

MINUTES OF THE REGULAR MONTHLY MEETING
OF THE BEN HILL COUNTY COMMISSIONERS
HELD ON FEBRUARY 22, 2011 AT 6:30 PM
IN THE BEN HILL COUNTY COURTHOUSE ANNEX

Those present for the meeting were as follows:

Philip C. Jay, III	Chairman
O. D. Netter	Vice Chairman
Kathy Davis	Commissioner
Paula J. Jones	Acting County Manager/Clerk
Toni Sawyer	County Attorney
Michael Santee	Administrative Support Technician

Commissioner Scott Downing had a death in his family and was unable to attend.
Commissioner Richard Goodman is sick and is unable to attend.
Trish Hardeman is attending Clerks Training and Michael Santee is filling in for her.

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

Dr. Lloyd Stenbridge gave the invocation.

Everyone gave the pledge of allegiance.

Vice-Chairman O.D. Netter 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 Kathy Davis seconded the motion, which passed with Vice-Chairman Netter and Commissioner Davis both voting for the motion.

Vice-Chairman O.D. Netter made a motion to add to the agenda tax sale deed for Larry Fluellen and to move the item to the top of the order of business. Commissioner Kathy Davis seconded the motion, which passed with Vice-Chairman Netter and Commissioner Davis both voting for the motion.

Vice-Chairman O.D. Netter made a motion to add mapping proposal to the agenda and to place it after the Service Delivery Strategy. Commissioner Kathy Davis seconded the motion, which passed with Vice-Chairman Netter and Commissioner Davis both voting for the motion.

Public comments were heard as follows:

Jack Bryant spoke on the proposed Coal Plant for Ben Hill County, Martin Luther King holiday, and Fitzgerald Chamber of Commerce.

Vice-Chairman O.D. Netter made a motion to allow Jack Bryant another five minutes to speak. Commissioner Kathy Davis seconded the motion, which passed with Vice-Chairman Netter and Commissioner Davis both voting for the motion.

Constitutional Officers: NONE

Elected Officials and Department Head Reports: NONE

County Board Report's:

Development Authority Chairman O.D. Netter reported that a training extension letter had been received which would allow Development Authority members that had not received their required training to receive the training. Letters have been sent out to all Development Authority members regarding the extension for the training along with the dates that the training is offered. Members that do not receive the required training will have to come off of the board.

County Manager's Report:

Acting County Manager/Clerk, Paula Jones reported that she did not have a report for the meeting. She explained that she has had some sickness at home and she thanked everyone for their support and concerns during her trying times.

Approval of Agenda:

Commissioner Kathy Davis made a motion to approve the agenda. Vice-Chairman O.D. Netter seconded the motion, which passed with Vice-Chairman Netter and Commissioner Davis both voting for the motion.

Annexation Request: NONE

Rezoning Request: NONE

Beer and Wine Application: NONE

Acceptance of prior month's minutes:

Vice-Chairman O.D. Netter made a motion to approve January 4, 2011 Commission minutes and January 25, 2011 Special Call minutes. Commissioner Kathy Davis seconded the motion, which passed with Vice-Chairman Netter and Commissioner Davis both voting for the motion.

Old Business:

Resolution – Adoption of the 2031 Comprehensive Plan

Vice-Chairman O.D. Netter made a motion to approve the adoption of the 2031 Comprehensive Plan and to allow the Chairman to sign the resolution. Commissioner Kathy Davis seconded the motion, which passed with Vice-Chairman Netter and Commissioner Davis both voting for the motion.

Health Board Appointment vote – Expired term of Bernice Streat

Vice-Chairman O.D. Netter made a motion to close nominations for the Health Board appointments. Commissioner Kathy Davis seconded the motion, which passed with Vice-Chairman Netter and Commissioner Davis both voting for the motion.

Votes were as follows:

Thelma Graham – Vice-Chairman O.D. Netter and Commissioner Kathy Davis

Bernice Streat – No votes

Thelma Graham is appointed to the Health Board.

New Business :

Tax Sale Deed – Larry Fluellen

Mr. Fluellen stated that he had been trying to come up with the money to pay the taxes. He stated that he could not pay this all at one time, he stated that he could pay \$250.00 per. month until it is paid. He stated that he does not want to lose his property. Attorney Toni Sawyer stated that the last day to redeem

was the 20th and that she has not talked to Tax Commissioner Linda McDonald about this deed.

Vice-Chairman O.D. Netter made a motion to pull the contract and put off the sale of Mr. Larry Fluellen's property and set up monthly payments of \$200.00 per month until the amount owed and fees are paid in full and to allow County Attorney Toni Sawyer to draw up and execute a contract with Mr. Fluellen. Commissioner Kathy Davis seconded the motion, which passed with Vice-Chairman Netter and Commissioner Davis both voting for the motion.

