

**MINUTES**  
**CALLED MEETING OF THE**  
**COLQUITT COUNTY BOARD OF COMMISSIONERS**  
**FISCAL YEAR 2015 - 2016**  
**THURSDAY, JUNE 18, 2015**  
**5:00 o'clock p.m.**

**CALL TO ORDER:** The meeting was called to order at 5:00 o'clock p.m. by Chairman Terry R. Clark. The meeting was duly called and advertised. The purpose of the meeting was to adopt the budget ordinance for Fiscal Year 2015 – 2016 and to discuss any other county business deemed necessary.

**PRESENT:** Those present were Commissioners Luke Strong, Winfred Giddens, Marc DeMott, Donna Herndon, Paul Nagy, Johnny Hardin, Chairman Terry R. Clark, County Administrator Chas Cannon, and County Clerk Melissa Lawson.

**ALSO PRESENT:** Finance Director Wayne Putnal and Alan Mauldin, Reporter with The Moultrie Observer.

**FISCAL YEAR 2015 – 2016 BUDGET CONTINUED:** Mr. Cannon presented a list of options for commissioners to consider in order to fund the proposed 2% Cost of Living Adjustment (COLA) for county employees, an increase from the formerly suggested COLA increase of 1.5%.

Mr. Cannon explained that the first option was to derive funding for the COLA from reserve funds, which would have absolutely no impact on the millage rate.

Mr. Cannon presented the second option, which consisted of utilizing no reserve funds, which would result in a decrease in the millage rate in the Incorporated areas of .627, and an increase in the Unincorporated areas of .884.

Commissioner Hardin questioned the funding difference between a 1.5% increase and a 2% increase. Wayne Putnal, Finance Director, replied that the difference totaled \$40,000.00.

At this time, Mr. Cannon informed the board that the suggested dollar amount for merit increases would also be inclusive of associated FICA costs, resulting in a reduction in the funds that would actually be allocated for salaries.

Commissioner Strong requested clarification that this included salaries and benefits. Mr. Cannon replied that it was inclusive of both.

Chairman Clark suggested that the board vote on the desired option.

Mr. Putnal announced that the amount of the overall budget would remain the same, explaining that choosing an option would only clarify where the revenue was derived in order to fund the COLA for county employees.

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Commissioner Nagy declared that the suggested increase in the millage in order to fund employee raises would only amount to an additional \$1.60 for the average \$100,000.00 residence.

Commissioner Herndon questioned the difference between the decrease in millage in the Incorporated areas and the increase in the Unincorporated areas.

Discussion ensued regarding the discrepancy in Gross M&O millage rates in the Incorporated and Unincorporated areas of the county.

Commissioner Hardin questioned the resulting impact on the millage rate if an additional \$200,000.00 of reserve funds were to be utilized.

Mr. Cannon replied that this would result in a decrease of .894 in the Incorporated areas and an increase of .617 in the Unincorporated areas.

Commissioner Strong stated that he desired to keep the millage rate as low as possible, and declared that this would necessitate the use of reserve funds.

Commissioner Hardin stated that he had no problem including the 2% COLA for county employees in the proposed budget, but stated that he would like to see the millage rate kept as low as possible. He further stated that utilizing an additional \$200,000.00 in reserves would not make that much of a difference when the county maintained a balance of approximately \$8,800,000.00 in reserve funds.

Commissioner Hardin stated that he had always considered elimination of county employee raises as a last resort option, stating that the last pay increase was granted in 2008.

Commissioner Herndon stated that she did not want to raise the millage rate, but that she understood the importance of correcting the discrepancy between millage rates in the Incorporated and Unincorporated areas of the county.

Commissioner Giddens declared that he would be in favor of utilizing an additional \$200,000.00 in reserve funds.

Commissioner Hardin stated that the county has often had to allocate reserve funds in order to balance the budget, but further stated that the county had been fortunate in not actually having to utilize these funds.

Commissioner Herndon reminded the board of her previous statement that she would not support another millage rate increase after increasing the millage rate in 2014.

Mr. Cannon stated that the optimal way to determine the millage rate was to ascertain what was necessary to fund county operations, and to set the millage rate accordingly. He further stated that the board was currently dealing with an additional factor, which was the discrepancy in millage rates.

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Chairman Clark agreed with Mr. Cannon's statement, stating that the millage rate discrepancy must be corrected.

Commissioner Strong compared reserve funds to personal savings that must be utilized during tough times, and stated that the board must do what is necessary for the benefit of the county.

Commissioner Strong declared his preference in utilizing reserve funds.

Mr. Putnal stated that every year the board has used reserves, despite the warning that this practice was not recommended.

Commissioner Strong stated that the county could not continue to raise taxes.

Mr. Putnal stated that he understood, but further stated that the county was mandated to provide certain services. He further stated that if the resources were not available in order to provide these services, the county could face liability.

