

MINUTES

TERRELL COUNTY BOARD OF COMMISSIONERS REGULAR MEETING

DATE: MAY 2, 2017

TIME: 6:00 P.M.

PLACE: TERRELL COUNTY GOVERNMENT BUILDING

PRESENT: SETH MCALLISTER, BO HAMBY, GREG WELSH, KATHY WADE, LARRY HAGAN, EZEKIEL HOLLEY, MARGARET HALBROOK, EDGAR DUSKIN

COMMISSIONERS PRESENT: CHAIRMAN W.T. GAMBLE, III, VICE-CHAIRMAN ERNEST JOHNSON, LUCIUS HOLLOWAY, BRAD STAFFORD, CRIS WEBB

CALL TO ORDER - CHAIRMAN W. T. GAMBLE, III

PRAYER - PASTOR LARRY HAGAN

APPROVAL OF AGENDA - A MOTION TO APPROVE THE MAY 2, 2017 AGENDA WAS MADE BY BRAD STAFFORD. ERNEST JOHNSON GAVE THE SECOND. THOSE IN FAVOR OF THE MOTION WERE BRAD STAFFORD, ERNEST JOHNSON, LUCIUS HOLLOWAY, AND CRIS WEBB. THE MOTION CARRIED.

APPROVAL OF MINUTES - A MOTION TO APPROVE THE MINUTES OF THE APRIL 13, 2017 REGULAR COMMISSIONERS' MEETING WAS MADE BY BRAD STAFFORD AND THE SECOND GIVEN BY ERNEST JOHNSON. ALL THOSE IN FAVOR OF THE MOTION WERE BRAD STAFFORD, ERNEST JOHNSON, CRIS WEBB, AND LUCIUS HOLLOWAY. THE MOTION CARRIED.

CHAIRMAN'S REPORT - CHAIRMAN GAMBLE NOTED THE COUNTY BUDGET IS WELL AT THIS TIME, REVENUE IS A LITTLE DOWN; BUT THANKED THE SHERIFF DEPARTMENT AND THE DELINQUENT TAX CLERK FOR COLLECTION EFFORTS OF BACK TAXES IN PAST COUPLE OF MONTHS. TAX RECORDS WILL CONTINUE TO BE CHECKED OVER FOR CORRECTIONS IN ORDER TO PUSH FORWARD TO A TAX SALE.

TREASURER'S REPORT - PHONSON DONALDSON READ REPORT FOR MONTH OF APRIL 2017

CLERK'S REPORT - SANDRA O'STEAN READ THE APRIL 2017 BANK BALANCES & EXPENDITURES. PRINTED REPORTS FOR VENDOR ACTIVITY AND FUEL REPORT WERE SUBMITTED FOR REVIEW. DUE TO THE PAYMENT OF THE AMBULANCE BEING NOTED ON THE VENDOR REPORT, EMS/911 DIRECTOR BO HAMBY ANNOUNCED THE AMBULANCE THAT WAS ORDERED HAD NO STRETCHER AND THAT IS BEING CORRECTED. HE STATED THERE WILL BE ANOTHER INVOICE FOR APPROXIMATELY \$3,000.00 FOR THE STRETCHER. THIS AMOUNT WAS IN THE FIRST EXPECTED COST. CHAIRMAN GAMBLE BROUGHT ATTENTION TO THE AUDIENCE THAT \$44,754.85 IS PAID FOR HEALTH CARE FOR COUNTY EMPLOYEES AND THIS HEALTH INSURANCE COVERAGE EXPENSE IS PAID EACH MONTH. INSURANCE COVERAGE IS EXPENSIVE.

EMS-911 REPORT - DIRECTOR BO HAMBY REPORTED THAT FOR THE MONTH OF APRIL 2017 911 ANSWERED 464 CALLS. 166 CALLS WERE EMS RELATED, 102 PATIENTS TRANSPORTED TO AREA HOSPITALS, 64 PATIENTS WERE NOT TRANSPORTED, 51 CALLS FOR TERRELL COUNTY SHERIFF OFFICE, 78 CALLS FOR THE DAWSON POLICE DEPARTMENT, 1 CALL FOR THE DAWSON FIRE DEPARTMENT, 15 CALLS FOR THE TERRELL COUNTY CORRECTIONAL FIRE DEPARTMENT, AND 153 CALLS FOR PUBLIC ASSISTANCE. A TOTAL OF \$ 30,311.54 WAS DEPOSITED BY EMS FOR APRIL 2017.

