

**WORKSHOP SESSION
TIFT COUNTY BOARD OF COMMISSIONERS
TUESDAY, JULY 2, 2007
6:30 P.M.**

The scheduled Workshop Session of the Tift County Board of Commissioners was called to order by Chairman Grady Thompson on Tuesday, July 2, 2007, at 6:30 p.m. in the Commissioners' Meeting Room of the Administrative Building. Members of the commission present including Chairman Thompson were Vice Chairman Donnie Hester, and Commissioners Frankie Mathis, Buck Rigdon, Mike Jones, Sherry Miley and Robert Setters.

Public Comments:

Ronald Nixon, 2700 South Park Avenue, Tifton addressed the Board on the rate equalization for water customers. We have previously talked about rate equalization and the new multi-million dollar meter reading system. He has looked at the Referendum passed by the voters and the meters are in the SPLOST but it does not stipulate what kind of meters. We need to know the life expectancy of the meters, what about maintenance of them and is this system going to cost us more money. He said he has a lot of unanswered questions and would like for those things to be clarified and explained in more detail.

Kirk DeKalb, Doerun, Georgia, addressed the Board concerning beaver trapping. He stated he has left a beaver video for each commissioner and has turned in a proposal to the County Manager for consideration. He works for other counties and highly recommends that the County has a Beaver Trapping Program. He has seen the destructive nature of the beaver and can cause millions of dollars in one county.

Public Hearings for Regular Session on July 9, 2007:

- A. TC-ZA-07-05: Glenn Green request to rezone 31.52 acres from a parcel consisting of 117 acres from AU (Agricultural) to R-20 (Residential Single Family):** In the absence of Carl Fortson, the County Manager gave a brief explanation of the proposed request and advised the Board that this request had been back before the Planning and Zoning Board and comes with a recommendation of denial. Staff recommends approval of the rezoning request.
- B. TC-SE-07-08: Archer Western Contactors has applied for a special Exception to be allowed to place a temporary concrete batch plant consisting of nine (9) acres located at the northwest corner of Highway 41 South and Omega Eldorado Road:** In the absence of Carol Fortson, the County Manager gave a explanation of the nature of this request and advised that it comes with a recommendation of denial from Planning and Zoning but approval from staff.

Items discussed by the Commission for action on June 11, 2007:

- C. TC-SE-07-10: Excel Communications – Tabled from previous meeting.**
- D. Rental Lease Agreement for Veteran Service**
- E. Rental Lease Agreement for Juvenile Justice**
- F. ACCG-IRMA Loss Control & Safety Incentive 5% Discount**
- G. Athletic Advisory Committee Appointment**
- H. Approval of Municipal Master Lease**
- I. Acceptance of bid for South Carpenter Road and Jordan Road Water upgrades:**
Vice Chairman Hester stated he is still concerned about the equalization of the water rates. He said he understood there was another water meeting last week that he was not invited to and this made the third one and that he had been told that he would be invited to the water meeting. He is not against what is best for Tift County and understands this money was approved in the SPLOST funding however, he does not understand why if we can spend all this money to do the water upgrades that we cannot take \$800,000 to equalize the water rates. He stated that if we are not going to do what is right, he quoted from the agreement that the consolidation of water can be terminated by proper notification and he suggests we do this.

The Commissioners agreed to put items C, D, E, F, G, and H, on the Consent Agenda.

County Managers Items:

- Advised that Tifton and Tift County will be lifting the water restrictions from a Level 4 to a Level 3. Will keep on top of the water levels and take a measured approach to the situation
- He advised the Board that he needs to have a little time to evaluate the beaver situation a little better and will be making a recommendation to the Board in thirty days. We need to do a fair and diligent cost analysis.
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Commissioner Comments:

Commissioner Setters inquired about a problem on Bobby Road in Kelltown on what has to be put in place to stop semi-trucks from traveling it. Jason Jordon reported that he has looked at it and said it is not a threat to the road; that the dirt road is in good shape. It only involves on truck and that person lives on that road.

