

**TOOMBS COUNTY BOARD OF COMMISSIONERS  
COURTROOM**

**LARGE**

**October 21, 2014**

**5:30 PM**

**REGULAR BOARD MEETING**

**PRESENT: MICHAEL BLAKE TILLERY, JEFF MCCORMICK, ROY LEE WILLIAMS, WENDELL HUGH DIXON, DENNIS DARRIEL NOBLES, HOWARD KAUFOLD, JOHN M. JONES AND BELINDA R. WHIRLEY**

**Call to Order:** Chairman Tillery called the meeting to order at 5:30pm.

**Invocation:** Reverend Alfred Cason gave the invocation.

**Approve Agenda:** Commissioner Dixon made a motion seconded by Vice-Chairman McCormick to amend the agenda to add Development Authority Appointments after Department Reports on the Agenda. Motion carried unanimously.

**Approval of Minutes:** Commissioner Dixon made a motion seconded by Vice-Chairman **September 16, 2014 Regular Board Meeting & September 25<sup>th</sup>, Called Meeting:** McCormick to amend September 16<sup>th</sup>, Regular Board Meeting in the wording in the sentence of Betty Lindsey presenting a signed petition to the Board should be corrected to read that Betty Lindsey presented a signed petition to the prior Commission and nothing was done. Motion carried unanimously.

**Recognition of E.L. "Sonny" Odom Board of Assessors:** The Chairman Tillery honored E.L. "Sonny" Odom for 15 years of service on the Toombs County Board of Assessors. He was awarded with a plaque honoring his service to the county. Mr. Odom was very thankful to everyone especially the Tax Assessors Office for all the work they do.

**Employee Recognition:** Chairman Tillery recognized Claudia Gardner as Employee of the Month for October. She has worked in the Toombs County Clerk of Court's Office for 14 years. She was awarded a \$50.00 Gift Certificate to Ruby Tuesday's in Vidalia.

**Public Participation:** Kirby Brantley came before the Commission as a resident of Toombs County, who lives on North Morningside Drive. He presented a petition to bring Country Estates Boulevard Extension into the road system. This road is 685 feet and it connects CV Mosley Road to Green Acres Drive. It is the main access to North Morningside Drive. It has become dangerous to this community and especially unsafe for our children because of tree limbs obstructing the along the right of way.

Chairman Tillery thanked Mr. Brantley and told him that this is the first step to getting the road accepted into the system but there are several more steps that will need to be taken before a vote can be made. The County Manager will be in touch with you within the next week to talk about that process.

**Development Authority** Michelle Johnson appeared before the Commission to report on the

**Report:** Development Authority and the Chamber of Commerce. The Chamber is having their Annual Golf Tournament on Thursday, October 23, 2014 at Hawk's Points Golf Club. The next Chamber Connection will be Thursday, November 13, 2014 at People's Bank in Lyons from 5:15PM to 7:00PM.

The Development Authority is hosting the Economic Development Session of Leadership Toombs-Montgomery on Thursday, October 30, 2014. Also, they will visit Vidalia Schools on Wednesday, November 5, 2014 to see a demonstration of their Robotic Program. The next Development Authority Meeting will be held on Thursday, November 20, 2014 at 12 Noon. The Development Authority Board has two member's whose term will expire in December of 2014 and nominees have been submitted to the Commission for a vote tonight so that these new members can be part of the November Retreat.

**Department Reports:** Skipper Smith, Director of Environmental Compliance informed the Commission that the County is down to one dumpster site. The two in the north part of the County have been closed and cleaned up. The county has placed cameras at this site to get it under control.

**Development Authority Appointments:** Vice-Chairman McCormick made a motion seconded by Commissioner Nobles to approve the appointments of Donnie Alderman, who will assume the position of Wendell Dixon, who has filled his term and Trent Williams who will succeed Michael Grimes. Motion passed by a 3-0 vote with Commissioner Dixon abstaining from the vote.

