

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

DATE: OCTOBER 6, 2020
TIME: 6:00 P.M.
PLACE: TERRELL COUNTY GOVERNMENT BUILDING

COMMISSIONERS AND STAFF PRESENT: CHAIRMAN WILBUR T. GAMBLE, III, VICE CHAIRMAN LUCIUS HOLLOWAY, BRAD STAFFORD, AND ERNEST JOHNSON, ADMINISTRATOR DAVINA DRIVER, CLERK SANDRA O'STEAN, PAYROLL/HR CLERK KENNA PATE, ATTORNEY JIMMY SKIPPER

OTHERS PRESENT: BO HAMBY, LINDA FREEMAN, ROBERT L. WILLS, LARRON COPELAND, ERNEST KENNEDY, DARLENE PAUL, JANICE S. BRYANT, LISA DeMOTT, J. M. JESSIE, JAMES DRIVER, SUE EWINGS, SETH McALLISTER, JEFF DeMOTT, GREGORY MCLAUGHLIN, JAY HARRELL, PAUL RAKEL, TOMMY POUPARD, GAIL FAUST, VICTORIA FREEMAN, SAVANNAH HUGHES, TONIA JACOBS, EXEKIAL HOLLEY, RHONDA GORDON, ANNIE MU'MIN, RIDGELY MU'MIN, EDWARD HARVEY, SANDRA WALKER, CHRISTIE COOPER

CALL TO ORDER - CHAIRMAN WILBUR T. GAMBLE, III

PRAYER – REVEREND EZEKIAL HOLLEY

APPROVAL OF AGENDA – CHAIRMAN GAMBLE ASKED THAT THE AGENDA BE AMENDED TO ADD A NEW ITEM UNDER NEW BUSINESS WHICH WAS REQUESTED BY ZONING DIRECTOR REGARDING SOLAR FARM MATTER. THIS REQUEST WAS MADE DUE TO THE ISSUE NEEDED TO BE PRESENTED PRIOR TO NEXT REGULAR MEETING IN NOVEMBER 2020. ***ERNEST JOHNSON MADE THE MOTION TO APPROVE AMENDING THE AGENDA TO ADD THE MATTER REGARDING THE SOLAR FARM UNDER NEW BUSINESS. BRAD STAFFORD GAVE THE SECOND. THOSE IN FAVOR OF THE MOTION WERE ERNEST JOHNSON, BRAD STAFFORD, AND LUCIUS HOLLOWAY. THE MOTION CARRIED.***

APPROVAL OF MINUTES SEPTEMBER 1, 2020 REGULAR MEETING, SEPTEMBER 15, 2020 SPECIAL CALLED MEETING FOR PUBLIC HEARING ON TAX DIGEST AND SET MILLAGE RATE – ***BRAD STAFFORD MADE THE MOTION TO APPROVE THE MINUTES OF SEPTEMBER 1, 2020 REGULAR MEETING AND OF THE SEPTEMBER 15, 2020 SPECIAL CALLED MEETING. ERNEST JOHNSON GAVE THE SECOND. ALL IN FAVOR OF THE MOTION WERE BRAD STAFFORD, ERNEST JOHNSON, AND LUCIUS HOLLOWAY. THE MOTION CARRIED.***

CHAIRMAN'S REPORT – CHAIRMAN GAMBLE REPORTED THE BUDGET FOR FYE2020 IS ENDING AND THERE IS NO NEED TO TAKE A BANK NOTE TO CLOSE OUT THE YEAR.

FINANCIAL REPORTS – BANK BALANCES, VENDOR ACTIVITY – DAVINA DRIVER PRESENTED THE BANK BALANCES. THE VENDOR REPORT WAS PRESENTED IN WRITTEN FORM. COMMISSIONER STAFFORD ASKED IF ALL BILLS HAD BEEN PAID. MRS. DRIVER STATED THAT TO THE BEST OF HER KNOWLEDGE ALL PAST DUE BILLS HAD BEEN PAID. SHE SAID THERE MAY BE A FEW BILLS COMING IN THAT SHE HAS NOT BEEN MADE AWARE OF.

