

**TOOMBS COUNTY BOARD OF COMMISSIONERS
APRIL 21, 2015**

**LARGE COURTROOM
5:30 PM**

REGULAR BOARD MEETING

PRESENT: MICHAEL BLAKE TILLERY, ALFRED CASON, WENDELL HUGH DIXON, DENNIS DARRIEL NOBLES, JOHN M. JONES, HOWARD KAUFOLD AND GAIL WIDNER

- Call to Order:** Chairman Tillery called the meeting to order at 5:30 PM.
- Invocation:** Commissioner Cason gave the invocation.
- Approve Agenda:** Commissioner Dixon made a motion seconded by Commissioner Nobles to amend the agenda to add the Roads and Bridges contract for the Dozer and the Air Conditioning for the Cedar Crossing Community Center. Motion carried unanimously.
- Approval of Minutes
March 17, 2015
Regular Board Meeting:** Commissioner Nobles made a motion seconded by Commissioner Cason to approve the minutes as written. Motion carried unanimously.
- Employee Recognition:** None
- Public Participation:** Buddy Toole rose to speak against the issuing of a beer and wine license to the Silverado. Mr. Toole stated he is a resident of the Hidden Acres community right beside the Silverado. They have had countless issues with noise, found drug paraphernalia and traffic issues. Mr. Toole stated that the sheriff's department is called out to this establishment on a regular basis, even when the establishment does not have a beer/wine license. He stated traffic around the establishment when it had a beer/wine license piled down the side streets and that the establishment was not a good fit of the otherwise residential community.

Development Authority Report: Michelle Johnson, representing the Development Authority gave a brief report in Bill Mitchell's absence. The next Development Authority meeting will be on Thursday, May 21st. The Development Authority Audit was completed on March 25th with no issues to report. There is \$176,000.00 available in the Revolving Loan Fund. There will be a final inspection on May 4th at the new Spec Building. They met with four other counties, Representative Greg Morris and Atlantic Gas Light for updates on the problems with natural gas infrastructure; with the hopes to apply for grant funds in 2016 to help alleviate the problems.

Showcasing Toombs Montgomery will be on May 1st.

Department Reports: Raymond Carroll, EMS Director gave a report on the activities for the Toombs/Montgomery EMS. He stated that there were 548 calls for March and that week before last, a new record was set of 45 calls in a 48 hour period. The calls were some wrecks but a lot were respiratory problems. We have 6 trucks; 1 at Montgomery County, 1 at Cedar Crossing, 2 duty trucks and 2 reserve trucks. He thanked the commissioners for all their support. County Manager Jones stated that there were 24,000 miles put on the ambulances this quarter in answer to Chairman Tillery's inquiry.

Presentation by Representative Greg Morris on 2015 Legislative Session: Representative Greg Morris gave a brief legislative update on the 2015 legislative session. He spoke about HB 170-Increase in Transportation Tax. He stated that he did not support this bill (Our Commissioners asked him not to due to our area voting in the T-SPLOST tax) but the excise tax is increased and will affect the average driver approximately 6 cents a gallon. The School Board will no longer be exempt from motor fuel taxes.

HB 152 – Alcoholic Beverages License: Any violation of anyone holding certain alcohol licenses must be reported to the Department of Revenue within 45 days of violation.

HB 199 – Timber Harvesters will only be required to have one bond per county.

Two or more counties can form a regional tax assessor's office with an intergovernmental agreement.

Presentation of Lease County Manager Jones explained that Pineland Mental Health has

**Agreement with
Pineland Behavioral
Health and
Developmental
Disabilities:**

presented us with the lease agreement for the period commencing on July 1, 2015 and ending on June 30, 2016. He stated that they have the option to extend this lease up to five (5) years. Due to all the activity and problems related to this building, he is hesitant to entertain the five year option. We are looking at approximately \$275,000.00 in roof repairs, trouble with the A/C system, etc.

Chairman Tillery would like to table the lease agreement and send it to legal council for advisement. County Attorney, Howard Kaufold, stated that we do not have to give them the five (5) one year option; we can strike-out sentence two(2) and three (3) of paragraph 2 and then approve the lease.

Commissioner Dixon made a motion seconded by Commissioner Nobles to approve the Pineland Mental Health Lease Agreement by amending the agreement by striking-out sentence 2 and 3, paragraph 2. Motion carried unanimously.

**Presentation of
Petition for
Scott Drive:**

Some of the residents presented a petition to pave Scott Drive. County Manager Jones stated that the road has serious drainage issues plus the water lines are in the road. This road connects to a city paved road in Vidalia.

