

MINUTES OF THE REGULAR MONTHLY MEETING
OF THE BEN HILL COUNTY COMMISSIONERS
HELD ON MARCH 3, 2009 AT 6:30 PM
IN THE COMMISSIONERS MEETING ROOM
OF THE BENHILL COUNTY COUTHOUSE ANNEX

Those present for the meeting were as follows:

Philip C. Jay, III	Chairman
O. D. Netter	Vice Chairman
Richard Goodman	Commissioner
Kathy Davis	Commissioner
Scott Downing	Commissioner
Toni Sawyer	County Attorney
Paula J. Jones	County Clerk/Manager

Chairman Philip Jay called the meeting to order.

Rev. Terry Cole gave the invocation.

Everyone gave the pledge of allegiance.

Public comments were heard as follows:

Rev. Herbert Jones, representing Fairview Faith in Action Caregivers Association, presented his request for funds to carry on the work they have done to assist frail and handicapped individuals remain in their homes. He stated they will be unable to provide the meals and services to these individuals without funds. He presented a letter describing the program. Following some discussion, he stated the officers of the organization work without pay.

Commissioner O. D. Netter suggested that Rev. Jones state the amount of funds he is requesting.

Rev. Jones stated he is requesting \$7,000. He also has another matter pertaining to senior citizens he wants to discuss with the commissioners and will attend another meeting to do this.

Constitutional Officers/Department Heads reports:

Road Superintendent Tim Kegebein reported that the bids are in on the CDBG grant involving the Cottonmill and Westwood roads. The legal work is in progress. There will be a contract to finish these roads with triple surface treatment. Since this is less expensive than asphalt, it is possible there will be sufficient funds to also complete the Glenn Merritt Road project. Splost funds will be utilized on these projects.

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Mr. Kegebein explained that it will be a couple of months before it is warm enough to pave but the road department is currently working to repair dangerous sections on county roads. They are planning the work in the most cost efficient way possible. Recent rain levels ranged from 1½ to 4 inches so a lot of necessary road work is taking place.

Chairman Jay stated that a **work session will be planned to discuss the paving projects**. A comprehensive plan will allow the population to see what has and will be done to improve the county roads. A map with pictorial illustrations will be used to show where work has been done or is planned.

Mr. Kegebein stated that the roads are deteriorating and we still do not know about the LARP program for this year. We have only gotten a little over a mile from LARP in the last two years and Ben Hill County has 200 miles of paved roads so it will be a long time before all are resurfaced.

EMA Director Jason Miller reported on a GEMA workshop he attended. Emergency money is released per capita. Ben Hill County can receive an **emergency incentive grant** in the **amount of \$5245.20**. He needs the commissioners' approval to apply for the grant which will be used for communication and repairs, and other budget items. Mr. Miller stated they are also working on grants for air raid sirens and generators. He described exercises EMA has conducted in recent weeks. In discussion about the EMA budget of \$18,000, County Manager Paula Jones explained that all budget items may be used as in-kind contribution.

Commissioner O. D. Netter made a motion to approve the grant application. Commissioner Scott Downing seconded the motion which was passed unanimously.

Chairman Jay introduced the capitol equipment request of **Magistrate Judge Romelle Green**. He assured Judge Green that he will have a working computer. There was discussion as to whether the computer could be repaired or would need to be replaced. County Manager Paula Jones explained that there is \$2000 in contingency for computer equipment for the magistrate's office.

Commissioner Netter made a motion to **purchase one computer at this time without exceeding the budgeted amount**. If the budgeted amount is not enough to purchase another computer at a later date, then only one will be purchased during the fiscal year.

The first item of business is the acceptance of the minutes of the February meetings. Commissioner Netter suggested that the minutes be approved individually.

Minutes of the **February 2, 2009 meeting were approved** with a motion by Commissioner O. D. Netter, second by Commissioner Scott Downing, and unanimous approval.

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The minutes for **February 3, 2009** were approved with a motion by Commissioner Netter, second by Commissioner Goodman, and unanimous approval of the commission.

Minutes of **February 5, 2009 meeting** were approved with motion by Commissioner Netter, second by Commissioner Downing, and unanimous approval.