**Consideration of Resignation from Joseph Hutcheson Toombs County Recreation**

**Director:** Commissioner Nobles made a motion seconded by Commissioner Williams to accept the resignation of Toombs County Recreation. Director, Joseph Hutcheson. Motion carried unanimously.

**Consideration of Appointment of Mr. S. Wayne Smith to Toombs County Board of Family & Children Services:**

Commissioner Dixon made a motion seconded by Vice-Chairman McCormick to table this item until the next regularly scheduled meeting. Motion carried unanimously.

**Consideration of Appointment of Mrs. Marianne McMillan to Toombs County Board of Family and Children Services:** Commissioner Dixon made a motion seconded by

Vice- Chairman McCormick to table this item until the next regularly scheduled meeting. Motion carried unanimously.

**Report from the Animal Control Ordinance Review Committee by Leesa Hagen:** Ms.

Leesa Hagan of the Animal Control Ordinance Review Committee appeared before the Commission to report on their recommendations. She informed the Commission that the Committee had met five times since April and that they have reviewed the policies and met the three goals requested of them. Ms. Hagan informed the Commission that SOAPS saves Toombs County time and money by placing 1500 dogs per year, while also spay/neutering another 4500. SOAPS spends anywhere from \$25,000 to \$300,000 annually on their efforts with no paid employees. She went on to inform all that SOAPS is prohibited by law from picking up animals beside the roadway or on public property such as dumpsters. Therefore, she recommended that the county enter into a legal written contract negotiated between the county and rescue that would allow their association to pick up the animals. Other recommendations included that the county enact ordinances that would allow animal control officers/law enforcement officers to take animals from private property without the owner's permission if there are health or safety issues. Another recommendation is to see an ordinance limiting the number of domestic animals residing at a residence, and require business licenses for dog breeders.

Hagan acknowledged there is an animal problem within Toombs County and it is a problem that deserves the attention of the Commissioners and citizens both for the sake of public health and safety, and the humane treatment of animals.

**Consideration of Approval of 2014 Contribution Employee Defined Benefit**

**Plan:** Commissioner Dixon made a motion seconded by Vice-Chairman McCormick to approve the recommendation of County Manager, Jones to contribute the maximum amount to the Toombs County Employee Defined Benefit Plan. Motion carried unanimously.

**Consideration of CDBG Application for Improvements to Pendleton Creek**

**Community:** Commissioner Nobles made a motion seconded by Commissioner Williams to approve the 2015 CDBG Application for Pendleton Creek Community. Motion carried unanimously.

**County Manager Report**

**Financial Report:** Manager Jones gave a financial report for the month ending September 30, 2014.

**EMS Report:** Jones reported that there were 500 calls for the month of September and also that collections are up as well.

**Other Miscellaneous Items:** Mr. Jones reported that he met with the landscape engineer last week and they went out to Gray's Landing to look at what improvements can be done in the landscaping. The Department of Natural Resources would like to meet with us out there in three weeks to go over the plans that we have for Gray's Landing. They are going to let us know how much money they can allocate to us to help do some of these projects. Also, the County was looking at putting in a landing at Dead River Road but DNR says that will not work due to the water level over a 12 month period. Although the Department of Natural Resources is unable to help with funding they suggested that the County try to put in some type of landing. Also, we are talking to them about US HWY 1 and putting a landing at the bridge there. Manager Jones informed the Commission that Representative Morris was able to help the county get a prison work crew to do some much needed maintenance on our county buildings.

**Standing Committee Reports:** Commissioner Dixon informed the Commission that he met with EMS Director, Raymond Carroll and they are concerned with the number calls due to the miles being put on the ambulances. They are all running now. I think they are doing a really good job. Also, Dixon went on to thank the road crew for the work they do.

