERT EXPLAINED THAT FROM THIS MONTH FORWARD ALL PAYROLL DEDUCTIONS WILL NOW BE DEPOSITED INTO THE PAYROLL ACCOUNT DIRECTLY IN ORDER FOR THESE VENDORS TO DO ACH WITHDRAWALS TO PAY EMPLOYEE ACCOUNTS. THE SUPERIOR COURT CLERK QUESTIONED HER RETIREMENT CONTRIBUTIONS FOR THE PAST TEN (10) YEARS. CHAIRMAN GAMBLE STATED HE HAD NO DEFINITIVE ANSWER AND THE COUNTY ATTORNEY WILL BE ASKED TO CHECK INTO THE ISSUE TO SEE IF THE COUNTY IS LEGALLY OBLIGATED TO PAY THE REIMBURSEMENTS. SOME PAYROLL PROBLEMS WERE ALSO DISCUSSED.

CLERK'S REPORT – JANUARY 2020 FUEL REPORT, JAIL COUNT – THE COUNTY CLERK WAS ATTENDING TRAINING AND THE REPORT WAS NOT AVAILABLE.

EMS/911/EMA REPORT - BO HAMBY READ THE REPORTS FROM HIS DEPARTMENT. HE ASKED PERMISSION TO MOVE FORWARD WITH THE PURCHASE OF THE PORTABLE MORGUE WHICH WAS PRESENTED IN A PREVIOUS MEETING OF THE COMMISSIONERS. BRAD STAFFORD MADE THE MOTION TO APPROVE MOVING FORWARD IN PURCHASING THE PORTABLE MORGUE. ERNEST JOHNSON GAVE THE SECOND. ALL IN FAVOR OF THE MOTION WERE BRAD STAFFORD, ERNEST JOHNSON, LUCIUS HOLLOWAY, AND LARRY FAUST. THE MOTION CARRIED.

EXTENSION SERVICE REPORT - MARGARET HALBROOK PRESENTED REPORTS FROM THE EXTENSION AGENT OFFICE AND FOR THE 4-H PROGRAM.

CHAMBER OF COMMERCE REPORT – A REPORT WAS NOT AVAILABLE.

ROAD DEPARTMENT REPORT – A WRITTEN REPORT WAS SUBMITTED BY CHAD ROBERSON WHICH WAS READ BY THE CHAIRMAN. MR. GAMBLE NOTED THAT THE EPD INVESTIGATED AND PROVIDED RESULTS OF WATER ISSUES OCCURING ON PULPWOOD ROAD.

LOCAL MAINTENANCE IMPROVEMENT (LMIG) - GRANT MONIES RECEIVED/AUTHORIZATION TO PROCEED WITH 2020 LMIG ROAD PROJECT - PAUL RAKEL EXPLAINED THE FUNDING OF THE PAST THREE YEARS AND REPORTED THE LMIG FUNDS GRANTED THROUGH 2019 MUST BE SPENT IN 2020. MR. RAKEL ASKED THE BOARD TO AUTHORIZE THE PROCEEDING FORWARD WITH THE 2020 LMIG ROAD PROJECT AND TO GET BID REQUESTS OUT. ERNEST JOHNSON MADE THE MOTION TO PROCEED WITH THE 2020 LMIG ROAD PROJECTS. BRAD STAFFORD GAVE THE SECOND. THOSE IN FAVOR OF THE MOTION WERE ERNEST JOHNSON, BRAD STAFFORD, LARRY FAUST, AND LUCIUS HOLLOWAY. THE MOTION CARRIED.

WARDEN'S REPORT AND DISCUSSION OF CHANGE IN BUDGET FOR ZERO TURN LAWN MOWER – WARDEN MCLAUGHLIN REQUESTED THAT THE BOARD ALLOW HIM TO TAKE THE \$6,000. FOR TWO (2) ZERO TURN MOWERS THAT WAS APPROVED IN THE BUDGET AND TO PURCHASE ONE COMMERCIAL MOWER FOR THE SAME PRICE. ERNEST JOHNSON MADE A MOTION TO ALLOW THE