Vice-Chairman O.D. Netter made a motion for the Commission to handle all Tax sale's on a one to one basis. Commissioner Kathy Davis seconded the motion, which passed with Vice-Chairman Netter and Commissioner Davis both voting for the motion.

Ben Hill County Web Page

Administrative Support Technician Michael Santee who is handling the Ben Hill County web page gave an over view of the new web page for the County. He explained that citizens could go on line to pay some items and that everyone could use the Nixel communication System.

Mapping Proposal

Vice-Chairman O.D. Netter made a motion to move the mapping proposal to the current discussion. Commissioner Kathy Davis seconded the motion, which passed with Vice-Chairman Netter and Commissioner Davis both voting for the motion.

EMA/Planning Director Jason Miller reported that the mapping proposal would coast the County a \$2,000 start up fee and that there would be a yearly maintenance fee of \$900.00 to \$1,200.00. He stated that we would also have to purchase or lease from Ashley's two printers that will print the maps. He stated that citizens would be able to view and print maps from their homes.

Vice-Chairman O.D. Netter made a motion to follow through with the GIS mapping proposal and two printers and to amend the 2011 SPLOST to reflect the changes. Commissioner Kathy Davis seconded the motion, which passed with Vice-Chairman Netter and Commissioner Davis both voting for the motion.

TAN Resolution

Commissioner Kathy Davis made a motion to adopt the TAN Resolution. Vice-Chairman O.D. Netter seconded the motion, which passed with Vice-Chairman Netter and Commissioner Davis both voting for the motion.

Vice-Chairman O.D. Netter amended the motion to include, authorizing Chairman Philip Jay and Acting County Manger/Clerk Paula Jones the authority to sign the Resolution. Commissioner Kathy Davis seconded the motion, which passed with Vice-Chairman Netter and Commissioner Davis both voting for the motion.

Vice-Chairman O.D. Netter requested that a certified copy of the minutes be sent to Colony Bank.

Tax Assessors Board vacancy – reappointment of expired term – Bill Jacobs

The Commission received a letter to re-appoint Bill Jacobs to the Tax Assessors Board. This action will be voted on at the next Commission meeting.

Vice-Chairman O.D. Netter made a motion to nominate Bill Jacobs to the Tax Assessors Board. Commissioner Kathy Davis seconded the motion, which passed with Vice-Chairman Netter and Commissioner Davis both voting for the motion.

Revolving Loan Fund Board – resignation and expired term

Revolving Loan Fund Chairman O.D. Netter explained what the RLF Board is and how it works. Chairman Netter explained that member Shirley Fowler's term has expired and that Barry Peavey has resigned. Chairman Netter stated that he has no nominations at this time but that he preferred female business person that are in the down town area. He felt that this would help to even out the board, as all members are currently male.

Vice-Chairman O.D. Netter made a motion to accept the resignation of Barry Peavey from the RLF Board. Commissioner Kathy Davis seconded the motion, which passed with Vice-Chairman Netter and Commissioner Davis both voting for the motion.

RLF Loan approval – Latasha Jones Deberry – Little Achievers Daycare

The RLF Committee approved a loan for Little Achievers Daycare/Latasha Jones Deberry in the amount of \$65,000. Monthly payments will be \$635.17 the repayment amount will be \$76,220.40 the loan is for 10 years with a 3.25 interest rate. The funds for this loan are to come from the USDA Grant award.

Vice-Chairman O.D. Netter made a motion to approve the RLF loan for Little Achievers Daycare and to give Commission Chairman Philip Jay and RLF Chairman O.D. Netter authority to sign the contracts. Commissioner Kathy Davis seconded the motion, which passed with Vice-Chairman Netter and Commissioner Davis both voting for the motion.

RLF – Mid-South Paving release of Equipment

RLF Chairman O.D. Netter reported that Mid-South Paving is going out of business and is requesting for Ben Hill County to release equipment from their RLF loan, so that they may sell the equipment to pay on their RLF loan.

Vice-Chairman O.D. Netter made a motion to allow the release equipment for Mid-South Paving Company as well as to allow County Attorney and Chairman to sign the release documents. Commissioner Kathy Davis seconded the motion, which passed with Vice-Chairman Netter and Commissioner Davis both voting for the motion.