EXTENSION SERVICE REPORT - MARGARET HALBROOK PRESENTED THE HIGHLIGHTS OF EXTENSION AND 4-H PROGRAMS AND SETH MCALLISTER SUBMITTED WRITTEN CROP REPORT. ANNOUNCEMENT WAS MADE THAT SETH PASSED THE TEST FOR CERTIFIED DRONE PILOT LICENSE REQUIRED BY FAA. SETH BROUGHT THE DRONE THAT WILL BE USED FOR HELP TO THE FARMERS TO THE MEETING FOR VIEWING AND DEMONSTRATION AFTER THE MEETING. MARGARET ANNOUNCED THE PROGRAM ASSISTANT POSITION IS BEING ADVERTISED AND WILL BE EXTENDED ANOTHER WEEK.

CHAMBER OF COMMERCE REPORT - RHONDA GORDON SUBMITTED A WRITTEN REPORT.

WARDEN/ROAD SUPERVISOR REPORT - A WRITTEN REPORT WAS SUBMITTED BY BILLY MCCLUNG. HE PRESENTED RESULTS OF BIDS RECEIVED FOR A UTILITY TRACTOR AND A MOWER. HE STATED \$39,000.00 WAS IN THE CURRENT BUDGET TO PURCHASE EQUIPMENT. THE MOTION TO ACCEPT THE LOW BIDS AND PURCHASE THE TRACTOR FROM AG PRO OF BAINBRIDGE, GA FOR \$24,971.25 AND THE MOWER FROM FLINT EQUIPMENT, ALBANY, GA FOR \$8,094.95 WAS MADE BY LUCIUS HOLLOWAY. ERNEST JOHNSON GAVE THE SECOND. ALL THOSE IN FAVOR OF THE MOTION WERE LUCIUS HOLLOWAY, ERNEST JOHNSON, BRAD STAFFORD, AND CRIS WEBB. THE MOTION CARRIED.

SHERIFF'S REPORT - SHERIFF JOHN BOWENS SUBMITTED A WRITTEN REPORT. COMMISSIONER BRAD STAFFORD ASKED IF THE ARGS BUSINESS HAD PAID THEIR DELINQUENT TAXES. LINDA ANN SPILMAN REPORTED THAT THEY HAD COME INTO THE OFFICE AND STATED THEY WERE IN THE PROCESS OF OBTAINING A BANK LOAN TO COVER THE DEBT. SHE REPORTED THAT NOTICE OF FIFA LETTERS WERE MAILED OUT AND ON MAY 8, 2017 FIFAS WILL BE ISSUED AGAINST THE DELINQUENT ACCOUNTS. A CITIZEN IN THE AUDIENCE STATED THAT RECORDS WERE NOT UPDATED AS THEY SHOULD BE IN THE TAX COMMISSIONER'S OFFICE; FOR SHE HAD THIS YEAR RECEIVED NOTICE THAT THE 2008 TAXES FOR HER PROPERTIES HAD NOT BEEN PAID AND THEY ACTUALLY HAD BEEN PAID.

RECREATION DEPARTMENT - A PRINTED FINANCIAL REPORT WAS SUBMITTED.

