

MINUTES OF THE REGULAR MONTHLY MEETING
OF THE BEN HILL COUNTY COMMISSIONERS
HELD ON OCTOBER 13, 2010 AT 6:30 PM
IN THE BEN HILL COUNTY COUTHOUSE ANNEX

Those present for the meeting were as follows:

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

Chairman Philip C. Jay, III called the meeting to order.

Rev. Godfrey O'Rear - Chaplain Blue & Gray Hospice gave the invocation.

Everyone gave the pledge of allegiance.

Commissioner Scott Downing made a motion to suspend the portion of the County meetings Ordinance 2-192, that states that every Commissioner must address the chair and not each other also to suspend 2-195 which will allow the Commissioner's to address public speakers and each other. Commissioner O.D. Netter seconded the motion, which passed unanimously.

Chairman Philip Jay stated that since the past couple of meetings the Commission had a workshop in regards to not adhering to the Commissions Ordinance on procedures strictly enough. The purpose of the regular monthly meeting is to officially conduct business and make decisions, not engage in debate with the public. Chairman Jay stated that we have other meeting formats that are more conducive to the exchange of ideas with the public, because we do need to hear from the public on matters about which we need to be concerned in future meetings and is scheduled for this purpose. Chairman Jay stated that the agenda's had a copy of the ordinance attached to them and he read the Meetings Organization and Public Access Ordinance before Public comments was heard.

Public comments were heard as follows:

Jack Bryant spoke on the Chamber of Commerce and the Development Authority. He gave handouts to the Commission regarding his topic.

Roger Norris requested to open a Public discussion on the Coal Plant after the regular meeting.

Constitutional Officers: NONE

Elected Officials and Department Head Reports:

Road Superintendent Tim Kegebein reported that the road department has finished with the FEMA work which totaled \$482,000 and we should be getting the last payment from them soon which should be around \$67,000. The total amount spent was \$950,000 so we spent \$450,000 more on the FEMA work than FEMA paid for due to rusted pipes, purchase of materials, etc...

Paramedic Mark Shealey reported that EMS has some old rescue equipment and 3 stretchers that they need to declare as surplus to sell. The stretchers are being bought by United Medical Response out of Marietta, Georgia for \$3,850.00. The rescue equipment will be put on GovDeals.

Vice-Chairman O.D. Netter made a motion to declare 3 stretchers as surplus. Commissioner Kathy Davis seconded the motion. Vice-Chairman O.D. Netter withdrew the motion and motioned to add this issue as an agenda change. Commissioner Scott Downing seconded the motion, which passed unanimously.

County Manager's Report:

Acting County Manager/Clerk Paula Jones reported that resurfacing on Jefferson St, Lindy Road and Lobinger Avenue should be completed soon. On October 4, 2010 County representatives met with Georgia DOT to discuss Commissioner Goodman's concerns with Cedar, Seminole and Flint roads. DOT estimated funds that would be allocated to Ben Hill County if house bill 277 passes and is implemented in Ben Hill County. In 2013 Ben Hill County's roadwork allocation would be \$471,358, which is larger than our present funds that are used for resurfacing, paving and bridge replacement. Under our 2011 LMIG project resurfacing will be done on Roanoke Drive West, from Lynn Drive to Walker Avenue, Broxton highway, from SR 206 to the Irwin County line. 2011 budget should be adopted before year end.

Vice-Chairman O.D. Netter – Point of Information to Mr. Norris, you have to do a 24 hour ahead of time request and it has to be posted as a Public Hearing.

Commissioner Scott Downing made a motion to add discussion of a hearing to the agenda. Vice-Chairman O.D. Netter seconded the motion, which passed unanimously.

Commissioner Scott Downing made a motion to add EMS surplus items to the agenda. Vice-Chairman O.D. Netter seconded the motion, which passed unanimously.

Approval of Agenda:

Commissioner Scott Downing made a motion to approve the agenda. Vice-Chairman O.D. Netter seconded the motion, which passed unanimously.

Annexation Request - NONE

Rezoning Request – NONE

Beer and Wine Application - NONE

Acceptance of prior month's minutes:

Commissioner Scott Downing made a motion to accept September 1, 2010 workshop meeting minutes. Commissioner Kathy Davis seconded the motion, which passed unanimously.

Commissioner Scott Downing made a motion to accept September 7, 2010 workshop meeting Minutes. Chairman Philip Jay seconded the motion, which passed. Commissioner Kathy Davis and Vice-Chairman O.D. Netter abstained.

Vice-Chairman O.D. Netter made a motion to accept September 7, 2010 Public Hearing meeting minutes. Commissioner Scott Downing seconded the motion, which passed unanimously.

Vice-Chairman O.D. Netter made a motion to accept September 7, 2010 Commission meeting minutes. Commissioner Kathy Davis seconded the motion, which passed unanimously.