Vice-Chairman O.D. Netter made a motion that from here on forth, items that are executed and voted on by the Ben Hill County Commission to the end of Chairman Jay's term giving him the authority to execute all documents on behalf of Ben Hill County. This motion includes the County Manager, Clerk or designee as appointed by the Ben Hill County Commissioners. Commissioner Kathy Davis seconded the motion, which passed with Vice-Chairman Netter and Commissioner Davis both voting for the motion.

Reaves-Walker Loan

RLF Chairman O.D. Netter reported that Reaves-Walker has gone out of business and has a loan through the Revolving Loan Fund.

Vice-Chairman O.D. Netter made a motion requesting authorization from the Commission to allow County Attorney Toni Sawyer to proceed in trying to recoup money for Reaves-Walker's loan by picking up equipment. Commissioner Kathy Davis seconded the motion, which passed with Vice-Chairman Netter and Commissioner Davis both voting for the motion.

RLF Loans that are behind

RLF Chairman O.D. Netter reported that the RLF has some general loans that are behind. He is going to use County Attorney Toni Sawyer and Magistrate to try and collect funds as necessary. RLF Chairman O.D. Netter stated that the RLF is trying to help these businesses with their payments and is trying to help them to work things out to help avoid collections.

Vice-Chairman O.D. Netter made a motion for the Ben Hill County Commission to give the RLF Committee the right to do what is necessary to collect money from delinquent loans with the RLF keeping the Commission informed of its progress. Commissioner Kathy Davis seconded the motion, which passed with Vice-Chairman Netter and Commissioner Davis both voting for the motion.

Senior Citizen Advisory Board – Vice-Chairman O.D. Netter

Vice-Chairman O.D. Netter expressed to the Commission that he would like for Ben Hill County to form a Senior Citizen Advisory Board with Senior Citizen Director Cathy Posey and Acting County Manager/Clerk Paula Jones to create the rules and regulations.

Hospital Authority Board Vacancy – Carol McDonald Resignation

Commissioner Kathy Davis made a motion to accept Carol McDonald's resignation to the Hospital Authority Board. Vice-Chairman O.D. Netter seconded the motion, which passed with Vice-Chairman Netter and Commissioner Davis both voting for the motion.

Vice-Chairman O.D. Netter made a motion to add Lawton Tinley to be replaced on the Hospital Authority Board. Commissioner Kathy Davis seconded the motion, which passed with Vice-Chairman Netter and Commissioner Davis both voting for the motion.

Vice-Chairman O.D. Netter nominated Lawton Tinley for re-appointment to the Hospital Authority Board.

Commissioner Kathy Davis nominated Dr. Bill Hammond to the Hospital Authority Board.

Two more nominations are needed for each position.

Resolution – Partnering with Department of Revenue

Vice-Chairman O.D. Netter made a motion to postpone this item until the next Commission meeting. Commissioner Kathy Davis seconded the motion, which passed with Vice-Chairman Netter and Commissioner Davis both voting for the motion.

Official recording of Commission votes

Vice-Chairman O.D. Netter stated that we need to change the way that we record votes in the minutes. It needs to be spelled out, who voted for or against for each issue voted on by the Commission.

Michael Buras Memorial

A memorial for Michael Buras will start at Benjamin Hill Drive and go to the Irwin County line. Irwin County may pick it up at this point and run it into Irwin County.

Vice-Chairman O.D. Netter made a motion to approve a memorial for Michael Buras. Commissioner Kathy Davis seconded the motion, which passed with Vice-Chairman Netter and Commissioner Davis both voting for the motion.

Service Delivery Strategy

A meeting is set up for Monday with the City to discuss issues that the County has regarding various Departments (E911, EMS, and Police Department) that are used as a County wide service that is being solely funded by Ben Hill County.

Adoption of 2011 Forfeiture Budget/Ben Hill County Sheriff's Office

Vice-Chairman O.D. Netter made a motion to adopt the 2011 Forfeiture Budget/Ben Hill County Sheriff's Office in the amount of \$24,700. Commissioner Kathy Davis seconded the motion, which passed with Vice-Chairman Netter and Commissioner Davis both voting for the motion.

Declaration of Surplus Property/Othar Lee Rogers Road

Commissioner Kathy Davis made a motion to declare the 10 acres on Othar Lee Rogers Road as surplus property. Vice-Chairman O.D. Netter seconded the motion, which passed with Vice-Chairman Netter and Commissioner Davis both voting for the motion.

Vice-Chairman O.D. Netter stated that if the houses do not sell, we will leave them on the property and sell it as is. Decisions need to be made on this issue now, to keep us from having to come back and re-vote on it.

Commissioner's closing remarks - NONE

The meeting was adjourned.

_____ Philip C. Jay, III, Chairman

_____ Paula J. Jones, County Clerk