

MINUTES OF THE REGULAR MONTHLY MEETING
OF THE BEN HILL COUNTY COMMISSIONERS
HELD ON APRIL 7, 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. Steve O'Neal gave the invocation.

Everyone gave the pledge of allegiance.

Constitutional Officers/Department Heads reports:

Magistrate Judge Lisa Brady presented the quarterly report. She talked about being able to use their services on-line now. There is no county expense; the individuals would be responsible for the expense.

EMA Director Jason Miller reported on the bad weather and flooding in Ben Hill Co. Mr. Miller said that we have had 14-20 inches of rain since Saturday. He stated that GEMA is coming and will be active in the disaster. We have a lot of roads closed from damage and flooding and the road department is doing all that they can do, checking and patching roads. We have begged and borrowed sand bags, cones and signs to have enough to go around. On Friday, schools were closed due to flooding and road closures. We were granted state of emergency disaster on Saturday. GEMA and FEMA representatives will be here tomorrow and again next week for individual evaluation.

Road Superintendent Tim Kegebein thanked the commissioners that helped ride roads to access and repair damages. Tim thanked everyone for their help Jason Miller, Ken Anderson, David Walker and Neal Poole, the Volunteer fire department, Sheriff's Department, City Works, Irwin EMC (Charles Elder). Tim stated that the road department is working on eight days of over time. His main concern was to clear roads so that people could get out, for work. We have several roads that people can not travel. Tim expressed concerns that people and emergencies are stealing cones and barrels and

that they had to borrow from other counties. Tim stated that the road department could not have accomplished what they did without all of the help they received. Drive ways are not top priority right now, they are trying to get people in and out of roads that are not passable. Philip rode with Tim and took pictures of some of the bad areas. Tim asked that people get with him after the meeting and he would get their information just in case they had been missed. Tim and Philip explained the maps, one has all bad areas that we are aware of, and the other map has the school bus routes. Tim explained that some roads have been worked on more than once. He stated that this would be a long process in getting everything fixed. People may have to bring their children to paved roads to catch school buses.

Chairman Philip Jay stated that safety is our number one priority, along with getting people in and out of roads and clearing school routes. Commissioner Philip Jay stated that the city, county and school's worked well together. Commissioner O.D. Netter asked Tim Kegebein to ask FEMA and GEMA if we can get permission to fix driveways because it will cost us more to repair roads because of the driveways. Chairman Philip Jay stated that the work performed by the road department has been stellar. He stated that he rode with Tim for several hours, riding over 126 miles. Commissioner O.D. Netter stated that it will take money to fix the problems and we should call the Army Corp. of Engineers to see if it would benefit us to fix or replace what's there. Commissioner Richard Goodman stated that we need to replace what's there to keep from losing roads where there are bridges. Commissioner O.D. Netter stated that we need to replace pipes and that we need to spend the extra money to make it better.

Public comments were heard as follows:

Herman Graham stated that people do not understand the driveway policy, and that the pipe is the responsibility of the owner. Tim Kegebein stated that you have to buy your own pipe and that you might get help replacing existing pipe.

Wendell Thompson thanked Tim and the road department for the work they have done out his way. Mr. Thompson also stated that the Blue Gray Park is coming along but moving slowly.

Commissioner O.D. Netter stated that we may need to purchase equipment to clean out ditches, pipes and driveways. He said that it is hard to keep trash out of ditches and to keep dirt roads established.

Calvin Joyner stated that his church is on Glenn Merritt Road and has been there for eleven (11) years. He expressed concerns about what's being done to get the road paved. People are not coming to church because the road is so bad.

Tim Kegebein stated that we are trying to get the road paved and that work was supposed to have started this week, but he stopped the paving because of the disaster. He stated the price for paving the road is a good price and that we may not get this price again. We

may have to rob some funding in other areas to get this done. He stated that the commissioners will have to make a decision on the paving of the road. Tim stated that we are obligated to a lot of people right now; we still have people that can not get in or out of their roads.

Ronny Kelly stated he has a gymnastics business on Jack Allen Road, and that he has been there since 1978. He expressed concerns about the business next to his. He stated that they are having parking problems. The golf cart business is harassing him, the students, parents and people from other counties. He stated that the other business has brought the Sheriff into it and that he had received a ticket for improper parking. He wanted to know if they can we park on county property, where they have parked for years.

Chairman Philip Jay told Mr. Kelly that they would have to get back with him.

Commissioner O.D. Netter made the motion to discuss old business for March; Commissioner Scott Downing seconded the motion which passed unanimously. Chairman Philip Jay stated there was no old business.

Commissioner Scott Downing made the motion to **postpone these items until the May meeting**. Commissioner Richard Goodman seconded the motion. The motion was passed unanimously.

Commissioner O.D. Netter made the motion to **postpone the 8th Judicial Budget meeting until May**. Commissioner Kathy Davis seconded the motion which passed unanimously.

Attorney Toni Sawyer discussed policy concerning the use of counties tax I.D number for grants. Toni stated that she had amended the proposed policy; County Manager Paula Jones stated that she had read Toni's amended policy and that it looked good and emailed copies of the policy to the commissioners for them to make a decision.