Vice-Chairman O.D. Netter made a motion to accept September 13, 2010 Special call meeting minutes. Commissioner Scott Downing seconded the motion, which passed unanimously.

Vice-Chairman O.D. Netter made a motion to accept September 13, 2010 workshop meeting minutes. Commissioner Kathy Davis seconded the motion, which passed unanimously.

Old Business:

DFCS Board expired term – Martha Boggus

Commissioner Kathy Davis nominated Diane Bullard. Vice-Chairman O.D. Netter nominated Charles Davis.

Diane Bullard received two votes by Commissioner Kathy Davis and Commissioner Scott Downing. Charles Davis received two votes by Vice-Chairman O.D. Netter and Commissioner Scott Downing. Vice-Chairman O.D. Netter moved that the Chairman take a vote. Chairman Philip Jay stated that Diane Bullard will fill expired term of Martha Boggus.

Vice-Chairman O.D. Netter made a motion which will only allow Commission to vote for one person during board nominations (excluding the Hospital Authority Board). Commissioner Kathy Davis seconded the motion, which passed unanimously.

Vice-Chairman O.D. Netter made a motion to re-nominate for the DFCS Board. Commissioner Kathy Davis seconded the motion, which passed unanimously.

Commissioner Kathy Davis nominated Diane Bullard. Vice-Chairman O.D. Netter nominated Charles Davis.

Vice-Chairman O.D. Netter made a motion to close nominations. Commissioner Scott Downing seconded the motion, which passed unanimously.

Charles Davis received one vote by Vice-Chairman O.D. Netter.
Diane Bullard received two votes by Commissioners Kathy Davis and Scott Downing.

Chairman Philip Jay stated that **Diane Bullard is the DFCS nominee.**

New Business :

Resolution of Submittal-Fitzgerald-Ben Hill County Solid Waste Management Plan

Vice-Chairman O.D. Netter made a motion to approve the Solid Waste Management Plan Resolution. Commissioner Scott Downing seconded the motion, which passed unanimously.

Vice-Chairman O.D. Netter made a motion to allow Chairman Philip Jay to sign the Solid waste Plan Resolution. Commissioner Scott Downing seconded the motion, which passed unanimously.

Third Quarter Budget Amendments

Acting County Manager/Clerk Paula Jones reviewed the Budget Amendments.

Commissioner Kathy Davis made a motion to approve the Third Quarter Budget Amendments. Vice Chairman O.D. Netter seconded the motion, which passed unanimously.

Voiding of Tax Bill – Gerald Harley

Commissioner Kathy Davis made a motion to void the Tax Bill for Gerald Harley. Vice-Chairman O.D. Netter seconded the motion, which passed unanimously.

Voiding of Tax Bill – Joe Hennesy – Red Bluff

Commissioner Scott Downing made a motion to void the Tax Bill for Joe Hennesy. Vice-Chairman O.D. Netter seconded the motion, which passed unanimously.

Voiding of old personal property Tax bills – 1989 to 1995

Vice-Chairman O.D. Netter made a motion to void the old personal property tax bills – 1989 to 1995 list. Commissioner Kathy Davis seconded the motion, which passed unanimously.

Vice-Chairman O.D. Netter made a motion to void all personal property taxes past 1996 and to collect from 1996 forward. Commissioner Kathy Davis seconded the motion, which passed unanimously.

Vice-Chairman O.D. Netter requested **a report from Acting County Manager/Clerk Paula Jones which will reflect how much has been collected from real and personal property to date.**

Discussion of a Public Hearing

Discussion of a Public Hearing resulted in the following: A Public Hearing must be done 24 hours ahead of time. It must also be posted where other meeting agendas are posted, so that the Public is aware of the hearing. Both City and County officials would have advanced notice of the hearing and can make arrangements to attend.

EMS – Surplus Equipment

Commissioner Scott Downing made a motion to declare three stretchers at EMS as surplus. Vice Chairman O.D. Netter seconded the motion, which passed unanimously.

Vice-Chairman O.D. Netter made a motion to allow EMS to sell the stretchers to United Medical Response. Commissioner Kathy Davis seconded the motion, which passed unanimously.

Commissioner's closing remarks

Commissioner Scott Downing – Remarkd on the Grand Theater organ being a tax deduction for the Development Authority, with funds coming from private investors.

Commissioner Kathy Davis – Remarkd that if there could not be an open discussion on the coal plant, that she had no remarks.

Vice-Chairman O.D. Netter – Remarkd on the Development Authority Report given to the Commission by Mr. Jack Bryant. Vice-Chairman O.D. Netter requested that Chairman Philip Jay bring a report from the Development Authority when he attends a meeting.

Commissioner Richard Goodman was unable to attend meeting due to being sick with the flu.

The meeting was adjourned at 7:50 P.M.

_____ Philip C. Jay, III, Chairman

_____ Paula J. Jones, County Clerk