CLERK'S REPORT –FUEL REPORT, JAIL COUNT – SANDRA O'STEAN GAVE THE FUEL REPORT AND THE JAIL COUNT FOR THE MONTH OF SEPTEMBER 2020.

EMS/911/EMA REPORT - BO HAMBY REPORTED THAT THE NEW 911 SYSTEM HAD BEEN INSTALLED AND THAT TRAINING WILL BEGIN THE NEXT DAY. HE REPORTED THAT EIV ERGENCY MANAGEMENT MET WITH REPRESENTATIVES OF GEORGIA EMERGENCY MANAGEMENT, FEDERAL EMERGENCY MANAGEMENT AGENCIES, AND TERRELL COUNTY SCHOOLS AND AN EVACUATION PLAN IS BEING DEVELOPED. MR. HAMBY ALSO REPORTED THAT THE MEDICAL EXAMINER'S OFFICE IS NOW LOCATED IN STONE MOUNTAIN, GEORGIA. THIS IS CAUSING DELAYED TIMES FOR FUNERAL HOMES TO CONDUCT SERVICES.

EXTENSION SERVICE REPORT – SETH McALLISTER STATED THAT THE BOARD HAD PREVIOUSLY DURING THE BUDGET PROCESS APPROVED \$31,900 FOR THE PURCHASE OF A TRUCK FOR THE EXTENSION AGENT'S USE. HE REPORTED THAT HE RECEIVED QUOTES FOR A 2021 F150 TRUCK FROM PRINCE AUTOMOTIVE, SUNBELT FORD, BOTH OF ALBANY, GEORGIA, AND BRANNEN MOTOR COMPANY OF UNADILLA. BRANNEN HAD THE LOWEST BID PRICE OF \$32,300. HE ASKED THE BOARD TO APPROVE THE NEW COST OF THE TRUCK. ***BRAD STAFFORD MADE THE MOTION TO APPROVE THE PURCHASE PRICE OF \$32,300 OBTAINED FROM BRANNEN MOTOR COMPANY OF UNADILLA. ERNEST JOHNSON GAVE THE SECOND. THOSE IN FAVOR OF THE MOTION WERE BRAD STAFFORD, ERNEST JOHNSON, AND LUCIUS HOLLOWAY. THE MOTION CARRIED.*** MR. McALLISTER SUBMITTED A WRITTEN EXTENSION AND 4-H REPORT.

CHAMBER OF COMMERCE REPORT – SAVANNAH HUGHES SUBMITTED A WRITTEN REPORT OF THE CHAMBER'S SEPTEMBER 2020 ACTIVITIES. SHE ALSO REPORTED THAT THE ROOF HAD BEEN CHECKED AGAIN IN REGARDS TO MAKING REPAIRS. A QUOTE FROM DAY BREAK METALS FOR THE COST TO REPAIR IS APPROXIMATELY \$1,000. SHE ASKED THE BOARD FOR ANY ASSISTANCE IN COVERING THE COST. ***BRAD STAFFORD MADE THE MOTION TO PAY \$500 TO THE CHAMBER TO ASSIST IN THE COST OF THE ROOF REPAIRS. ERNEST JOHNSON GAVE THE SECOND. ALL IN FAVOR OF THE MOTION WERE BRAD STAFFORD, ERNEST JOHNSON, AND LUCIUS HOLLOWAY. THE MOTION CARRIED.***

ROAD DEPARTMENT REPORT – CHAD ROBERSON SUBMITTED A WRITTEN REPORT. HE GAVE A STATUS ON THE SLOPER PROJECTS THAT ARE ONGOING. RIDGELY MU'MIN ASKED FOR A LIST OF ROADS THAT ARE BEING PLANNED FOR WORK.