OLD BUSINESS: - CHAIRMAN GAMBLE ASKED FOR A MOTION TO AMEND THE AGENDA FOR OLD BUSINESS ITEMS TO INCLUDE THE APPROVAL OF NEW AGREEMENTS FOR: TERRELL/ WEBSTER MUTUAL AIDE (ANIMAL CONTROL), USE OF BORROW PIT WITH RALPH MCGILL, AND RESURFACING CONTRACT TO LITTLEFIELD CONSTRUCTION. THE CHAIRMAN ADDED THAT THE COUNTY ATTORNEY THOUGHT IT WOULD BE BEST TO MAKE A MOTION TO ADDRESS THESE, APPROVE THESE, AND HAVE THE CHAIRMAN SIGN THE AGREEMENTS SINCE THE AGREEMENTS HAD NOW BEEN COMPLETELY DRAWN UP. THE MOTION TO AMEND THE AGENDA UNDER OLD BUSINESS TO INCLUDE ADDRESSING THE CONTRACTS BETWEEN TERRELL COUNTY AND THE WEBSTER COUNTY SHERIFF FOR ANIMAL CONTROL, TERRELL COUNTY AND LITTLEFIELD CONSTRUCTION CO. FOR ROAD RESURFACING , AND LEASE AGREEMENT BETWEEN TERRELL COUNTY AND RALPH MCGILL FOR THE BORROW PIT WAS MADE BY BRAD STAFFORD. THE SECOND WAS GIVEN BY ERNEST JOHNSON. ALL IN FAVOR OF THE MOTION WAS BRAD STAFFORD, ERNEST JOHNSON, LUCIUS HOLLOWAY, AND CRIS WEBB. THE MOTION CARRIED. THE MOTION TO APPROVE THE CONTRACT BETWEEN TERRELL COUNTY BOARD OF COMMISSIONERS AND LITTLEFIELD CONSTRUCTION AND HAVE THE CHAIRMAN SIGN THE SAME WAS MADE BY BRAD STAFFORD. LUCIUS HOLLOWAY GAVE THE SECOND. THOSE IN FAVOR OF THE MOTION WERE BRAD STAFFORD, LUCIUS HOLLOWAY, CRIS WEBB, AND ERNEST JOHNSON. THE MOTION CARRIED. THE MOTION TO APPROVE THE AGREEMENT BETWEEN THE COUNTY AND RALPH MCGILL FOR THE BORROW PIT AND HAVE THE CHAIRMAN SIGN SAME WAS MADE BY BRAD STAFFORD. ERNEST JOHNSON GAVE A SECOND. THOSE IN FAVOR OF THE MOTION WERE BRAD STAFFORD, ERNEST JOHNSON, LUCIUS HOLLOWAY, AND CRIS WEBB. THE MOTION CARRIED. THE MOTION TO APPROVE THE AGREEMENT BETWEEN THE COUNTY AND THE SHERIFF OF WEBSTER COUNTY WITH RESPECT TO ANIMAL CONTROL SERVICES AND HAVE THE CHAIRMAN SIGN THE SAME WAS MADE BY LUCIUS HOLLOWAY. BRAD STAFFORD GAVE THE SECOND. THOSE IN FAVOR OF THE MOTION WAS LUCIUS HOLLOWAY, BRAD STAFFORD, CRIS WEBB, AND ERNEST JOHNSON. THE MOTION CARRIED.

DELINQUENT GARBAGE ASSESSMENT REPORT - SANDRA O'STEAN READ REPORT FOR 2016-17

FOLLOW UP ON HIRING COUNTY MANAGER - EACH COMMISSIONER VIEWED HANDOUTS FROM THE ASSOCIATION OF COUNTY COMMISSIONERS GOVERNMENT (ACCG) FOR STATISTICS ON COUNTIES OF OUR POPULATION. THE CHAIRMAN GAVE HIS STATEMENT THAT THE COUNTY RUNS WELL AND IS OPERATING WITHIN BUDGET AT THIS TIME. HE SAID HE WAS NOT EAGER TO HIRE A MANAGER. HE ASKED FOR THE PLEASURE OF THE BOARD MEMBERS. COMMISSIONER HOLLOWAY EXPRESSED THAT HE WAS IN FAVOR OF A MANAGER TO ASSIST IN OBTAINING GRANTS AND THE MANAGER WOULD HAVE MORE TIME TO DEVOTE TO UPDATING RESOURCES AND ADDRESSING ISSUES. HE DISCUSSED THE FACT THAT THE PREVIOUS COUNTY CLERK'S SALARY WAS CLOSE TO THE RANGE LISTED IN THE ACCG REPORT AND THAT HER SALARY WAS STILL THERE. COMMISSIONER JOHNSON STATED HE AGREED THAT THE COUNTY SHOULD TRY A MANAGER AND HAVE LIMITATIONS SET. COMMISSIONER STAFFORD STATED THAT TERRELL COUNTY IS AN 8.3 MILLION BUSINESS AND NEEDS A FULL TIME PERSON TO BE DEDICATED TO LEAD AND ALSO TO RELIEVE THE TWO CLERKS IN THE COMMISSIONERS' OFFICE. COMMISSIONER WEBB STATED THAT PREVIOUSLY HE WAS IN FAVOR OF HIRING A MANAGER; BUT NOW FEELS THAT THE CHAIRMAN IS TAKING CARE OF THE COUNTY AND NOT SURE THAT TERRELL COUNTY NEEDS A MANAGER.