**Commissioners Comments:** Commissioner Nobles informed the Commission that he attended the ACCG Conference and that there was a lot of concern about the LOST Distributions. Nobles also informed the Commission that while there he found out that the Superior Judges are asking for a big raise and also, they are trying to pass a law that SPLOST can be put in reserve if not used. Two bills coming up this year will help with the funding of 911 and the other will help with the funding of Juvenile Cases. In other business, he informed the Commission that the Trucking Industry would like to raise the weight limit on Semis from 80,000lbs to 95,000lbs but the government is trying to fight this because this weight increase would cause a lot of damage to County Road Systems.

In closing Commissioner Nobles reminded everyone of the ACCG District 9 Meeting to be held on November 19, 2014 at the Lyons Depot from 10:00AM – Noon with lunch to follow. Chairman Tillery thanked Commissioner Nobles for serving on those committees and keeping the Commission informed. Vice-Chairman McCormick thanked all the employees for what they do day in and day

out. Just like these green box sites. great.

They are moved, clean, and just look

The last dumpster site that we have is in my district down in the Petross area. I get a lot of phone calls due to illegal dumping there. Hopefully, we can find some land over in that area to put a convenience center by next year.

Chairman Tillery thanked everyone for their reports. Our first responders and firemen can't get calls in certain areas of the county. There will probably be a report on this at the next meeting. Tillery informed the Commission that last week we had Putnam County come through our area to see what our Development Authority has done and the successes that they have had. Georgia Power actually paid for them to come through because Plant Branch is closing. What we are going to do when that large supplier of income leaves? What are we going to do to remain viable? I think we need to be a progressive generation and think about that now.

**Temporary Recess for Workshop Session:** Vice-Chairman McCormick made a motion seconded by Commissioner Dixon to take a temporary recess for the Workshop Session at 6:20PM. Motion carried unanimously.

### **WORKSHOP SESSION**

#### **15 minutes after Regular Meeting Recess**

**Overview of Long-Term Strategic Plan for County Transportation Infrastructure:** AT 6:40PM, Manager Jones took the floor by explaining that he and the Commission began evaluating really everything in County Government including the road system 2 years ago. The main goal was how to improve the total road system while lowering the number of miles unpaved and improving the shape of those that remain unpaved.

The County spends approximately \$1,000,000.00 a year on roads and most of that goes toward maintaining our 361 miles of dirt roads. The Commission's strategic goal is to try to lower those miles. One way to do this is by closing dirt roads in the County that does not serve a public purpose. We then need to come up with a way to determine which roads would need to be paved. One accomplishment was the development of a Road Paving Rating System by the Road Committee. Vice-Chairman McCormick & Commissioner Nobles played a big part in putting this system together.

**Review of Road Scoring System:** Manager Jones turned the review of the Road Paving Rating System over to Vice-Chairman McCormick. Vice-Chairman McCormick thanked everyone for attending the meeting. He went on to say that to lower the number of miles unpaved the first option is to close roads that do not serve a public purpose. The next step is to determine which dirt roads will be paved. We are in the process of paving Glynn James Road and Ezra Taylor Road. Both roads are being paid by a Local Initiative Grant or LMIG which is no cost the County.

McCormick informed everyone that the Road Rating System is based on a number of items. The road is scored higher if it is a shorter road. Also, an important aspect is all right-of-way deeds have been obtained and filed. Other aspects are driver safety, public safety and the number of residents, businesses and places of worship. Interconnection to a State Route is a big deal and scores higher. No more than three roads at a time are considered for paving.

This Commission has heard many times about a list of roads to be paved but no one has ever found this list. As far as getting roads ready to pave we do have a crew that has been put together for that purpose. We have purchased some equipment that can actually help get this done.

**Plan for Improvement of Existing Dirt Roads:** Manager Jones explained to the Commission that T-SPLOST funds are being used to fund the new T-SPLOST Crew whose job is to re-engineer all the county dirt roads. Equipment has been purchased with SPLOST Funds. This will help us have a better dirt road system and help prepare them if paving ever becomes an option.

Jones reiterated that the County's goal is to have a better overall road system in to the list of roads that were to be paved. He went on to say that his road Bud Jordon Road was to be paved that he went out and got the right-of-way deeds.