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WARDEN TO USE THE BUDGETED FUNDS OF \$6,000. TO PURCHASE ONE (1) COMMERCIAL MOWER. LARRY FAUST GAVE THE SECOND. ALL IN FAVOR OF THE MOTION WERE ERNEST JOHNSON, LARRY FAUST, LUCIUS HOLLOWAY, AND BRAD STAFFORD. MR. MCLAUGHLIN PRESENTED A SECOND REQUEST WHICH WAS FOR ADDITIONAL FUNDS IN AMOUNT OF \$15,600 TO GO WITH THE QUOTE OF \$60,000. THAT WAS PRESENTED BACK IN OCTOBER 2019 FOR ROOF REPLACEMENT AND RELOCATION OF AIR CONDITIONER UNITS AT THE CORRECTIONAL INSTITUTION. FOUR (4) QUOTES WERE PRESENTED: HUNTER CONTRACTING OF ELLAVILLE, GEORGIA, S & S ROOFING OF LEESBURG, GEORGIA, YODER'S ROOFING OF MONTEZUMA AND CUTHBERT, GEORGIA, AND ANDERSON ROOFING. ERNEST JOHNSON MADE THE MOTION TO ACCEPT THE LOW QUOTE FROM YODER ROOFING AT A COST OF \$75,600 WITH A TWELVE (12) YEAR WARRANTY. LARRY FAUST GAVE THE SECOND. ALL IN FAVOR OF THE MOTION WERE ERNEST JOHNSON, LARRY FAUST, LUCIUS HOLLOWAY, AND BRAD STAFFORD. THE MOTION CARRIED. THE INMATE WORK DETAIL AGREEMENT WITH CITY OF SHELLMAN WAS DISCUSSED IN REGARDS TO NUMBER OF DAYS OF SERVICE PROVIDED. THE SERVICE PROVIDED TO CITY OF SHELLMAN WILL BE THREE DAYS.

DELINQUENT GARBAGE REPORT – NOT AVAILABLE – CLERK AT TRAINING

DELINQUENT TAX REPORT – LINDA ANN SPILMAN REPORTED THE DELINQUENT TAX BILLS HAD BEEN TURNED OVER TO THE SHERIFF'S OFFICE FOR COLLECTION. THE TAX COMMISSIONER TURNED OVER 1,503 TAX BILLS FOR 2019. THE CHAIRMAN THANKED MRS. SPILMAN FOR THE PROMPTNESS IN MAILING OUT THE DELINQUENT NOTICES FOR THOSE BILLS.

SHERIFF'S REPORT – NOT AVAILABLE DUE TO DOCTOR APPOINTMENT OUT OF TOWN

RECREATION DEPARTMENT REPORT – NOT AVAILABLE

OLD BUSINESS:

REVIEW AND APPROVE DRAFT OF RESOLUTION FOR SEPARATION OF ROAD DEPARTMENT FROM CORRECTIONAL FACILITY IN REGARDS OF HIRING OF PERSONNEL – ATTORNEY JIMMY SKIPPER SAID THE PUBLIC WORKS ROAD DEPARTMENT HAS TO FOLLOW REGULAR COUNTY RULES IN HIRING OF EMPLOYEES SUCH AS BACKGROUND CHECKS. HE SAID THE RESOLUTION SHOULD BE SUBMITTED TO THE STATE DEPARTMENT OF CORRECTIONS FOR APPROVAL. TEN DAYS ALLOWANCE WAS STATED FOR RESPONSE FROM THE STATE. BRAD STAFFORD MADE THE MOTION TO APPROVE THE RESOLUTION SUBJECT TO THE APPROVAL FROM THE STATE DEPARTMENT OF CORRECTIONS. ERNEST JOHNSON GAVE THE SECOND. THOSE IN FAVOR OF THE MOTION WERE BRAD STAFFORD, ERNEST JOHNSON, LUCIUS HOLLOWAY, AND LARRY FAUST. THE MOTION CARRIED.

RELOCATION OF TERRELL COUNTY COURT DUE TO ELECTIONS – VOTER REGISTRATION AND ELECTIONS DIRECTOR CAROLYN WILLIAMS NOTIFIED THE COMMISSIONERS' OFFICE THAT THE LARGE CONFERENCE AREA OF THE GOVERNMENT BUILDING IS NEEDED IN MARCH 2020 FOR SETTING UP FOR UPCOMING ELECTIONS. CHAIRMAN T. GAMBLE AND JUDGE CRAIG EARNEST AGREED FOR THE COURT TO USE THE GOVERNMENT BUILDING THROUGH MID MARCH AND THEN USE OTHER FACILITIES FOR COURT IF NECESSARY. SUPERIOR COURT CLERK ASKED WHERE THE OTHER FACILITIES MAY BE. THE CITY OF DAWSON CITY HALL COURT ROOM WAS AN OPTION.