WARDEN'S REPORT – GREGORY MCLAUGHLIN SUBMITTED A WRITTEN REPORT. HE REPORTED THE CURRENT NUMBER OF CERTIFIED, NON- CERTIFIED, AND PART-TIME OFFICERS AT THE CORRECTIONAL FACILITY. HE ASKED THE BOARD TO CLARIFY THE RULES FOR THE REQUIRED WORKING HOURS FOR THE DEPARTMENTS HE SUPERVISES. THE BOARD WILL LOOK INTO THE WORKING HOURS WHETHER IT IS 86 OR 90 HOURS FOR A TWO WEEK PAY PERIOD. THE WARDEN ALSO ASKED FOR AN EXPLANATION OF THE NEW PURCHASE ORDER PROCEDURES. HE EXPLAINED PROBLEMS THAT HE RECENTLY INCURRED IN ACQUIRING MATERIALS FROM VENDORS BECAUSE OF THE PURCHASE ORDER RULES FROM THE COMMISSIONERS' OFFICE. ADMINISTRATOR DAVINA DRIVER STATED THERE IS NO NEW POLICY. THE DEPARTMENTS ARE JUST BEING ASKED TO FOLLOW THE CURRENT POLICY. HE STATED HE WAS DISSATISFIED WITH CUSTOMER SERVICE AND PROFESSIONALISM FROM THE COMMISSIONERS' OFFICE. HE ASKED FOR PROGRESSIVE DISCIPLINE MEASURES TO BE FOLLOWED WHEN DEALING WITH EMPLOYEE ISSUES. HE ALSO STATED TO THE BOARD THAT INMATES WERE BEING USED IN ERRONEOUS WAYS IN THE COMMISSIONERS' OFFICE.

FIRE DEPARTMENT REPORT – NOT AVAILABLE

DELINQUENT GARBAGE REPORT – SANDRA O'STEAN READ THE SUMMARY FOR DELINQUENT SOLID WASTE. SHE REPORTED THAT THE DATE OF FEBRUARY 2, 2021 WAS SET FOR A SOLID WASTE ASSESSMENT SALE.

DELINQUENT TAX REPORT – NOT AVAILABLE

SHERIFF'S REPORT - NOT AVAILABLE

RECREATION DEPARTMENT REPORT – A WRITTEN REPORT WAS SUBMITTED.

OLD BUSINESS:

CLERK OF SUPERIOR COURT RETIREMENT – CHAIRMAN GAMBLE EXPLAINED THAT ATTORNEY JIMMY SKIPPER HAD RESEARCHED THE MATTER OF RETIREMENT BACK PAY FOR CLERK OF SUPERIOR COURT. HE NOTED THAT THE FACTS SUBMITTED IN MR. SKIPPER'S MEMORANDUM TO THE BOARD WERE ATTORNEY/CLIENT PRIVILEGED INFORMATION. ATTORNEY SKIPPER EXPLAINED THE LAW IN REGARDS TO CONSTITUTIONAL OFFICER VERSUS COUNTY EMPLOYEE IN THE MATTER OF RETIREMENT BENEFITS. JANICE BRYANT, CLERK OF COURT, ASKED FOR A COPY OF THE MEMORANDUM AND WAS DENIED. SHE

ASKED FOR A DECISION ON THE ISSUE OF BEING PAID FOR HER RETIREMENT. CHAIRMAN GAMBLE SAID THERE IS LAW SUFFICIENT ENOUGH TO SUPPORT THAT THE COUNTY DOES NOT MATCH RETIREMENT CONTRIBUTIONS FOR ELECTED CONSTITUTIONAL OFFICERS. CONSTITUTIONAL OFFICERS ARE NOT EMPLOYEES OF THE COUNTY AND THEY HAVE THEIR OWN RETIREMENT PLANS. MRS. BRYANT QUOTED MINUTES OF FEBRUARY 2017 REGARDING RETIREMENT FUNDS AND ASKED IF OTHER ELECTED OFFICERS ARE IN THE RETIREMENT PLAN.