Mr. Putnal stated that the main area in which the board exercised control over the generation of operating revenue was the establishment of the millage rate.

Commissioner DeMott remarked that the necessary increase in millage rates in order to provide the 2% COLA increase would be very negligible.

Commissioner Herndon commented on utilizing reserves.

Mr. Putnal stated that reserves are utilized to cash flow county operations until the main source of revenue, property taxes, is recognized at the end of the calendar year.

Commissioner Nagy spoke of a situation involving the Lowndes County School System where reserves were depleted and money had to be borrowed in order to meet financial obligations.

Commissioner Hardin stated that while he did not want to utilize reserve funds, he would rather use them than raise the millage rate.

Discussion ensued regarding budget adoption and the establishment of the millage rate.

Commissioner Nagy questioned the subsequent impact on millage rates if an additional \$200,000.00 of reserve funds were utilized.

Commissioner Strong declared that it was time to give county employees a raise.

Mr. Putnal stated that utilizing an additional \$200,000.00 in reserve funds, for a total of \$500,000.00, would result in a decrease in the Incorporated areas of .856 and an increase in the Unincorporated areas of .655.

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Mr. Cannon stated that property assessments have been mailed to the citizens of Colquitt County, and the appeal process was underway.

Commissioner Herndon questioned exactly how the discrepancy in millage rates affected the citizens of Colquitt County. Commissioner Hardin explained that citizens in the Incorporated areas paid more and those citizens in the Unincorporated areas paid less.

Mr. Cannon agreed, and stated that this discrepancy has occurred for the previous eight years.

Commissioner Strong questioned the amount designated in the proposed budget as Contingency Funds. Mr. Cannon stated that \$250,000.00 was included in the proposed budget for this purpose.

**APPROVAL OF MOTION TO INCREASE RESERVE FUND UTILIZATION IN ORDER TO BALANCE FISCAL YEAR 2015 – 2016 BUDGET:** Commissioner Strong made the motion to utilize an additional \$200,000.00 of reserve funds, for a total of \$500,000.00, in order to balance the fiscal year 2015 - 2016 budget. Commissioner Hardin made a second. Those in favor were Commissioners Strong, Hardin, Giddens, and Herndon. Opposed were Commissioners DeMott, Nagy, and Chairman Clark.

**APPROVAL OF MOTION TO ADOPT FISCAL YEAR 2015 – 2016 BUDGET ORDINANCE:** Commissioner DeMott made the motion to adopt the fiscal year 2015 – 2016 budget ordinance. Commissioner Nagy made a second. The motion carried unanimously. (Ordinance 2015-ORD-5 is hereby made a portion of the minutes by reference thereto.)

**APPROVAL OF ANNUAL CONTRACT RENEWALS:** Commissioner Giddens made the motion to approve the annual contract renewals for Animal Control/Humane Society, Museum of Colquitt County History, Inc., Volunteer Firefighters Association, and the Colquitt County Serenity House Project, Inc., for fiscal year 2015 – 2016. Commissioner Hardin made a second. The motion carried unanimously.

**JULY BOARD MEETING PREVIEW:** At this time, Mr. Cannon gave a brief overview of agenda items to be considered during the regular board meeting: reappointment of Ms. Dorothy Crapps to the DFACS board, two contract renewals, a bid for case management software for the Magistrate Court, and a request for variance.

Mr. Cannon also stated that a reappointment to the Moultrie – Colquitt County Planning Commission would be necessary in the near future due to the recent death of Richie DeMott, planning board member.

Commissioner DeMott suggested that ABM staff investigate the E-911 radio tower to ensure surge suppression due to recent lightning strikes.

**SABAL TRAIL DEPUTY SHERIFF REQUEST:** Mr. Cannon informed the board that Sabal Trail personnel have requested that a deputy occupy them when surveying certain

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parcels in the county. Mr. Cannon explained that a confrontational incident occurred which necessitated that law enforcement be called upon. He further explained that the Sheriff's department would bill Sabal Trail directly for these services.

Commissioner Nagy mentioned a letter sent recently to legislators regarding the relocation of a pipeline tap that was scheduled to be located in Colquitt County, but was instead moved to Mitchell County.

Mr. Cannon stated that initially, a tap was scheduled to be located in both Dougherty and Colquitt Counties. However, Mr. Cannon stated that he learned in March that the tap had been relocated to Mitchell County, and had since sent correspondence requesting an explanation.

Mr. Cannon stated that to date, he has yet to receive a response but further stated that the City of Moultrie would need to make the request for relocation of the tap through the Municipal Gas Authority.

Commissioner Herndon stated that she could sympathize with those individuals in opposition to the Sabal Trail Natural Gas Pipeline.