Chairman Tillery stated that he talked to the owner of the water system and he is willing to work with us on moving the water lines.

**Consideration of
Exception to County
Ordinance on Septic
Tank Installation at
Lyons, Georgia:**

County Manager Jones explained that we have a County Ordinance that prohibits the installation of a septic tank in a 100 year flood zone. This property is at the very edge of the flood zone. The owner received a report from a soil scientist (in your packets) approving the installation with a diagram of how the tank should be installed. Walter White with the Toombs County Health Department will not grant a permit without the approval of the Commissioners.

Commissioner Nobles made a motion seconded by Commissioner Dixon to grant permission to the Health Department to issue a permit for 824 Victory Circle, Lyons, Georgia. Motion carried unanimously.

**Consideration of
Vehicle Purchase
For Magistrate Court**

County Manager Jones explained that the vehicle used by the Magistrate office to deliver warrants has over 250,000 miles on it and repairs on it will be over \$4500.00. He recommends the purchase of a

Officer: 2014 Ford Truck from Vidalia Ford in the amount of \$27,671.52 to paid from SPLOST funds.

Commissioner Nobles made a motion seconded by Commissioner Dixon to purchase the 2014 Ford Truck in the amount of \$27,671.52 from Vidalia Ford. Motion carried unanimously.

**Consideration of
Proposed FY 2016
Middle Judicial Circuit
Public Defender
Office:**

County Manager Jones presented a proposed budget for the Office of the Public Defender. They originally presented a 5% increase in budget but after discussion came back with a new budget that was cut almost in half of the original 5%.

Commissioner Dixon made a motion seconded by Commissioner Cason to accept the proposed budget as presented. Motion carried unanimously.

**Consideration of Beer
And Wine License:**

Efrain Reyes – Silverados

County Manager Jones presented the application for Silverados stating that the application is in the packets with the requirements fulfilled.

Commissioner Nobles made a motion seconded by Commissioner Dixon to bring this up for discussion only.

Commissioner Nobles stated that he cannot vote for this license. There has been nothing but problems both noise and traffic with everyone who has been issued a license for this place. The Sheriff's office has been called out on numerous occasions. This area is an otherwise good residential neighborhood and this use would not fit with what is otherwise a residential neighborhood.

Commissioner Dixon agreed with Commissioner Nobles. He also is concerned with the traffic when they four lane the US 1.

Chairman Tillery asked for clarity as to whether Mr. Nobles motion was to deny the License request.

Commissioner Nobles clarified his motion was to deny the beer and wine license to the Silverado/Mr. Efrain Reyes. Commissioner Cason seconded. Motion carried unanimously.

**Presentation of
Proposed Memorial
For Judge
Donald P. Carpenter:**

Malone Hart, grandson of Judge Carpenter came before the board asking to honor Judge Carpenter for his twenty (20) years on the bench by allowing them to put a display case outside the large courtroom and change the name on the Large Courtroom (Courtroom A) to the Donald P. Carpenter Courtroom. He presented the commissioners with the names and amounts of pledges he has received to help with the cost of this project.

Chairman Tillery told him we would review the plans and for him to get with the County Manager to be put on the agenda in the next couple of months.

**Consideration of
Request for Letter
To City of Lyons
Supporting Their
Expansion of
Sewage/Water
Capabilities:**

County Manager Jones presented a letter (in the packets) for the City of Lyons supporting their expansion of sewage and water capabilities. He is asking the board to make a motion to grant the Chairman an okay to sign the letter.

Commissioner Nobles made a motion seconded by Commissioner Dixon to allow the Chairman to sign this letter and to forward it on to the City of Lyons.

County Attorney Kaufold stated that he was not sure that we can do this and would like to check out the legalities of the letter. Chairman Tillery asked for an amended motion.

Commissioner Nobles amended the motion seconded by Commissioner Dixon to okay the signature pending review of council. Motion carried unanimously.

**Review of Revised
Mobile Home
Ordinance – Draft:**

County Manager Jones presented the first draft of the new mobile home ordinance for the commissioner's review. He asked them to review the draft and see what changes they would like to make. No action is required at this time.

**Presentation of
Up-Date on Joint
Recreation Proposal:**

County Manager Jones brought the commissioners up to date on the joint recreational proposal. He and Chairman Tillery met with the City of Lyons last week. After the onion festival is over they will be meeting

with the City of Vidalia. Everything is still moving forward.