BRAD STAFFORD STATED A MISTAKE WAS MADE IN 2017 AND MADE THE MOTION TO DENY PAYING THE CLERK OF COURT BACK PAY FOR RETIREMENT. ERNEST JOHNSON GAVE THE SECOND. THOSE IN FAVOR OF THE MOTION WERE BRAD STAFFORD, ERNEST JOHNSON, AND LUCIUS HOLLOWAY. THE MOTION CARRIED. MAGISTRATE JUDGE LINDA FREEMAN ASKED IF THE CONTRIBUTIONS TAKEN FROM PAYROLL LAST OCTOBER AND FOLLOWING THAT WERE TO BE PLACED IN NATIONWIDE RETIREMENT ACCOUNT FOR EMPLOYEES HAD BEEN APPLIED. CHAIRMAN GAMBLE REPLIED HE THOUGHT THE MATTER HAD BEEN TAKEN CARE OF. BRAD STAFFORD SAID THE NEXT THING THE BOARD NEEDED TO DISCUSS WAS WHAT THE BOARD PLANNED TO DO FROM THIS MEETING FORWARD. HE ASKED IF THE COUNTY IS GOING TO CONTINUE TO MATCH HER RETIREMENT AS AN EMPLOYEE OR IS SHE GOING TO BE A CONSTITUTIONAL OFFICER. **MR. STAFFORD THEN MADE A MOTION TO STOP RETIREMENT CONTRIBUTIONS FOR THE SUPERIOR COURT CLERK. LUCIUS HOLLOWAY GAVE THE SECOND. ALL IN FAVOR OF THE MOTION WERE BRAD STAFFORD, LUCIUS HOLLOWAY, AND ERNEST JOHNSON. THE MOTION CARRIED.**

AGENDA AMENDED – CLERK OF SUPERIOR CLERK ASKED THE BOARD TO DISCUSS OR MAKE A DECISION REGARDING HER PREVIOUS REQUESTS FOR BACK PAY FOR INSURANCE PAYMENTS FOR HER HUSBAND. **BRAD STAFFORD MADE A MOTION TO AMEND THE AGENDA TO ADD DISCUSSION OF THE INSURANCE BACK PAY FOR INSURANCE PREMIUM TO THE CLERK OF COURT. ERNEST JOHNSON GAVE THE SECOND. ALL IN FAVOR OF THE MOTION WERE BRAD STAFFORD, ERNEST JOHNSON, AND LUCIUS HOLLOWAY. THE MOTION CARRIED. COMMISSIONER STAFFORD MADE THE MOTION TO DENY THE REQUEST FOR PAYING THE CLERK OF COURT BACK INSURANCE PREMIUMS. ERNEST JOHNSON GAVE A SECOND.** DISCUSSION FOLLOWED AS TO THE TIME FRAME WHICH WAS STATED AS JUNE 2016 TO JULY 2020. HER HUSBAND WAS TAKEN OFF THE COUNTY'S HEALTH PLAN. MR. STAFFORD WITHDREW HIS MOTION. **HE MADE A NEW MOTION TO TABLE THIS MATTER TO ALLOW ATTORNEY SKIPPER TO CHECK INTO THE INSURANCE ISSUE. ERNEST JOHNSON GAVE THE SECOND. THOSE IN FAVOR OF THE MOTION WERE BRAD STAFFORD, ERNEST JOHNSON, AND LUCIUS HOLLOWAY. THE MOTION CARRIED.**

NEW BUSINESS:

GOOSE HOLLOW ROAD CONDITION – NANCY PERRY – DID NOT ATTEND

2021 LMIG PLEASANT HILL RD – PAUL RAKEL ASKED THE BOARD TO CONSIDER WHAT PORTION OF PLEASANT HILL ROAD THEY APPROVE TO DO FIRST UNDER THE 2021 LMIG PROJECT. HE ALSO ASKED THE BOARD TO PRIORITIZE THE ROADS LISTED FOR 2021 LMIG. DAVINA DRIVER ASKED THE BOARD TO CONSIDER HAVING THE ROADS WIDENED AS WELL AS RESURFACED. THE BOARD AGREED TO TABLE THE 2021 LMIG TO THE NOVEMBER MEETING AT WHICH TIME THEY WILL FINALIZE LMIG 2021 LIST TO SUBMIT TO GDOT.