CHAIRMAN GAMBLE POINTED OUT THAT THE POSITION OF COUNTY MANAGER WILL BE ONE OF AN ACCELERATED AND ESCALATING EXPENSE AND THE COUNTY COULD BE IN A DANGEROUS POSITION OF BEING IN DEBT. COMMISSIONER BRAD STAFFORD MADE A MOTION TO RETAIN ACCG FOR THE PURPOSE OF GETTING AN ORGANIZATIONAL CHART WITH THE HELP OF DAVE WILLS AND MOVE FORWARD TO HIRE EITHER A COUNTY MANAGER OR A COUNTY ADMINISTRATOR AND LET ACCG HELP US ALONG THE WAY. ERNEST JOHNSON GAVE THE SECOND. COMMISSIONER HOLLOWAY REQUESTED THAT ACCG BE ASKED TO MOVE QUICKLY. COMMISSIONER WEBB ASKED IF THE BOARD WANTED TO DO THIS OUT OF THIS YEAR'S BUDGET OR NEXT YEAR'S. COMMISSIONER STAFFORD COMMENTED THE PROCESS WILL TAKE TIME BUT THE BOARD SHOULD GET STARTED NOW. ALL IN FAVOR OF THE MOTION WAS BRAD STAFFORD, ERNEST JOHNSON, LUCIUS HOLLOWAY, AND CRIS WEBB. THE MOTION CARRIED. COUNTY ATTORNEY JIMMY SKIPPER ADVISED THAT THE COUNTY WOULD HAVE TO PASS AN ORDINANCE SETTING FORTH THE DUTIES AND RESPONSIBILITIES OF A MANAGER. HE EXPLAINED THE DIFFERENCE BETWEEN AN ADMINISTRATOR AND A MANAGER. THE BOARD OF COMMISSIONERS WILL BEGIN THE PROCESS WITH THE HELP OF ACCG TO SET THE ORDINANCE TO ESTABLISH THE POSITION, TO ESTABLISH AN ORGANIZATIONAL CHART, AND TO SET JOB DESCRIPTION AND LIMITS.

CONCERNED CITIZENS FOR COUNTY ROADS (CAROLYN SOLOMON) – ROAD SUPERVISOR BILLY MCCLUNG REPORTED A COST ESTIMATE OF \$6,723.25 TO PLACE GEOTEXTILE MATERIAL AND GRAVEL ON MAYHAW POND ROAD UP TO MS. SOLOMON'S HOME. TO PLACE JUST ROCK WOULD BE APPROXIMATELY \$1,428.75. COMMISSIONER STAFFORD REFERRED TO THE OKLAHOMA RULE IN STATING THAT THE EXPENSES FOR ROAD IMPROVEMENTS OF THIS NATURE IS SHARED BY THE PROPERTY OWNERS AND THE COUNTY IN ONE-THIRD PARTS. COMMISSIONER STAFFORD SUGGESTED THAT THE BOARD REACH OUT TO MS. SOLOMON TO SEE IF SHE IS WILLING TO PAY THE PROPERTY OWNER'S PART FOR EXPENSES. CHAIRMAN GAMBLE MENTIONED A LETTER THAT HE HAD RECEIVED FROM THE CONCERNED CITIZENS GROUP AND STATED HE WOULD WRITE THEM BACK AND PASS THIS INFORMATION ON TO MS. SOLOMON. COMMISSIONER WEBB ASKED IF THE PROPERTY OWNERS HAVE TO BUY THE ROCK ENTIRELY WHEN THEY WANT IT PUT DOWN ON THEIR DIRT ROAD OR DOES THE COUNTY NOW PAY A THIRD PART OF THE EXPENSE. THE CONSENSUS OF THE COMMISSIONERS WAS THAT THE RULE OF THE PROPERTY OWNERS PAYING ONE-THIRD EACH AND THE COUNTY PAYING THE REMAINING ONE-THIRD FOR IMPROVEMENTS TO COUNTY MAINTAINED DIRT ROADS THAT IS OTHER THAN BLADING, DITCHING, AND NORMAL MAINTENANCE IS THE PROPER PROCEDURE. THE MOTION TO TABLE THE ITEM UNTIL THE NEXT MEETING AND THE CHAIRMAN OBTAINING MORE INFORMATION AND WRITING THE PROPERTY OWNER ABOUT PAYING PARTIAL COSTS WAS MADE BY BRAD STAFFORD. ERNEST JOHNSON GAVE THE SECOND. ALL OF THOSE IN FAVOR OF THE MOTION WERE BRAD STAFFORD, ERNEST JOHNSON, CRIS WEBB, AND LUCIUS HOLLOWAY. THE MOTION CARRIED.