Commissioner O.D. Netter made a motion to amend the agenda. He requested to move the Volunteer Fire Department item after the Fairview item. Commissioner Scott Downing seconded the motion which passed unanimously.

The first item of new business was a **request from Fairview Caregivers to apply for a grant using the county's tax ID #.**

Commissioner O.D. Netter stated that we need advice from Toni on the grant. Attorney Toni Sawyer stated that she stood behind her legal opinion from this morning and that she needed more information on the grant and that no one was present to represent Fairview.

Commissioner Scott Downing made a motion to postpone the topic to give Toni more time to read the proposal and to have someone present to represent Fairview.

Commissioner Richard Goodman stated that Rev. Jones had presented another package. County Manager Paula Jones clarified by stating that he was requesting funding from the general funds. Commissioner Scott Downing stated the attorney will need clarification for the grant. Toni Sawyer agreed that she needs to know more about it.

Chairman Philip Jay made the motion to invite Rev. Jones back for a call meeting. Commissioner Scott Downing made a motion to postpone. Commissioner Kathy Davis seconded the motion which passed unanimously.

The next item on the agenda was the **Volunteer Fire contract**. Chairman Philip Jay requested permission to sign the contract. Commissioner Scott Downing made a motion to accept the contract as written. Commissioner Kathy Davis seconded the motion.

Commissioner O.D. Netter stated that something is different with the contract and that Allen Conger needed to read it and get back with them. Attorney Toni Sawyer explained the difference in the two contracts as being some slight changes that she had made after yesterday's workshop. Toni stated that the volunteers could not use the county's tax I.D. number because they are not a department of the county. She stated that the volunteers are a non profit organization and they would have to get their own tax I.D. number. Toni stated that the county and/or the volunteer fire department could apply for grants, but the volunteers must have their own tax I.D. number. Commissioner Richard Goodman stated that we would have to do the leg work to get the grants to go through. Commissioner O. D. Netter stated that the county could get the grant for equipment and lease it to the volunteer fire department. Chairman Philip Jay stated he is seeking clarification of the two, Fairview and the volunteer fire department. Commissioners do not understand. Commissioner Kathy Davis stated that they are two different types of Organizations. The volunteer fire department is buying equipment and Fairview is not buying anything. Commissioner Richard Goodman stated that one offers a direct service and the other offers historical services. County Manager Paula Jones stated that the grants could be run through the city or the county. Toni Sawyer stated that legally the money goes to Ben Hill County; it can not go to individual organizations.

Chairman Philip Jay made a motion to approve the contract. Commissioner O. D. Netter asked that Allen Conger be recognized and allowed to speak on the contract. Allen Conger stated that this is the first time he has seen it, he requested time to read the contract and to get back with the commissioners.

Chairman Philip Jay stated that the commissioners are committed to getting the contract signed. Commissioner Scott Downing with-drew his motion and made a motion to postpone. Chairman Philip Jay stated we need further discussion. Commissioner Richard Goodman seconded the motion which was passed unanimously.

Chairman Philip Jay made a motion to discuss the **vacancy on the hospital authority board** replacing Berma Ridgeway. Commissioner Richard Goodman made a motion to add Greg Mahoney's name to the list. Commissioner O. D. Netter stated that you can

submit three names but they do not need voting on at this point. Commissioner Scott Downing made a motion to add Mark Harmon's name to the list. Commissioner O. D. Netter made a motion to add Larry Davis to the list. Commissioner Scott Downing made a motion to vote on the vacancy at our next month's meeting. Chairman Philip Jay stated that the Hospital Authority approached us requesting twelve (12) names. Commissioner Richard Goodman stated that Carol McDonald would be coming off the board in April. He suggested keeping a small pool of names for this vacancy also. Commissioner O. D. Netter disagreed with the idea. He stated that they could not change this, and that they had to submit three (3) names. If they do not accept them, then we have to submit three (3) more. He stated that he would not support it, back it, nor vote on it. Commissioner Richard Goodman stated that they want more public people involved.

Chairman Philip Jay made a motion to move on to **DFCS board vacancy**. No nominations were made.

County Manager Paula Jones noted that **Development Authority of Ben Hill County** vacancy had been skipped.

Commissioner Scott Downing made a motion to nominate Commissioner O. D. Netter for the Development Authority of Ben Hill County. Chairman Philip Jay seconded the motion which was passed unanimously.

Commissioner Richard Goodman made a motion to discuss the audio system in our meeting room. He stated that someone in Brooks County had sued for non-compliance and that we need to invest in an adequate audio system. He stated that it would cost around \$7,000.00 for a complete system. Commissioner Scott Downing made a motion for the County Manager to gather quotes for the next meeting. Commissioner Richard Goodman seconded the motion. Commissioner Kathy Davis made a motion to get someone that is familiar with the system to see if it could be repaired rather than purchasing a new one. She suggested using East Central Tech. to do the work. Commissioner Richard Goodman seconded the motion which was passed unanimously.

Commissioner O. D. Netter's motion to adjourn the meeting was seconded by Commissioner Kathy Davis and unanimously approved.

The meeting was adjourned at 8:20 PM.

_____ Philip C. Jay, III, Chairman

_____ Paula J. Jones, County Clerk