Commissioner Jones noted that there are several new developments on the Westside and some people have asked about extending the recycling site hours because it is only open on Saturday. He would like a recommendation from staff of the possibly of opening the site one day during the week for a few hours. The county Manager stated this is a joint service but will have a meeting with the city to discuss and advise of their opinion. He referred to an article in the Georgia County Magazine last month, "Show Me the Money" and suggested that we look at obtaining a grant writer to help all of the outside agencies requesting funds from the county to look for other sources for them to obtain funds. We need to have someone we can send these non-profit organizations and other agencies to for help.

Commissioner Miley directed some questions to Jason Jordan, Special Projects Manager and he will check and respond.

Vice Chairman Hester referred to a statement of "can we go home and sleep at night", from the last meeting; he stated he left something out. He stated he forgot to thank the County Manager, County Attorney, Finance Director and staff for putting the budget together in such a timely manner. He thanked all the people that came to the meeting tonight and for their concerns about items on the agenda. He asked the County Manager if the light on Hale Avenue is being handled and was advised that it is being taken care of.

Commissioner Mathis asked about the request he left on the voicemail of the County Manager that involved a maintenance item in the Elections Department. The County Manager advised that it has been taken care of.

Chairman Thompson commended the Staff also for their dedication and time spent on getting the budget adopted on time. That is a real plus for the County.

The County Clerk advised the Board that a Special Called Meeting needs to be set up for the purpose of adopting the Tax Millage Rate Resolution to include the Board of Education Millage Rate. The Board agreed to meeting Monday, July 16, 2007 at Noon.

Executive Session: Motion was made by Vice Chairman Hester to go into Executive Session under OCGA 50-14-13[4], Land Acquisition, OCGA 50-14-3[6], Personnel and OCGA 50-14-2[1] Legal, seconded by Commissioner Mathis. Motion carried unanimously.

Motion was made by Commissioner Mathis to close Executive Session, seconded by, Commissioner Setters. Motion carried unanimously.

Chairman Thompson adjourned the meeting.

Chairman Grady Thompson, Dist 7

Vice Chairman Donnie Hester, Dist 1

Commissioner Frankie Mathis, Dist 2

Commissioner Robert Setters, Dist 3

Commissioner Sherry Miley, Dist 4

Commissioner Fred W. Buck Rigdon, Dist 5

Commissioner C. Michael Jones, Dist 6

ATTTEST: _____
County Clerk

REGULAR SESSION
TIFT COUNTY BOARD OF COMMISSIONERS
MONDAY, JULY 9, 2007
6:30 P.M.

The scheduled Regular Session of the Tift County Board of Commissioners was called to order by Chairman Grady Thompson on Monday, July 9, 2007, at 6:30 p.m. in the Court Room of the Administrative Building. Members of the commission present including Chairman Thompson were Vice Chairman Donnie Hester, Commissioners Sherry Miley, Frankie Mathis, Buck Rigdon, C. Michael Jones and Robert Setters.

Chairman Thompson called to order the Regular Business Meeting of the Tift County Board of Commissioners at 6:30 PM.

Chairman Thompson asked Commissioner Frankie Mathis to give the invocation followed by the pledge to the flag.

Sheriff Vowell and Major Jones presented awards to Deputies Ernest Dove and Senida Gonzales in recognition of their assistance in helping to save a life in the line of duty. Deputy Dove assisted in an incident involving three people being struck by lightning keeping one serious injured person alive until he could be transported. Deputy Gonzales added in freeing a 9 year old boy who was tangled in a seatbelt. Resolutions were read and the Sheriff pinned each deputy for their heroic acts.

Executive Session: Motion was made by Vice Chairman Hester to go into Executive Session under OCGA 50-14-2(1) Legal and OCGA 50-14-3(6) Personnel, seconded by Commissioner Mathis. Motion carried unanimously.

Motion to close Executive Session and return to Regular Session was made by Vice Chairman Hester, seconded by Commissioner Setters. Motion carried unanimously.

All actions taken in this meeting are results of commissioners' votes with the Chairman not voting except in the case of a tie which will be stipulated as such.

Public Comments:

Carolyn Abell, 1802 Regent Road, West, addressed the Board stating that she doesn't normally speak, however she told the Board that it reflected on the Commission Board very poorly to go into an Executive Session at the beginning of a meeting that lasted approximately 45 minutes and kept more than 100 people waiting on them. She stated that it indicated poor planning on their part.