A CITIZEN IN THE AUDIENCE ASKED ABOUT MAKING IMPROVEMENTS TO MOON ROAD. DISCUSSION WAS HELD ABOUT PUTTING GRAVEL ON THIS ROAD IN THE PAST AND THE PROBLEMS THAT CAME FROM THIS. CHAIRMAN GAMBLE ASKED THE PARTY TO SPEAK TO HIM AFTER THE MEETING AS THIS WAS A NEW ITEM AND WAS NOT ON THE CURRENT AGENDA. CHAIRMAN GAMBLE DID STATE THAT HE WAS AWARE OF THE REQUEST TO PAVE THIS ROAD. HE HAD CHECKED INTO A COMMUNITY BLOCK GRANT AND MOON ROAD DID NOT QUALIFY. THERE HAS TO BE A CERTAIN DENSITY OF HOMES AND THE WEALTH OF THE PROPERTY OWNERS IS A FACTOR AS WELL. MOON ROAD DID NOT QUALIFY FOR THE COUNTY TO GET FINANCIAL HELP AND THE COUNTY DOES NOT HAVE THE FUNDS TO MAKE THE REQUESTED IMPROVEMENTS. THE SAME SITUATION APPLIES TO GOOSE HOLLOW AND KING ROAD.

AT THIS TIME, COMMISSIONER STAFFORD STATED THAT IN REGARDS TO THE MATTER OF GETTING THE MEDICAL PROVIDER BIDS, BOTH THE JAIL AND THE CORRECTIONAL FACILITY WOULD BE BID TOGETHER IN AS THEY SHARE THE MEDICAL SERVICES.

NEW BUSINESS:

TAX BILL ON INVENTORY FOR NORTHEAST PACKAGE STORE – LINDA ANN SPILMAN EXPLAINED THE REQUEST TO FORGIVE YEARS 2015 AND 2016 TAX BILLS FOR INVENTORY AND INTEREST THAT WAS BILLED TO BOBBY KENDRICK OWNER OF THE NORTHEAST PACKAGE STORE. THE STORE CLOSED IN 2014 AND THERE IS NO INVENTORY. CHAIRMAN GAMBLE STATED THAT THE PROPERTY OWNER NEEDS TO FILL OUT THE REQUIRED FORM CONCERNING INVENTORY AND TURN IT INTO THE TAX COMMISSIONER OFFICE. THE MOTION TO FORGIVE THE 2015 AND 2016 TAX BILLS FOR INVENTORY TO NORTHEAST PACKAGE STORE AS WELL AS ANY INTEREST AND PENALTIES WAS MADE BY BRAD STAFFORD. ERNEST JOHNSON GAVE THE SECOND. ALL OF THOSE IN FAVOR OF THE MOTION WERE BRAD STAFFORD, ERNEST JOHNSON, LUCIUS HOLLOWAY, AND CRIS WEBB. THE MOTION CARRIED. THE COMMISSIONERS' CLERK WILL WRITE A LETTER TO THE TAX COMMISSIONER AND THE TAX ASSESSOR SO STATING THE FORGIVENESS.