DISCUSSION ON COUNTY MANAGER POSITION - COMMISSIONER LARRY FAUST LED THE DISCUSSION. HE STATED IT WAS NOW TIME FOR THE COUNTY TO GO TO A COUNTY MANAGER TYPE OF GOVERNMENT. HE ADDED THE COUNTY NEEDS SOMEONE TO HAVE AS A STOPPING POINT FOR AUTHORITY AND TO ADDRESS FAULT ISSUES SUCH AS WERE PRESENTED AT THIS MEETING. COMMISSIONER BRAD STAFFORD STATED AGREEMENT TO THE FACT THAT THERE WAS A NEED FOR SOMEONE TO OVERSEE THE BUSINESS OF THE COUNTY AND TO ASSIST THE CURRENT STAFF WITH THE DAILY OPERATIONS OF THE COMMISSIONERS' OFFICE AND TO WORK WITH THEM IN A TEAM EFFORT. HE WAS IN FAVOR OF A MANAGER. COMMISSIONER HOLLOWAY ASKED THE BOARD TO LOOK AT HANDOUTS OF MINUTES FROM PREVIOUS YEARS. MR. HOLLOWAY POINTED OUT THAT IN 2017 THE BOARD CARRIED A MOTION HE MADE TO HAVE THE COUNTY ATTORNEY DRAFT AN ORDINANCE FOR THE OFFICE OF **ADMINISTRATOR**. HE ADDED THAT IN JUNE 2017 THE BOARD APPROVED THE MOTION TO HIRE AN ADMINISTRATOR AND TO HAVE THE ATTORNEY DRAFT AN ORDINANCE TO ESTABLISH THE OFFICE OF **ADMINISTRATOR**. MR. HOLLOWAY STATED HE WAS IN FAVOR OF MOVING FORWARD WITH WHAT THE BOARD HAD ALREADY APPROVED TO DO. ATTORNEY SKIPPER GAVE CLARIFICATION THAT THE ORDINANCE AUTHORIZED THE BOARD TO HIRE AN ADMINISTRATOR BUT DID NOT OBLIGATE THE BOARD TO HIRE AN ADMINISTRATOR. HE EXPLAINED THE DIFFERENCE BETWEEN THE POSITION OF A MANAGER AND AN ADMINISTRATOR. AN ADMINISTRATOR UPHOLDS THE RULES AND REGULATIONS OF THE COUNTY AND WOULD BE THE EXECUTIVE OFFICER OF THE COUNTY AND MANAGE THE DAY TO DAY BUSINESS OF THE COUNTY. THE ADMINISTRATOR WOULD NOT HAVE THE POWER TO HIRE OR FIRE DEPARTMENT HEADS. CHAIRMAN GAMBLE STATED HIS STANCE THAT HE WAS OPPOSED TO THE HIRING OF AN ADMINISTRATOR DUE TO HIGH COSTS THAT WILL BE INVOLVED AND DUE TO THE FACT THAT THE OFFICE WOULD BE POLITICALLY CONTROLLED AND ELECTED OFFICIALS WILL NOT BE MAKING SOME DECISIONS. LARRY FAUST MADE THE MOTION TO HIRE A COUNTY ADMINISTRATOR RATHER THAN A MANAGER. LUCIUS HOLLOWAY GAVE THE SECOND. ALL IN FAVOR OF THE MOTION WERE LARRY FAUST, LUCIUS HOLLOWAY, BRAD STAFFORD, AND ERNEST JOHNSON. THE MOTION CARRIED. THE CHAIRMAN VOICED HE WAS AGAINST THE VOTE. ACCG WILL BE ASKED TO ASSIST WITH THE PROCESS OF ADVERTISING THE POSITION OF COUNTY ADMINISTRATOR.

DISCUSSION ON PAVING TAMMY LANE – PAUL RAKEL PRESENTED ESTIMATES TO PAVE TAMMY LANE. THE ESTIMATE OF \$330,000 INCLUDED MOVING UTILITY POLES, ENGINEERING COSTS, AND CONTINGENCIES. IT WAS STATED THAT TRANSPORTATION SPECIAL PURPOSE LOCAL OPTION SALES TAX (TSPLOST) MONIES WERE AVAILABLE TO FUND THE PAVING OF TAMMY LANE. DISCUSSION FOLLOWED AS TO WHETHER TO DO THE TAMMY LANE PROJECT IN PARTS OR NOT. LARRY FAUST MADE THE MOTION TO MOVE THE UTILITY POLES FIRST. ALSO DISCUSSED WAS WHAT THE TSPLOST FUND IS AND WHAT IT CAN BE USED FOR ACCORDING TO THE LAW. LARRY FAUST WITHDREW THE MOTION TO DO THE PROJECT IN PARTS AND MOVE THE UTILITY POLES FIRST. ERNEST JOHNSON MADE THE MOTION TO APPROVE THE TOTAL PROJECT OF PAVING TAMMY LANE. BRAD STAFFORD GAVE THE SECOND. THOSE IN FAVOR OF THE MOTION WERE ERNEST JOHNSON, BRAD STAFFORD, LUCIUS HOLLOWAY, AND LARRY FAUST. THE MOTION CARRIED.