Minutes: Motion was made by Commissioner Mathis approving the minutes of the June 4, 2007 Called Session; June 5, 2007 Workshop Session, June 11, 2007 Regular Session; June 19, 2007 Joint Called Session; June 21, 2007 Budget Public Hearing; and June 25, 2007 Called Session, seconded by Vice Chairman Hester. Motion carried unanimously.

Public Hearings:

- A. **TC-ZA-07-05: Glenn Green request to rezone 31.52 acres from a parcel consisting of 117 acres from AU (Agricultural Use) to R-20 (Residential Single Family):** Mr. Fortson explained the nature of the request and advised that it comes to the Board with a recommendation of denial from Planning and Zoning. Staff recommends approval. The County Manager opened the public hearing. Commissioner Rigdon declared a Conflict of Interest.

Joe Dent, Attorney, P.O. Box 2008, Albany, Georgia addressed the Board. Mr. Dent has been retained by Glenn Green as legal counsel and he spoke to the Board on behalf of Mr. Green. For the record, Mr. Dent gave a copy of a letter addressed to the Board of Commissioners dated July 5, 2007 referencing the above rezoning application and a booklet prepared of Phase II of The Willows Subdivision on Old Ocilla Road that included a petition of the citizens in favor of the rezoning and also noted that several citizens that had previously signed the petition opposing the rezoning had changed their minds and were not in favor of the request. Mr. Dent stated that Mr. Green had made several compromises in his efforts to get this property rezoned so that he can develop it. He has changed the lot size from half acre lots to 21,780 square feet lots and from

1500 square foot houses to 1800. He finalized an agreement today to provide sewer to the property which would eliminate the use of septic tank of which he will pay the cost from his own pocket. The rezoning request was “in the intermediate range for homes. Mr. Dent addressed each issue of concern that has been brought up. Most of the people in opposition of the rezoning are against it referring to it as a subdivision that would lower property values, traffic and congestion would be a problem, storm water drainage and the small lot sizes. Mr. Dent did not use up all of the time allotted and before he left the podium, he asked to reserve that time for the right to rebuttal if needed. The handout presented by Mr. Dent is made a part of these minutes under EXHIBIT “A” as an attachment.

Joseph Carter, Attorney, 246 East 12th Street, Tifton, GA addressed the Board on behalf of the citizens that are in opposition to the rezoning request of Glenn Green. He reminded the Board that this request comes to them with a denial recommendation from Planning and Zoning by a 5 to 1 vote. He stated that the request would be an “R-20 island” surrounded by R-1 zoning. The rezoning would be a great impact on the existing properties and was not consistent with the zoning already in place in the area. He stated that twenty eight[28] of the proposed forty[40] lots involve wetland and that Mr. Green would have to deal with the Army Corps of Engineers in order to permit these lots which he would not be able to develop because they are in wetlands. Quoting the ordinance, he said, “Its’ motive is to preserve wetlands and that the applicant’s motive is profit”. Mr. Carter, in closing, referred the Board to tab 11 in the handout provided, stating four main points that needed to be considered for a denial of this request. He stated that this is a misapplication of the Tift County Zoning Ordinance and would not provide the protection intended for the residences of Tift County. The handout presented by Mr. Carter is made a part of these minutes under EXHIBIT “B” as an attachment.

Several Commissioners had comments on the request. Commissioner Setter inquired for clarification that the Board was only looking at a preliminary plat and not a final plat. Commissioner Mathis stated that is concern was that Mr. Green could not have 20,000 square-foot lots with the wetlands on the property and likewise Commissioner Jones had concerns about the lots in the wetlands.

In rebuttal comments from Mr. Green’s attorney, he reminded the Board that they are not approving neither a preliminary or final plat; this application is only to rezone the property. He stated that Mr. Green is aware that there are many steps to follow for the proposed subdivision but the first step is only for the rezoning of the property.

There were no further comments. The County Manager closed the public hearing.

Commissioner Miley stated that it has not been an easy decision; it has been long and drawn out for both sides.

Motion was made by Commissioner Miley to deny the rezoning request of Glenn Green, seconded by Vice Chairman Hester. The motion to deny was defeated by a 3 to 2 vote. Miley and Hester votes yes, Setters, Jones and Mathis voted against the motion.