REQUEST BY FAMILY CONNECTIONS FOR TERRELL COUNTY BOARD OF COMMISSIONER TO BE THE FISCAL AGENT – TERRELL COUNTY FAMILY CONNECTIONS DIRECTOR TONIA JACOBS ASKED THE TERRELL COUNTY BOARD OF COMMISSIONERS TO BE THE FISCAL AGENT FOR THEIR NEW FISCAL YEAR WHICH BEGINS JULY 1, 2017. CHAIRMAN GAMBLE ASKED FOR AN EXPLANATION OF WHAT IT MEANS FOR THE COUNTY TO BE A FISCAL AGENT. MS. JACOBS NOTED THAT BY BEING THE AGENT, THE COUNTY WOULD ASSIST WITH THEIR YEARLY BUDGET WHICH IS ABOUT \$47,000.00. AS THE AGENT, THE COUNTY HOUSES THE MONEY AND HANDLES THE MONTHLY REPORTING AND GETS REIMBURSED WHEN QUARTERLY REPORTING IS TURNED IN AND SIGNED. THE AGENT HANDLES THE PAYING THE SALARY OF THE LOCAL COORDINATOR WHICH IS \$37,000.00. THE STATE GRANTS MANAGER LINDA LUNSFORD WOULD LIKE TO COME AND MEET WITH THE BOARD TO DISCUSS THE MATTER MORE FULLY. THE MOTION WAS MADE BY BRAD STAFFORD TO HAVE THE FAMILY CONNECTIONS LOCAL COORDINATOR SET UP A MEETING WITH THE STATE GRANTS MANAGER, THE CHAIRMAN OF THE COMMISSIONERS, AND HERSELF IN ORDER TO OBTAIN AND REVIEW MORE INFORMATION. THE SECOND WAS GIVEN BY CRIS WEBB. ALL OF THOSE IN FAVOR OF THE MOTION WERE BRAD STAFFORD, CRIS WEBB, LUCIUS HOLLOWAY, AND ERNEST JOHNSON.

SUMMER RECREATION PROGRAM FOR CHILDREN AND YOUTH — EZEKIEL HOLLEY AND POLICE CHIEF CHARLIE WHITEHEAD REPORTED ON THE PREVIOUS YEARS AND THE CURRENT YEAR SUMMER PROGRAM FOR ABOUT 50 COMMUNITY CHILDREN AND YOUTH AND STATED THE COSTS INCURRED HAVE BEEN MOSTLY PAID OUT OF THEIR POCKETS OR FROM DONATIONS. THEY ASKED THE COMMISSIONERS FOR FINANCIAL ASSISTANCE IN THE AMOUNT OF \$5,000.00. THE BOARD RECOMMENDED THEY APPROACH THE CITY OF DAWSON FOR ASSISTANCE FOR HALF OF THE AMOUNT REQUESTED AS WELL AS APPROACHING OTHER BUSINESSES FOR DONATIONS AND SEEK PRIVATE FUNDS AS WELL. COMMISSIONER STAFFORD QUESTIONED THE USE OF TAX PAYER MONIES ON NON BUDGETED ITEMS. MR. HOLLEY ASKED IF HOUSE BILL 489 WOULD ALLOW THE COUNTY TO USE FUNDS FOR THE SUMMER PROGRAM. THE 501 C PROGRAM WAS DISCUSSED AND ATTORNEY JIMMY SKIPPER STATED THE RULE WAS THAT IN ORDER TO SPEND COUNTY FUNDS A CONTRACT WOULD HAVE TO BE MADE WITH THE LEGAL ENTITY MAKING THE REQUEST AND SERVICES PROVIDED TO THE CITIZENS WOULD BE REQUIRED TO BE REPORTED. A MOTION WAS MADE BY LUCIUS HOLLOWAY TO FUND \$1,500.00 TO THE SUMMER CAMP 2017 AND AFTER DISCUSSION THE MOTION WAS AMENDED TO INCLUDE THAT TERRELL COUNTY WOULD ENTER INTO CONTRACT WITH THE JAMES L. BARNES COMMUNITY DEVELOPMENT PROGRAM AND FUND \$1,500.00. ERNEST JOHNSON GAVE THE SECOND. THOSE IN FAVOR OF THE MOTION WERE LUCIUS HOLLOWAY AND ERNEST JOHNSON. THOSE OPPOSED TO THE MOTION WERE BRAD STAFFORD AND CRIS WEBB. THE CHAIRMAN WAS IN FAVOR OF THE MOTION AND SO VOTED. THE MOTION CARRIED THREE TO TWO.