JAIL FIRE SPRINKLER SYSTEM REPAIRS – THIS ITEM WAS APPROVED TO BE ADDED TO THE AGENDA UNDER OLD BUSINESS. COMMISSIONER STAFFORD PRESENTED TWO (2) QUOTES (DEAN FIRE PROTECTION AND ON-SITE MECHANICAL OF ALPHARETTA, GEORGIA) FOR REPAIR OF THE PUMP AND MOTOR OF THE EXISTING JOCKEY PUMP. ERNEST JOHNSON MADE THE MOTION TO APPROVE THE BID FROM DEAN FIRE PROTECTION IN THE AMOUNT OF \$16,555. TO FINISH THE JOCKEY PUMP PROJECT AT THE JAIL. LARRY FAUST GAVE THE SECOND. THOSE IN FAVOR OF THE MOTION WERE ERNEST JOHNSON, LARRY FAUST, LUCIUS HOLLOWAY, AND BRAD STAFFORD. THE MOTION CARRIED.

NEW BUSINESS:

RESIGNATION OF MAXWELL SELLERS FROM TAX ASSESSOR BOARD – THIS ITEM WAS MOVED UP ON THE AGENDA.

APPROVE APPOINTMENT OF JOE WEST TO TAX ASSESSOR BOARD TO FILL UNEXPIRED TERM OF MR. SELLERS – ERNEST JOHNSON MADE THE MOTION TO APPROVE THE APPOINTMENT OF JOE WEST TO THE TAX ASSESSOR BOARD TO FILL THE UNEXPIRED TERM OF MAXWELL SELLERS. LARRY FAUST GAVE THE SECOND. ALL IN FAVOR OF THE MOTION WERE ERNEST JOHNSON, LARRY FAUST, LUCIUS HOLLOWAY, AND BRAD STAFFORD.

APPROVE RENEWAL OF LEASE OF 524 OAK ST TO POSITIVE DIRECTION YOUTH – ERNEST JOHNSON MADE THE MOTION TO RENEW THE LEASE OF 524 OAK STREET BUILDING TO POSITIVE DIRECTION YOUTH PROGRAM AT THE SAME CURRENT RATE OF \$325.00 A MONTH. LUCIUS HOLLOWAY GAVE THE SECOND. THOSE IN FAVOR OF THE MOTION WERE ERNEST JOHNSON, LUCIUS HOLLOWAY, BRAD STAFFORD, AND LARRY FAUST. THE MOTION CARRIED.

PROGRAMS ADMINISTERED BY TERRELL COUNTY PUBLIC HEALTH - DIRECTOR SUE EWINGS GAVE INFORMATION ON PROGRAMS ADMINISTERED BY THE TERRELL COUNTY HEALTH DEPARTMENT. MRS. EWINGS ENCOURAGED MORE OF THE PUBLIC TO USE THE SERVICES AT THE HEALTH DEPARTMENT. SHE ALSO GAVE UPDATE ON THE PROGRESS OF BUILDING A COVERED DRIVE TO THE FRONT OF THE BUILDING. BIDS ARE STILL BE SOUGHT FOR THE PROJECT. COMMISSIONER STAFFORD ASKED THE WARDEN TO GIVE ASSISTANCE TO THE HEALTH DEPARTMENT IN REMOVING THE TREE IN FRONT OF THEIR BUILDING.

DISCUSS IDLE ROAD - HAROLD HUFSTETLER WITHDREW HIS REQUEST TO BE ON AGENDA.

MEETING ADJOURNED – ERNEST JOHNSON MADE THE MOTION TO ADJOURN THE MEETING. LARRY FAUST GAVE THE SECOND. ALL IN FAVOR OF THE MOTION WERE ERNEST JOHNSON, LARRY FAUST, LUCIUS HOLLOWAY, AND BRAD STAFFORD. THE MOTION CARRIED.

RESPECTIVELY SUBMITTED BY: Sandra O'Stean

SANDRA O'STEAN COUNTY CLERK

APPROVED BY: Wilbur T. Gamble, III

WILBUR T. GAMBLE, III CHAIRMAN TERRELL COUNTY COMMISSIONERS

DATE: 3-3-2020