Minutes of **February 6, 2009 meeting** were approved with amendment to Page 2, paragraph 10, changing "she" in first sentence to make the sentence read "decision be made as to whom Paula Jones will report when she will be out of the office." Motion made by Commissioner Netter, seconded by Commissioner Downing, and unanimous vote.

Minutes of **February 19, 2009 meeting** were approved with motion by Commissioner Netter, second by Commissioner Downing, and approved unanimously.

Minutes of **February 19, 2009, 6:30 PM meeting** were discussed. A correction has already been made in the budgeted amount of the Volunteer Fire Department (page 3, paragraph 3); however, there was still a misinterpretation of the discussion (paragraph 4). This should be changed to state "Commissioner Downing asked the purpose of the extra \$10,000 requested for the 2009 budget. Commissioner Davis explained that it was needed to pay a bookkeeper to audit the records."

Commissioner Netter changed the motion to add the amendment concerning the change in wording in Paragraph 4 as stated above. Commissioner Goodman seconded the motion which was passed unanimously.

Minutes of **February 24, 2009, 2:00 PM meeting**, were approved after correction to remove Commissioner Netter's name from the list of commissioners attending the meeting as he was not present. The motion to correct and approve the February 24, 2009 minutes was made by Commissioner Netter, seconded by Commissioner Davis, and unanimously approved.

Commissioner Netter stated he heard there was a meeting today and asked the purpose of the meeting. Commissioner Scott Downing explained that he met with Allen Conger to arrange a meeting on March 10, 2009 when Mr. Conger will discuss the Volunteer Fire Department with the Commissioners.

Chairman Jay explained that the adoption of the criminal ordinances has been postponed until a meeting with the county attorney and sheriff can be arranged. Commissioner Netter stated these people have not yet met.

The first item of new business was a **vacancy on the Board of Tax Assessors** due to the expiration of the term of Jasper Stewart. Commissioner Netter asked Tax Assessor Joyce

Merritt whether there is a limit of terms a board member can serve. When she explained there is no limit to number of terms, **Commissioner Netter made a motion to appoint Jasper Stewart for another four year term.** Commissioner Goodman seconded the motion which carried unanimously.

The second item of new business was an **intergovernmental agreement between the Board of Registration and Elections and the Board of Commissioners for Cindi Dunlap to perform logistic and accuracy tests and technical services pertaining to the GEMS server for all elections in 2009 and 2010.** County Manager Paula Jones explained that this means Kathleen Searcy and Ms. Dunlap will service the machines. The phrase in the election document concerning the payment for services no later than 48 hours was discussed and Mrs. Jones explained that this had been discussed and the phrase changed so the payment would be issued in the next batch of checks following the service. Elections Board Chairman David Walker was in the meeting and acknowledged that the phrase had actually been changed by his office. Commissioner Netter made a motion to approve the agreement as it is now written. Commissioner Goodman seconded the motion and the vote to adopt the agreement was unanimous.

The third item of new business is the **adoption of a Parliamentary Procedure and Meeting Ordinance.** Chairman Jay stated this was presented last month for the consideration of the commissioners and no one has suggested a change so he asked for a motion to approve the ordinance as written.

Commissioner Netter made a motion to postpone the vote for two months for review. Commissioner Davis seconded the motion. Commissioner Netter stated he did not want to change from Roberts Rules of Order. Chairman Jay explained that this document is simply a short version of Robert Rules which has been adapted for use by counties. Commissioner Netter stated his desire to postpone the vote. Chairman Jay explained that the practices in this document are designed specifically for counties, is relatively clear, and is supported by Roberts Rules. If a situation arose which is not covered by this document, it would be addressed. Commissioner Netter inquired where the document states that the Chairman has the right to make a motion.

Chairman Jay stated that Ben Hill County has a tradition but no formal policy as to parliamentary procedure. He would like to adopt an ordinance which is not in contradiction of legislature and has been approved by Association County Commissioners of Georgia. If a situation is not addressed in the simplified document, the original Roberts Rules will be utilized.

Chairman Jay called for another vote on the motion to approve the **Parliamentary Procedure and Meeting Ordinance.** **The commissioners voted unanimously to postpone the adoption for two months.** Commissioner Netter stated he would be

attending a meeting in Macon on March 17th and it is possible that this document will be updated.