Motion was made by Commissioner Setters to approve the rezoning request of Glenn Green, to include the additional provisions of 21,780 square feet lots, 1800 heated square feet with two (2) car garage and sewer on all houses in this phase, seconded by Commissioner Jones. The motion carried with a 3 to 2 vote. Setters, Jones and Mathis voted yes and Hester and Miley voted against the motion.

- B. TC-SE-07-08: Archer Western contractors has applied for a special Exception to be allowed to place a temporary concrete batch plant consisting of (9) acres located at the northwest corner of Highway 41 South and Omega Eldorado Road:** Mr. Fortson explained the nature of the request and advised the Board that it comes with a recommendation of denial and a recommendation of approval from staff. The County Manager opened the public hearing.

Steve Nannini, 119 Eagle Lane, Catlin, Alabama, representative for Archer Western Contractors spoke in favor of their request. He stated that the Department of Transportation was putting in three paved lanes from Southwell Boulevard back south to Kinard Bridge Road and that the requested location of the batch plant was in the middle of the project and had been determined the best place for the plant. They have ruled out the Industrial Park because of no feasible site and have looked at an alternative site behind Magnolia Plantation that would not require rezoning. He addressed several of the concerns of the residents from the area stating the closet

property would be a minimum of 800 feet from the plant that has a buffer of trees and a pond. The latest technology to control dust will be implemented which would counter act any adverse affects. Because of DOT rules and regulations, they have no choice but to do the work at night. Commissioner Setters asked Mr. Nannini if Archer Western would be maintain the county road they would be traveling on and he stated they would during the three years of the project. Commissioner Miley asked about the number of trucks that would be traveling on the road at night the time factor. Mr. Nanninis' response was that there would be approximately 25 to 30 trucks and they have a 30 minute window from the time it is batched to get it to the project site. Once the project is complete, the site would be graded and cleared as when they occupied the site for the plant.

Steven Clements, 4040 highway 41 South, Tifton was the first to speak in opposition to the request. He said that the project will last for three years and the Eldorado Community will have to deal with it for this period of time and would be receiving nothing from it. He stated he has to be at work at 6 AM and was concerned about the night noise that would keep him from sleeping. He addressed the Noise Ordinance and asked if the Board had considered placing an extra tax on the company for the wear and tear of the County Road they would be traveling. Addressing the dust problem, lower property values and other things, he said he doesn't see any benefits to the community. He then asked everyone in the room who was opposed to stand and more than a dozen citizens rose. He also advised the Board that he had a signed petition of more than 200 names opposing the request for the placement of the batch plant.

Greg James, 72 Briarwood Court, spoke in opposition to the request stating that he had previously lived next to a concrete plant and he speaks from experience. His main concerns were the chemicals that would be used and ground water contamination. He said in three years these folks will be gone but we will still have to live there.

Linda Rutland, spoke against the request stating they didn't move to the country to live under these conditions. Her husband has a critical heart condition and this plant going in there would not allow them to even go outside. Stepping away from the podium, Ms. Rutland stated, if you let the concrete plant go in down there, "I'll give you my property for you to go live in it".

Brenda Williams, 4050 Highway 41 South addressed the Board in opposition to the request. She stated that she and her husband own a trucking company and she is aware how long it would take those trucks to travel to the project interjecting that the statement of Mr. Nannini that it would take too long to travel from the Industrial Park to the project site "a bald-faced untruth". It does not take 30 minutes to go four miles. She stated that the company is not for our community and nobody down there wants it other than this company.

There were no further comments and Mr. Carter closed the public hearing.

Motion was made by Commissioner Setters to deny TC-SE-07-08, Special Exception request from Archer Western Contractors, seconded by Commissioner Jones. Motion carried unanimously.