2015 JOHN DEERE MOTOR GRADER - RENEW LEASE OR TURN IN FOR LEASE OF NEW GRADER –

THE BOARD AGREED TO GET A BREAKDOWN OF ALL EQUIPMENT AND LOOK AT THEIR OPTIONS. THE BOARD ASKED FLINT REPRESENTATIVE JAY HARRELL TO TRY AND OBTAIN AN EXTENSION FOR THE CURRENT LEASE TO AT LEAST THE NEXT COMMISSIONERS' MEETING. THE BOARD AGREED TO TABLE THE EQUIPMENT LEASES TO THE NOVEMBER 2020 MEETING.

CUSTOMER SERVICE/BUSINESS PROFESSIONALISM – THIS MATTER WAS DISCUSSED IN THE WARDEN'S REPORT EARLIER ON THE AGENDA.

TIME CARDS - CLERK OF COURT JANICE BRYANT REQUESTED ONE OF HER STAFF'S TIME BE REPLACED DUE TO CHANGE IN TIME CARD BY COMMISSIONERS' STAFF ON LAST PAYROLL PERIOD. ***COMMISSIONER STAFFORD MADE THE MOTION TO DENY EMPLOYEE'S TIME BEING REPLACED. LUCIUS HOLLOWAY GAVE THE SECOND. ALL IN FAVOR OF THE MOTION WERE BRAD STAFFORD, LUCIUS HOLLOWAY, AND ERNEST JOHNSON. THE MOTION CARRIED.***

SOLAR FARM – ZONING DIRECTOR MARTHA ANN COE ASKED PERMISSION OF THE BOARD TO PLACE RESTRICTIONS ON THE TRAVEL ROUTE FOR A SOLAR FARM WHICH WILL BE LOCATED OFF GEISE STREET IN THE COUNTY JUST OUTSIDE THE CITY OF BRONWOOD. SHE ASKED THAT THE TRUCKS BE RESTRICTED FROM ACCESSING THE SOLAR FARM PROPERTY FROM CALLIS ROAD. ***ERNEST JOHNSON MADE THE MOTION TO RESTRICT THE TRUCKS FROM USING CALLIS ROAD TO GAIN ACCESS TO THE SOLAR FARM OFF OF GEISE STREET IN THE COUNTY JUST OUTSIDE THE BRONWOOD CITY LIMITS. LUCIUS HOLLOWAY GAVE THE SECOND. THOSE IN FAVOR OF THE MOTION WERE ERNEST JOHNSON, LUCIUS HOLLOWAY, AND BRAD STAFFORD. THE MOTION CARRIED.***

EXECUTIVE SESSION – PERSONNEL ISSUE – ***ERNEST JOHNSON MADE THE MOTION TO REMOVE THE EXECUTIVE SESSION FROM THE AGENDA AND TO TABLE THE MATTER. LUCIUS HOLLOWAY GAVE THE SECOND. ALL IN FAVOR OF THE MOTION WERE ERNEST JOHNSON, LUCIUS HOLLOWAY, AND BRAD STAFFORD. THE MOTION CARRIED.***

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

RESPECTIVELY SUBMITTED BY: Sandra O'Stean
SANDRA O'STEAN COUNTY CLERK

APPROVED: Wilbur T. Gamble III
WILBUR T. GAMBLE, III CHAIRMAN BOARD OF COMMISSIONERS

DATE: November 10, 2020