Chairman Jay explained the meeting organization ordinance was developed by ACCG to be used as a model for conduction of our meetings. He acknowledged that the Chairman is defined as presiding over the meeting without the right to vote except in the event of a tie.

Commissioner Netter stated that Section 5 specifies that the chairman has no right to introduce a motion to go into executive session.

Chairman Jay called for a motion to accept the **draft ordinance on meeting organization and public access**. Commissioner Netter made a motion to approve the draft ordinance

Commissioner Davis seconded the motion which passed unanimously.

The fourth item of new business is **the approval of the 2009 miscellaneous budgets**.

Commissioner Downing made a motion to approve all budgets as a whole. Commissioner Kathy Davis seconded the motion.

Commissioner Netter asked whether the jail fund budget had been seen. County Manager Jones explained that the miscellaneous budgets are done annually. Commissioner Netter asked why they were not included in the vote when the budget was done and whether they would modify the budget. Mrs. Jones explained that they do not change anything, Chairman Jay stated approval of the miscellaneous budgets is just one of the things we are mandated to do. The jail fund is a fine of 10% collected on top of all fines. The splost budget was already approved in the referendum. The majority of these budgets has already been approved but must be formally approved in a commission meeting to meet audit requirements. Commissioner Netter called a point of order. Chairman Jay ruled the point of order invalid. Commissioner Goodman was recognized by Chairman Jay and asked whether the Judge and Sheriff had approved ordinances.

The motion by Commissioner Downing, seconded by Commissioner Davis, concerning the **approval of the budgets as a whole, was brought to a vote and unanimously approved**.

The fifth item of new business is the acceptance of a **bid on the CDBG project**.

Commissioner Richard Goodman made a motion to accept the low bid, subject to the approval of the county attorney. If low bid should not meet requirements of CDBG specifications, then next lowest bid shall be accepted.

Commissioner Scott Downing seconded the motion.

Discussion revealed that Carter and Sloop will confer with the county attorney to be assured that requirements are met. Attorney Toni Sawyer reported that she has talked with John Stover of Carter and Sloop and they will review the bids to assure they have addressed all the needed supplies.

The motion was brought to a vote and was unanimously approved.

The sixth item of new business was the **contract for the 2009 Municipal Elections among the City of Fitzgerald, the Ben Hill County Board of Registration and Elections, and the Board of Commissioners of Ben Hill County**. County Manager Paula Jones explained that this was discussed during the budget process. Attorney Sawyer has reviewed it and Elections Board Chairman David Walker was present in the meeting and could discuss it.

Commissioner Downing made a motion to accept the contract as written. Commissioner Netter seconded the motion which was unanimously approved.

The final item of new business was a **resolution concerning the 2009 CHIPS application**. Commissioner Netter asked County Manager Paula Jones if CHIPS money could be transferred to the city for use in rehab if any should remain after all county applications are completed. Mrs. Jones explained that money allocated toward rehab may be used in the city or county whereas down payment money can only be used outside the city limits. The city has rehab funds to offer inside the city limits but we can check to see if the funds can be transferred. The CHIPS Resolution must be submitted by April 1st.

Commissioner Netter made a motion to approve the CHIPS Resolution with an amendment that down payment money can be used within the city limits if all city funds have been used. Commissioner Goodman seconded the motion. Commissioner Downing asked whether the question about the city having access to the rehab money needed to be decided before approving the amendment.

Commissioner Netter restated his motion to **approve the resolution as written**. Commissioner Davis seconded the motion which received unanimous approval.

Commissioner Netter then requested that Mrs. Jones consult with Mitch Varnadoe and DCA regarding the transfer of unused down payment money to the city for rehab purposes.

Commissioner Goodman made a motion that a **policy and procedure manual be prepared** effective as of this date. The motion was seconded by Commissioner Downing.

Discussion included the need for someone to review old minutes to locate adopted policies and to compile them into one document. Chairman Jay stated it would be helpful to have oral tradition put in writing.

The commission voted unanimously to prepare a policy and procedure manual.

Commissioner Downing's motion to adjourn the meeting was seconded by Commissioner Netter and unanimously approved.

The meeting was adjourned at 7:55 PM.