APPOINTMENT TO SOUTH GEORGIA REGIONAL INFORMATION AUTHORITY (SWGRITA) — CHAIRMAN STATED THERE WAS A NEED TO MAKE AN APPOINTMENT DUE TO THE RESIGNATION OF SONNY HOOKS. CRIS WEBB MADE A MOTION TO TABLE THIS ITEM UNTIL HE COULD OBTAIN FURTHER INFORMATION REGARDING THE COUNTY'S MEMBERSHIP AND COMMITMENT TO THE INTERGOVERNMENTAL CONTRACT AND RESOLUTION WITH SWGRITA. ERNEST JOHNSON GAVE THE SECOND. THOSE IN FAVOR OF THE MOTION WERE CRIS WEBB, ERNEST JOHNSON, BRAD STAFFORD, AND LUCIUS HOLLOWAY. THE MOTION CARRIED.

APPOINTMENTS TO TERRELL COUNTY DEVELOPMENT AUTHORITY — CHAIRMAN GAMBLE STATED MAX SELLERS RESIGNED FROM THE DEVELOPMENT AUTHORITY BOARD. THE CHAIRMAN MADE A SUGGESTION TO PLACE PHIL SMITH WHO WAS ON THE BOARD PREVIOUSLY AND WAS REMOVED FROM THE BOARD AT THE LAST MEETING BACK ON THE DEVELOPMENT AUTHORITY BOARD AND ASKED FOR A MOTION AS SUCH. A MOTION WAS MADE BY CRIS WEBB TO REAPPOINT PHIL SMITH TO THE TERRELL COUNTY DEVELOPMENT AUTHORITY BOARD. CHAIRMAN GAMBLE GAVE A SECOND TO THE MOTION. COMMISSIONER HOLLOWAY QUESTIONED THE CHAIRMAN BEING ABLE TO SECOND MOTIONS. HE STATED HE DID NOT KNOW ALL OF ROBERT'S RULES OF ORDER BUT HE UNDERSTOOD THE PRESIDING OFFICER COULD NOT CALL FOR A MOTION AND SECOND THAT SAME MOTION. COUNTY ATTORNEY JIMMY SKIPPER STATED THAT IF THE COUNTY'S INTERNAL RULES STATE THAT THE CHAIRMAN CAN MAKE A SECOND TO A MOTION THEN HE CAN DO SO. MR. SKIPPER ADDED THAT HE DID NOT YET KNOW THE RULES BUT HAD A BOX OF ALL OF THE COUNTY'S ORDINANCES AND POLICIES TO REVIEW. ONLY THE TWO VOTES IN FAVOR WERE GIVEN. THERE WERE NO VOTES TO OPPOSE. THE CHAIRMAN ASKED THE REMAINING COMMISSIONERS IF THEY WERE ABSTAINING. COMMISSIONER STAFFORD STATED HE AGREED WITH COMMISSIONER HOLLOWAY AND ASKED THE COUNTY ATTORNEY FOR CLARIFICATION BY LOOKING INTO THE INTERNAL RULES TO SEE IF IN FACT THE CHAIRMAN CAN SECOND A MOTION AND THEN TO PUT THE FINDINGS IN WRITING AND SIGN IT.

COMMISSIONER STAFFORD SUGGESTED AMENDING THE COUNTY'S INTERNAL RULES IF THIS IS ALLOWED. THE MOTION DID NOT GET A MAJORITY VOTE FROM THE MEMBERS OF THE BOARD AND THE MOTION FAILED AND DID NOT CARRY. ATTORNEY JIMMY SKIPPER STATED HE WOULD LOOK INTO THE COUNTY'S INTERNAL RULES TO SEE IF THIS IS ALLOWED.