Mr. Brantley informed the Commission that they don't have to pave the road just get it in good enough condition so they can get in and out. This road is too dangerous even for an ambulance to get through.

Vice-Chairman McCormick agreed with Mr. Brantley that Bud Jordan road is in poor condition. He himself drove down it and there are parts of the road

that only one car can pass through at time. He went on to say that the ditches have been filled up and there are crops actually growing on what should be part of the road.

McCormick informed all that it is this Commission's goal to look at all roads and make a pledge to make them all better. Over the next eight years this Commission would like to be able to have a better road system and be able to maintain all roads within the Toombs County Road System.

Chairman Tillery informed Mr. Brantley that most of the time when the Commission has gone back to check on these right-of-way deeds they have turned out to be in most cases a petition signed by landowners. In order for it to be deeded to the County it has to be filed in the Clerk of Court's Office.

Tillery said "If in fact it was only a petition that was filed the first step would be to get the right-of-way deeds signed and filed in the Clerk of Court's Office.

Mr. Brantley said "I do know that I got what I was told I needed at that time to get my road paved."

Mr. Elmer Caraway wanted to know how much footage is needed for a right-of-way deed. The Commission referred this question to Road Superintendent Fuzzy Swain. Mr. Swain said it depends on the road but most of the time it is a 60 to 80 foot right-of-way that is required.

County Manager Jones did inform Mr. Elmer Caraway that if in the long term goals the Commission is looking at turning lanes and such as that then a 100 foot right-of-way would be needed.

Mr. Elmer Caraway asked the Commission what would happen if say he gave his land for the right-of-way but someone else chose not to then what would happen.

Tillery explained that although the Commission would never want to take anyone's property there may be times when it is unavoidable. The land owner would be offered an appraised value for their land.

Another question that was asked is when the Commission is asking for a 60 foot right-of-way is that 30 foot on each side of the center line.

Commissioner Nobles answered by saying that it may not always be an even 30 foot, because it all depends on the road and what is required for the ditches or straightening of curves.

In most cases it has to be at least a 60 foot right-of-way. Still another question was asked by a gentleman who lives at the corner of Ezra Taylor and Hugh Taylor Roads. He just dug up a tree and moved it 30 feet over. He wants to know if the Commission feels like this is enough room for future growth.

Manager Jones informed all that it would be better to move it Back another 10 feet because if you look at the long term plans it will probably have to be moved again. There are no plans on the books that show Hugh Taylor ever being paved, but if you look at it over a 15 year period it is possible.

Mr. Wayne Brantley asked the Commission if they could get him the correct paperwork that needs to be signed for getting the right -of-way deeds signed for Bud Jordan Road.

Chairman Tillery assured Mr. Brantley that the County would get him the proper paper work.

**Return to Regular Meeting from Workshop Session:** Vice- Chairman McCormick made a motion seconded by Commissioner Dixon to return to regular meeting at 7:40PM. Motion carried unanimously.

**Executive Session:** Commissioner Dixon made a motion seconded by Vice- Chairman McCormick to go into executive session to discuss pending potential litigation, acquisition of real estate and deliberation of disciplinary action of employees. Vice-Chairman McCormick made a motion seconded by Commissioner Dixon to end executive session. Motion carried unanimously.

As a result of executive session, Commissioner Nobles made a motion seconded by Vice-Chairman McCormick to allow each individual involved in the law suit to be served separately and to approve the recommendations of the County Manager to reprimand those EMS Employees involved in the August, 31<sup>st</sup>, 2014 incident and also to appoint Larry Moore as Interim Recreation Director. Motion carried unanimously.

**Adjournment:** There being no further business, Commissioner Dixon made a motion seconded by Commissioner Williams to adjourn at 8:35am. Motion carried unanimously.

**Attest:**

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**Michael Blake Tillery, Chairman    Belinda R. Whirley, County Clerk**