Consent Agenda:

- C. Motion approving TC-SE-07-10 Special Exception to allow installation of a communication tower form Excel Communications
- D. Motion authorizing the Chairman to endorse Rental Lease Agreement for the Veteran Service Office space
- E. Motion authorizing the Chairman to endorse Rental Lease Agreement for the Juvenile Justice Office space
- F. Motion authorizing the Chairman to endorse the Safety Discount Verification Form
- G. Motion appointing Mike Collier to the Athletic Advisory Committee for a 3 year term to expire may 2010
- H. Motion authorizing the Chairman, Vice Chairman, County Manager and Finance Director to execute a Municipal master Lease to be used as a financing too by the County for purchases

Motion was made by Vice Chairman Hester to approve the Consent Agenda consisting of items C, D, E, F, G, and H, seconded by Commissioner Mathis. Motion carried unanimously.

Regular Agenda:

- I. Acceptance of bid for South Carpenter Road and Jordan Road Water Upgrades: Vice Chairman Hester asked to go on record stating that at the previous meeting when the water upgrades were discussed, he was not against the water upgrades because it was approved in SPLOST III, and his concerns are the equalization of the water rates. Motion was made by Commissioner Rigdon to accept the recommendation from the Water Committee to approve the low bid for the water upgrades on South Carpenter Road and Jordan Road from Little River Construction in the amount of \$478,636.40 to be funded from SPLOST III and authorize the Chairman to sign the agreement, seconded by Commissioner Setters. Motion carried unanimously.

County Manager Comments: None

Commissioners Comments:

Commissioner Mathis apologized to Ms. Carolyn Abell and the remaining audience for the length of the Executive Session and for taking up their time prior to the Regular Meeting.

Commissioner Miley inquired of the County Manager about a road she had asked about and that she was confused about a letter to Larry Walker about the in kind dollars for the Airport Extension and asked for some clarification on this issue. The County Manager will report back to her.

Motion to adjourn was made by Vice Chairman Hester, seconded by Commissioner Jones. Motion carried unanimously.

Chairman Grady Thompson, Dist 7

Vice Chairman Donnie Hester, Dist 1

Commissioner Frankie Mathis, Dist 2

Commissioner Robert Setters, Dist 3

Commissioner Sherry Miley, Dist 4

Commissioner Fred W. (Buck) Rigdon, Dist 5

Commissioner C. Michael Jones, Dist 6

ATTEST:

County Clerk

**CALLED SESSION
TIFT COUNTY BOARD OF COMMISSIONERS
MONDAY, JULY 16, 2007
12:15 P.M.**

The scheduled Called Session of the Tift County Board of Commissioners was called to order by Chairman Grady Thompson on Monday, July 16, 2007, at 12:15 p.m. in the Commissioners' Meeting Room of the Administrative Building. Members of the commission present were Vice Chairman Donnie Hester, and Commissioners Buck Rigdon, Sherry Miley, C. Mike Jones and Robert Setters. Commissioner Frankie Mathis was absent.

All actions taken in this meeting are results of commissioners' votes with the Chairman not voting except in the case of a tie which will be stipulated as such.

Chairman Thompson called the meeting to order at 12:15 P.M.

Adopt Resolution to impose the 2007 Millage Rate for Tift County that will include the Tift County Board of Education Rate:

The Board was advised that the Tift County Board of Education held their meeting on July 12, 2007 to set the school millage rate for Tift County and it has to be included on the Millage Resolution to be submitted to the state. The School Millage Rate remained the same as last year at 14.464 mills. The Chairman needs to be authorized to execute the Resolution to include all millage rates for Tift County.

Motion was made by Vice Chairman Hester to adopt the Millage Rate Resolution for Tift County at the previously set rate, to include the Board of Education rate, and authorize the Chairman to execute the Resolution, seconded by Commissioner Jones. Motion carried unanimously.

Motion to adjourn was made by Commissioner Setters, seconded by Commissioner Rigdon. Motion carried unanimously.

Chairman Grady Thompson, Dist 7

Vice Chairman Donnie Hester, Dist 1

absent
Commissioner Frankie Mathis, Dist 2

Commissioner Robert Setters, Dist 3

Commissioner Sherry Miley, Dist 4

Commissioner Fred W. Buck Rigdon, Dist 5

Commissioner C. Michael Jones, Dist 6

ATTEST: _____
County Clerk

**CALLED SESSION
TIFT COUNTY BOARD OF COMMISSIONERS
MONDAY, JULY 24, 2007
12:15 P.M.**

The scheduled Called Session of the Tift County Board of Commissioners was called to order by Chairman Grady Thompson on Tuesday, July 24, 2007, at 12:15 p.m. in the Commissioners' Meeting Room of the Administrative Building. Members of the commission present including the Chairman were Commissioners Buck Rigdon, Sherry Miley, Frankie Mathis, C. Mike Jones and Robert Setters. Vice Chairman Donnie Hester was absent.