CHAIRMAN GAMBLE REPORTED THAT HE CHECKED STATE LAWS AND COUNTY SCHOOL SUPERINTENDENT ROBERT AARON COULD NOT SERVE ON TWO BOARDS AT THE SAME TIME AND THAT HE SENT A LETTER TO MR. AARON REQUESTING HIS RESIGNATION FROM THE DEVELOPMENT BOARD. NO RESPONSE HAD BEEN RECEIVED AS TO DATE. IF HE DOESN'T RESIGN, CHAIRMAN WILL WRITE ANOTHER LETTER TO THE STATE BOARD OF EDUCATION STATING THAT MR. AARON MUST RESIGN FROM THE DEVELOPMENT AUTHORITY BOARD OR THE TERRELL COUNTY SUPERINTENDENT. COLONEL EDGAR DUSKIN OF THE DEVELOPMENT AUTHORITY STATED HE CHECKED WITH OTHER AUTHORITIES AND WAS OF THE OPINION THAT MR. AARON WAS AN EMPLOYEE AND NOT A COUNTY OFFICIAL AND ASKED THE COUNTY ATTORNEY FOR LEGAL RULING. ATTORNEY SKIPPER REPORTED THAT STATUTES READ THAT NO PERSON SHOULD HOLD IN ANY MANNER WHATSOEVER MORE THAN ONE COUNTY OFFICE AT ONE TIME AND MR. AARON IS A COUNTY OFFICIAL. HE WAS ELECTED AS AND IS CALLED THE TERRELL COUNTY SCHOOL SUPERINTENDANT AND IS IN THAT OFFICIAL STATUS. THE CHAIRMAN SAID THERE WAS NO FURTHER NEED TO CONTINUE WITH THIS APPOINTMENT UNTIL THE ISSUE IS RESOLVED. A CITIZEN IN THE AUDIENCE ASKED THE STATUS OF THE SOLAR FARM THAT WAS DISCUSSED AT PREVIOUS MEETINGS SINCE THE DEADLINE FOR RESPONSE TO THE MEMORANDUM OF UNDERSTANDING (MOU) HAD PASSED. COLONEL DUSKIN AND CHAIRMAN GAMBLE RESPONDED THAT THE MATTER IS STILL UP IN THE AIR AND DOES NOT KNOW THE FUTURE STATUS. CHAIRMAN GAMBLE REPORTED THAT FIRST SOLAR HAD ASKED NOT TO BE ON THE MAY 2017 AGENDA. ATTORNEY SKIPPER REPORTED THAT HE HAD CONTACTED THE ATTORNEY OF FIRST SOLAR. TO PROVIDE FEEDBACK, COMMISSIONER STAFFORD REPORTED THAT AFTER THE DEVELOPMENT AUTHORITY MET AGAIN HE HAD REQUESTED A SPECIAL CALLED MEETING CONCERNING THE MOU AND WAS NOTIFIED BY THE CHAIRMAN THAT THERE WOULD BE NO CALLED MEETING TO ADDRESS THE SAME. HE ASKED COUNTY ATTORNEY SKIPPER THE QUESTION COULD ONLY THE CHAIRMAN OF THE BOARD OF COMMISSIONERS CALL A SPECIAL MEETING AND HAVE THE ULTIMATE AUTHORITY TO CALL FOR A MEETING. ATTORNEY SKIPPER RESPONDED THAT THE RULE IS EITHER THE CHAIRMAN OR ANY TWO MEMBERS OF THE COMMISSIONER BOARD COULD CALL A SPECIAL MEETING. THE CHAIRMAN WAS ASKED IF OTHERS ON THE BOARD WERE SENT LETTERS ASKING THEM TO RESIGN THE DEVELOPMENT AUTHORITY. HE REPLIED ONLY ONE LETTER WAS SENT TO A MEMBER ASKING HIM TO RESIGN, BUT HE WROTE COLONEL DUSKIN SAYING THAT HE INTENDED TO ASK HIS LAW FIRM PARTNER ED COLLIER TO RESIGN HIS POSITION ON THE BOARD BUT HAS NOT DONE THAT AS OF THIS DATE.

THE MOTION TO ADJOURN THE MAY 2, 2017 MEETING WAS MADE BY CRIS WEBB. ERNEST JOHNSON GAVE THE SECOND. ALL OF THOSE IN FAVOR OF THE MOTION WERE CRIS WEBB, ERNEST JOHNSON, LUCIUS HOLLOWAY, AND BRAD STAFFORD. THE MOTION CARRIED AND THE MEETING WAS ADJOURNED.

RESPECTIVELY SUBMITTED BY: Sandra O'Stean
SANDRA O'STEAN
ASSISTANT TO THE COMMISSIONERS

APPROVED BY: W. T. Gamble III
W. T. GAMBLE, III
CHAIRMAN OF THE BOARD OF COMMISSIONERS

DATE APPROVED: June 6, 2017