

MINUTES OF THE SPECIAL CALLED MEETING
OF THE BEN HILL COUNTY COMMISSIONERS
HELD ON AUGUST 19, 2013 AT 4:00 PM IN THE
BEN HILL COUNTY COURTHOUSE ANNEX

Those present for the meeting were as follow:

Philip C. Jay III	Chairman
OD Netter	Vice-Chairman
Scott Downing	Commissioner
Bennie Calloway	Commissioner
Daniel Cowan	Commissioner
Frank Feild	County Manager
Toni Sawyer	County Attorney
Donna Prather	County Clerk

Chairman Philip Jay III called the meeting to order.

County Manager Frank Feild stated the announcement of this meeting was posted 24-hours in advance in compliance with Georgia Law. All Commissioners were telephonically notified. An announcement and agenda were posted on the Commissioner's I-pads, distributed by e-mail, posted on the County's website, and posted on the door to the Commissioner's Meeting room. The Herald-Leader was notified by e-mail.

Commissioner Scott Downing made a motion to relax the rules on addressing the Chairman, Commissioners, and the public. Commissioner Daniel Cowan seconded the motion; which passed with Commissioner Scott Downing, Commissioner Daniel Cowan, Commissioner Bennie Calloway and Vice-Chairman OD Netter all voting for the motion.

Volunteer Fire Department

Chairman Philip Jay begin the discussion with the Volunteer Fire Department CEO Alan Conger and Board of Directors with addressing issues the County Commission wanted to resolve in order to proceed on a new contract.

Mr. Jay asked if the Volunteer Fire Department had proof they were Non-For-Profit. Mr. Conger answered they might not be, but he is checking on it. He stated they would probably use a Tax ID number.

Mr. Jay asked if the Volunteer Fire Department was paying insurance and is coverage in compliance that list the 2000 International Fire Trucks replacement value is shown at \$60,000 each in the policy. Mr. Conger answered yes.

Mr. Jay asked if ownership of property had been established between Ben Hill County and the Volunteer Fire Department. Mr. Conger answered no but he will cooperate. He stated Skip Starling of the National Fire Services Office has misled us with the cost of purchasing equipment for the fire trucks.

Mr. Jay asked if the Volunteer Fire Department provided an inventory list of all firefighting equipment on hand. Mr. Conger answered no. He stated he is not going to bring the fire trucks to the Commissioner's parking lot to be inspected; but the Volunteer Fire Department Board will meet on the first Thursday next month and the equipment could be inspected at that time.

Mr. Jay asked if the Volunteer Fire Department completed pump testing and fire engine certification. He stated the County has contracted with the National Fire Services Office to test the pumps, certify the fire engines, and the fire hoses. The contractor must be provided access to the vehicles for estimated 5-hours each to test and certify them. Mr. Conger answered the trucks are already certified and the pumps have been tested. He stated again Skip Starling of the National Fire Services Office has misled them and he will not agree to the contractor certifying the trucks, pumps, or hoses.

The Volunteer Fire Department Board Members recommendation is they will dissolve the Volunteer Fire Department and sell the equipment in 30 days if they can't come to an agreement.

After further discussion, Vice Chairman OD Netter recommended County Manager Frank Feild to contact Auditor Pat Ashley to see what day is good for him to conduct an audit and give Mr. Conger a couple of days to comply. Mr. Ashley will in turn bring the list to the Commissioners and at that point the Commissioners will be able to determine what equipment belongs to the County and what belong to the Volunteer Fire Department.

Commissioner Scott Downing stated they need to clear up the inventory that was purchased with County funds or grants to determine what equipment belongs to Ben Hill County so that we can declare it surplus or keep it. He stated he doesn't want to lose the Volunteer Fire Department because that would be advantageous to the Commissioners nor the County; but there is something that needs to be cleared up in the contract on both sides that have not been done.

Pending Litigation

Vice Chairman OD Netter made a motion to enter into Executive Session. Commissioner Daniel Cowan second the motion; which passed with Vice Chairman OD Netter, Commissioner Daniel Cowan, Commissioner Bennie Calloway, and Commissioner Scott Downing all voting for the motion.

Commissioner Scott Downing made a motion to approve the Executive Session minutes. Commissioner Bennie Calloway seconded the motion, which passed with Commissioner Scott Downing, Commissioner Bennie Calloway, Commissioner Daniel Cowan, and Vice Chairman OD Netter all voting for the motion.

Commissioner Bennie Calloway made a motion to offer the Judges \$20,000.00 to be used to settle the pending litigation case. Commissioner Scott Downing seconded the motion; which passed with Commissioner Bennie Calloway, Commissioner Scott Downing, Commissioner Daniel Cowan, and Vice Chairman OD Netter all voting for the motion.

Vice Chairman OD Netter made a motion to authorize the Chairman to sign the letter to the Judges. Commissioner Scott Downing seconded the motion; which passed with Vice Chairman OD Netter, Commissioner Scott Downing, Commissioner Bennie Calloway, and Commissioner Scott Downing all voting for the motion.

The meeting was adjourned.

_____ Philip C. Jay III, Chairman

_____ Donna R. Prather, County Clerk