Mr. Cannon stated that it was his understanding that Sabal Trail was striving to accommodate any request for five feet of top cover. Mr. Cannon further stated that he could arrange for Sabal Trail officials to update the board concerning progress of the pipeline.

Commissioner Nagy stated that he would like to be updated on recent events regarding the pipeline.

Commissioner Herndon stated that a committee had been formed to discuss issues relating to the pipeline, but further stated that a meeting had never been scheduled.

**SCHEDULED DATE AND TIME FOR WORK SESSIONS:** At this time, Mr. Cannon questioned if the currently scheduled date and time for work sessions was agreeable with the board. It was the consensus of the board to move the time of each scheduled work session to an earlier time of 5:00 p.m.

**LIGHT COMMERCIAL SOLID WASTE SERVICE:** Mr. Cannon explained that correspondence was recently generated regarding the availability of light, commercial solid waste service in the county. As a result, Mr. Cannon stated that the county's first account was established.

Commissioner DeMott remarked that he had received several inquiries regarding the availability of this service.

Mr. Cannon presented an invoice from Lester M. Castellow, County Attorney, regarding legal services rendered for the month of May 2015, in the amount of \$5,805.00.

**APPROVAL OF PAYMENT OF INVOICE – COUNTY ATTORNEY:**

Commissioner Hardin made the motion to approve payment of the May 2015 invoice from Lester M. Castellow, County Attorney, in the amount of \$5,805.00. Commissioner Giddens made a second. The motion carried unanimously.

**INCREASE IN INTERGOVERNMENTAL JAIL HOUSING PER DIEM**

**RATE:** Mr. Cannon informed the board of his intention to generate correspondence to affected municipalities regarding the increase of the per diem rate charged for housing municipal inmates at the county jail. Mr. Cannon explained that the current per diem rate of \$27.06 per inmate had been in effect since July 1, 1999, but would increase to \$38.48 effective July 1, 2015. Mr. Cannon stated that the contractual agreement concerning intergovernmental jail housing stated that an updated rate would be established each year based on audit figures. As a result, Mr. Cannon explained that the per diem rate would again be adjusted once FY 14 audit figures were received.

The Intergovernmental Jail Housing agreement was briefly discussed.

**DRIVEWAYS ON DARBYSHIRE EXTENSION:**

Mr. Cannon informed the board of a request received from Mr. Glen Darbyshire regarding the installation of driveways on Darbyshire Extension, the road to be constructed to the new high school. Mr. Cannon stated that Mr. Darbyshire donated 8.9 acres of ROW to the county in order to facilitate construction of this road.

Mr. Cannon informed the board that the Georgia Department of Transportation (GDOT) does not recommend the installation of driveways until there is a development in the area and traffic analysis studies have been performed. Mr. Cannon stated that although GDOT provided these recommendations regarding the driveways, the rights of way ultimately belonged to the county and the county made the final decision.

Mr. Cannon presented a map of the proposed driveways.

Commissioner Nagy questioned if one of the proposed driveways would allow Mr. Tony Lasseter access to the road. Mr. Cannon replied that it did not, and stated this would be an issue between private landowners.

Discussion ensued regarding installation of the proposed driveways and the most appropriate time to do so.

Commissioner Hardin suggested the county provide assistance with the installation of driveway pipes.

Commissioner Nagy stated that the county should assist in any way possible.

Commissioner DeMott suggested that, as a sign of good faith, the board reach an agreement and convey this decision to Mr. Darbyshire as quickly as possible.

Mr. Cannon stated that approximately 1,700 students and faculty would travel the new road daily, greatly increasing the likelihood that there will be a request for development in this area in the near future.

**APPROVAL OF MOTION REGARDING INSTALLATION OF DRIVEWAYS ON DARBYSHIRE EXTENSION:** Commissioner Nagy made the motion to approve the installation of driveways, on an as needed basis, and also contingent upon compliance with county rules and regulations, on Darbyshire Extension. Commissioner DeMott made a second. The motion carried unanimously.

**EXECUTIVE SESSION:** Commissioner DeMott made the motion at 5:46 p.m. to go into Executive Session to discuss the disposition of real estate. Commissioner Nagy made a second. The motion carried unanimously. (An affidavit, as required by Georgia Law, was executed by all Board members present stating under oath that the subject matter of the closed meeting was devoted to matters within the exception provided by law and identified the specific relevant exception as provided by law. The affidavit is hereby made a portion of the minutes by reference thereto.)

**REGULAR SESSION:** Commissioner DeMott made the motion to reconvene into regular session at 5:54 p.m. Commissioner Hardin made a second. The motion carried unanimously.