All actions taken in this meeting are results of commissioners' votes with the Chairman not voting except in the case of a tie which will be stipulated as such.

Chairman Thompson called the meeting to order at 12:15 P.M.

- A. Health Care Services Agreement for Inmates:** Jason Jones with the Tift County Sheriff's Department was present to explain the Health Care Service Agreement for the jail inmates. He stated that since 1997 the County has contract with Southern Health Partners and in the past two years has seen a decline in the services they provided. They began the process of search for another provider about a year ago. It is necessary, cost wise, to look for a provider to meet the needs of inmates in house without having to send them outside for care. This contract is a little more expensive but has been allotted in the budget and it offers more services such as the pharmacy is included. The company is CorrectHealth Tift, LLC and is a good benefit for the jail. It is a one year contract which will use doctors here in Tifton; in this case it is Dr. Roberts. Nurses are on staff at the jail 16 hours a day to provide in house care and doctors are notified when necessary.

Motion was made by Commissioner Mathis to enter into the contract with CorrectHealth Tift, LLC to provide health care for inmates and authorized the Chairman to execute the one year agreement, seconded by Commissioner Miley. Motion carried unanimously.

- B. Partial Funding of Director of Special Events/Tifton-Tift County Tourism Association:** The County Manager explained the primary responsibility of this position is to recruit special events for Tifton and Tift County. The request is for \$20,000 from the County which is partial funding for the Director of Special Events. This is in addition to funds already paid to the Tourism Association and above the 40 percent they received from the hotel/motel tax. The salary for the position would be around \$45,000 with incentives or bonuses built in. Commissioner Miley pointed out that we are doubling what we already give them and questioned why the tourism board could not fund the position from the funds they already receive. Commissioner Setters stated he understood that this will be seed money for one year. Commissioner Jones stated that he wanted it understood that if it was approved by this Board that it would be for one year. This was inadvertently left out of the budget although the tourism association thought it had been included. The funds will now have to come from the General Fund of the County Budget. Commissioner Rigdon suggested that the money should be drawn down and held by the tourism association in the event the director is not hired and held for the next budget year.

Motion was made by Commissioner Setter to fund the \$20,000 toward the Special Events Director position subject to annual review at the end of this budget, seconded by Commissioner Rigdon. Motion carried unanimously.

- C. Amendment to the Special Events Ordinance:** The County Attorney advised the Board of an amendment to the Special Events Ordinance he prepared for their consideration. It has become necessary to alleviate the fuel responsibility of this on the Tift County Sheriff's Department. The amendment allows for the utilization of P.O.S.T Certified Officers and/or Bonding Companies. The amendment also stipulates that any events with expecting more than 1,000 patrons, the Sheriff Department would need to be made aware of because of the impact of services it may cause.

Motion to adopt the Resolution/Amendment to the code of Ordinances for Tift County with respect to the Special Events Ordinance was made by Commissioner Setters, seconded by

Commissioner Jones. Motion carried by a 3 to 2 vote. Commissioners Setter, Jones and Mathis voted yes. Commissioners Rigdon and Miley voted no.

D. DOT contract in the amount of \$50,320 for Omega/Eldorado Road @ Little River Tributary: This contract with the DOT is for the bridge on Omega/Eldorado Road

Motion was made by Commissioner Mathis to authorize the Chairman to endorse the DOT contract, seconded by Commissioner Miley. Motion carried unanimously.

Motion to adjourn was made by Commissioner Mathis, seconded by Commissioner Setters. Motion carried unanimously.

Chairman Grady Thompson, Dist 7

Absent
Vice Chairman Donnie Hester, Dist 1

Commissioner Frankie Mathis, Dist 2

Commissioner Robert Setters, Dist 3

Commissioner Sherry Miley, Dist 4

Commissioner Fred W. Buck Rigdon, Dist 5

Commissioner C. Michael Jones, Dist 6

ATTEST: _____
County Clerk