**Roads and Bridges
Contract for Dozer:**

The Cat dozer that the Landfill had was part of the trade-in for the new John Deere Dozer that was approved previously for the Landfill. Roads and Bridges wants the Cat dozer at be used at the dirt pit exclusively. Flint Equipment has agreed to sell it back to the county for the same amount as the trade-in. The recommendation it to buy the dozer back for Roads and Bridges.

Commissioner Nobles made a motion seconded by Commissioner Cason to buy the Cat dozer from Flint Equipment in the amount of \$33,500.00 to be funded out of SPLOST funds. Motion carried unanimously.

**Air Conditioning for
Cedar Crossing
Community Center:**

The air conditioning unit at the Cedar Crossing Community Center, which is owned by the county needs to be replaced. We have a price of \$7,030.00 from Rivers Air Conditioning and Heating for replacement of the unit and the duct work. This is an emergency situation as the facility is used quite frequently.

Commissioner Dixon made a motion seconded by Commissioner Nobles to accept the bid from Rivers Air Conditioning and Heating in the amount of \$7,030.00 to be paid out of SPLOST funds. Motion carried unanimously.

County Manager Report

Financial Report:

County Manager Jones stated that there is a copy of the financials in your packets. At the end of the first quarter we are running just under 25% with our budget which is on target.

We have received the preliminary 2014 audit and the County Manager is reviewing it now. We should have a presentation of the 2014 audit by the next meeting.

EMS Report:

County Manager Jones made a correction in the quarterly mileage on the ambulances as stated previously. There were 64,000 miles put on the ambulances the first quarter of this year.

Website Up-Date:

The website is up and running with some errors and changes that need to be made. He asked the commissioners to look over the site and let us know what changes need to be made and what they would like to see added. He would like to get these corrected within the next 30 days.

Other Miscellaneous Items:

**Blue Cross Blue
Shield Health Plan
Renewal:**

County Manager Jones gave a brief report and demonstration on our annual medical/Rx claims from 2011 to 2014 showing a considerable deduction in claims since we started our Wellness Program in 2013. In the packets is the health plan renewal for the county. The new rate adjustment without ACA taxes is -3.57% and with ACA taxes is 0.47% increase in premiums for the 7/1/2015 through 6/30/2016 period. County Manager Jones recommends that we vote for the renewal at this time.

Commissioner Dixon made a motion seconded by commissioner Cason to approve the renewal of the Toombs County Health Plan with Blue Cross Blue Shield. Motion carried unanimously.

County Manager Jones stated another benefit this year will be Tele-Medicine which will be via your phone or I-pad to communicate with a doctor if you have problems. He or she will be able to see you and you them. We will also get a grant from ACCG to do the Wellness Program.

Utility Management:

Several months ago we contracted with Utility Management Service, Inc. to help us with our power bills. They were able to save us over \$4,000.00 in utility costs by getting us better rates with the power company.

**Landfill EPD
Inspection on
New Project
Construction:**

This Friday at 11:00 there will be a final inspection by EPD on the new construction at the Landfill. They will be doing compaction tests and checking the liners. We feel that we are well under budget for this project.

LOST Collections:

Our LOST collections are down 4% for the month of March giving us a year to date increase of 2.6%.

**Standing Committee
Reports/
Commissioners
Comments:**

Commissioner Dixon stated that he has successfully completed his certification for County Commissioner.

Commissioner Cason thanked his fellow commissioners and stated that he enjoyed the good fellowship at the ACCG Annual Conference.

Commissioner Nobles stated that the landfill is looking good but need some sunny days after all the rain we have had. EPD is supposed to be issuing a mining permit for the barrow pit when they come on Friday.

Chairman Tillery stated that they have just returned from the Annual ACCG meeting in Savannah where all 159 counties came together. He is amazed at the dramatic difference in the way other counties fight with their constitutional officers in comparison to ours. Our officers and elected officials keep control of their budgets and work very well with the commissioners and county manager.

Executive Session: Commissioner Dixon made a motion seconded by Commissioner Nobles to take a five minute recess and go into executive session for the purpose of litigation and personnel. Motion carried unanimously.

Commissioner Dixon made a motion seconded by Commissioner Cason to go out of executive session. Motion carried.

**Ezra Taylor Road
Condemnations:** Commissioner Nobles made a motion seconded by Commissioner Cason to hand over all properties along Ezra Taylor Road that has not been acquired to County Attorney Kaufold for condemnation. Motion carried unanimously.

Adjournment: Commissioner Dixon made a motion seconded by Commissioner Nobles to adjourn. Motion carried unanimously.

Michael Blake Tillery, Chairman

Attest: _____
Gail Widner, Interim County Clerk