**KEY DATES:** Mr. Cannon reviewed a list of key, upcoming dates with the board:

- Thursday, June 25      5:00 p.m.      Called Meeting – Landfill
- Wednesday, July 1                Commencement of FY16
- Friday, July 3                Observance of Independence Day Holiday
- Tuesday, July 7                Hearing regarding County Property Lawsuit
- 10:00 a.m.      Solid Waste Tax Sale
- 5:00 p.m.      Pre-Board Work Session
- 7:00 p.m.      July Board Meeting
- July 9      5:00 p.m.      Called Meeting – CRMC Presentation
- July 22      7:30 a.m.      Recreation Advisory Committee Meeting

At this time, Commissioner Nagy commended Russell Moody, Deputy Compliance Officer, on his prompt assistance regarding various requests and issues.

There being no further business to come before the board, the meeting was adjourned at 5:59 p.m.

Respectfully submitted,

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Terry R. Clark  
Chairman

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Melissa Lawson  
County Clerk

Approved:

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BUDGET ORDINANCE

1.

That the fiscal year shall constitute the budget year for Colquitt County and every office, department, agency, and activity of the Colquitt County Government, unless otherwise provided by general, state, or federal law, and the fiscal year for Colquitt County be that period of time beginning July 1, 2015 and ending June 30, 2016.

2.

That the annual budget for the general government for the fiscal year, as aforementioned, amounting to \$21,063,559.00 and the annual budget for the Solid Waste Management Enterprise Fund amounting to \$3,066,816.00 are both hereby adopted and approved. Pursuant to the State of Georgia Department of Community Affairs regulations and guidelines pursuant to the Georgia Department of Audits, the special revenue funds, the debt service funds, and the capital projects funds are hereby adopted as attached in "Exhibit A."

3.

That any increase in appropriations for any department in excess of the approved budget shall require a vote of the Commission authorizing said funds to be expended from the "Emergency/Contingency Fund" established in said budget.

4.

That transfer of appropriations for any department can be shifted from one line item, within each department, only with the written approval of the County Administrator of Colquitt County.

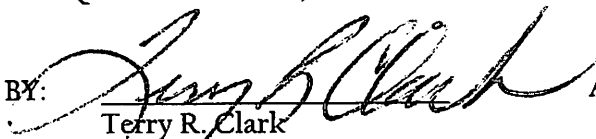
5.

That the County's Fiscal Year 2016 Millage rate be set pursuant to State Law after the Commissioners receive the 2015 digest from the Colquitt County Tax Commissioner's Office.

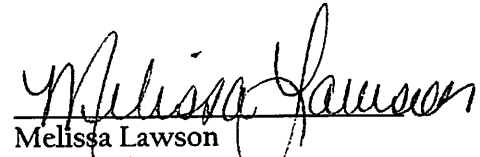
SO ENACTED, this 18<sup>th</sup> day of June, 2015.

COLQUITT COUNTY, GEORGIA.

BY:

  
Terry R. Clark  
Chairman

ATTEST:

  
Melissa Lawson  
County Clerk

“Exhibit A”

Name of Fund:	Fiscal Year 2015	Fiscal Year 2016
Emergency Telephone	1,227,383.00	1,224,677.00
Drug Abuse Fund	40,000.00	40,000.00
Jail Fund	130,000.00	130,000.00
Juvenile Services Fund	8,400.00	8,400.00
SPLOST 2002	1,000,000.00	1,000,000.00
SPLOST 2007	1,000,000.00	1,000,000.00
SPLOST 2013	4,500,000.00	4,500,000.00
Special Service District	1,778,773.00	1,776,639.00
Law Library Fund	17,500.00	19,000.00
Confiscated Assets Fund	25,000.00	25,000.00

# AFFIDAVIT

This is to certify that the Colquitt County Board of Commissioners held an Executive Session Meeting (closed meeting) on June 16, 2015, at 5:46 o'clock a.m./p.m. The majority of the quorum present voted in the open meeting to go into Executive Session (closed meeting). The subject matter discussed was applicable under the following code section(s):

- O.C.G.A. 50-14-2(1) - Consultation with an attorney regarding pending or potential legal action.
- O.C.G.A. 50-14-3(4) - Discussion of future <sup>disposition</sup> acquisition of real estate. (Notice was given as required and minutes taken.)
- O.C.G.A. 50-14-3(6) - Discussion of personnel matters.

I further certify that the subject matter of the Executive Session (closed meeting) was devoted to matters within the exception provided by law and the above checked identifies the specific relevant exception.

This 18th day of June, 2015.

Terry Clark  
Terry Clark, Chairman

Winfred Giddens  
Winfred Giddens, Commissioner

Donna Herndon  
Donna Herndon, Commissioner

Johnny Hardin  
Johnny Hardin, Commissioner

Luke Strong  
Luke Strong, Commissioner

Marc DeMott  
Marc DeMott, Commissioner

Paul Nagy  
Paul Nagy, Commissioner

Sworn to and subscribed before me, this 18th day of July, 2015.

Melissa Lawson  
County Clerk or Notary Public  
My Commission Expires: \_\_\_\_\_

