

**MINUTES**  
**CALLED MEETING OF THE**  
**COLQUITT COUNTY BOARD OF COMMISSIONERS**  
**TUESDAY, SEPTEMBER 22, 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 purpose of the meeting was to discuss various county issues and to conduct any other county business deemed necessary. The meeting was duly called and advertised.

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

**ALSO PRESENT:** Shop Superintendent Mac Lawson, Road Superintendent Stanley Kirksey, Chief Compliance Officer Justin H. Cox, Solid Waste Manager Stacy Griffin, and Finance Director Wayne Putnal.

**BUDGET UPDATE:** Mr. Cannon called upon Wayne Putnal, Finance Director, to present the board with a budget update.

Mr. Putnal distributed financial reports reflecting revenues and expenditures through August 31, 2015.

Mr. Putnal announced that it was still early in the fiscal year, stating that the majority of the county's revenue would be realized near the end of the calendar year in the form of property taxes. Mr. Putnal noted that the county could expect Insurance Premium Tax proceeds within the next month, totaling approximately \$1,300,000.00.

Mr. Putnal reviewed revenues and expenditures for all major county funds, citing no major concerns or issues.

Mr. Cannon noted that property tax bills were in the process of being generated and would be mailed on September 24.

**SPLOST REVIEW:** Mr. Putnal reviewed SPLOST accounts with the board, emphasizing the projected shortfall concerning the 2013 SPLOST referendum. Without an increase in monthly collections, Mr. Putnal stated that he anticipated a \$4,500,000.00 total shortfall over the course of the referendum. He further stated that current proceeds for the month of August 2015 were \$441,316.00, with a total of \$552,900.00 needed in order to meet the targeted collection amount.

With the 2013 SPLOST referendum expiring in 2018, Mr. Putnal urged the board to begin plans for future SPLOST referendums.

Mr. Putnal stated that a significant SPLOST purchase would soon be made in the form of hardware for the county's upcoming Voice over Internet Protocol (VoIP) phone system.

Brief discussion ensued regarding particular expenditures contained within the various SPLOST referendums.

**NEW GOVERNMENTAL ACCOUNTING STANDARDS BOARD (GASB)**

**REQUIREMENT:** At this time, Mr. Putnal informed the board of a new Governmental Accounting Standards Board (GASB) rule that would require all governments to include pension liability on county financial statements. Mr. Putnal stated that he expected to receive the annual retirement report from the Association of County Commissioners of Georgia (ACCG) shortly.

**MID-MONTH REVIEW:** Mr. Cannon reviewed several upcoming agenda items with the board.

- Invocation and Pledge of Allegiance – Mr. Cannon stated that the Invocation and Pledge of Allegiance would be led by Commissioner Paul Nagy.
- Citizens Having Business with the County – Mr. Cannon stated that Verdaillia Turner of the Georgia Federation of Teachers requested to be placed upon the agenda in order to speak of the organization and its benefits.
- Contract Renewal - Environmental Systems Research Institute (Esri, Inc.) – Mr. Cannon stated that this contract renewal provided ArcGIS software capabilities to the Roads and Bridges Department. Mr. Cannon further stated that the contract renewal amount of \$2,992.62 was included in the current fiscal budget.
- Contract Approvals:
  - Employee Health Clinic – Mr. Cannon stated that the board voted to terminate the existing contract with TransformHealthRx due to a less costly offer from a local vendor inclusive of expanded and consolidated services. Mr. Cannon stated that the current clinic would cease operations effective November 2<sup>nd</sup>, at which time the new clinic would assume operation.

Mr. Cannon informed the board that bids had been solicited from Colquitt Regional Medical Center (CRMC), TransformHealthRx, and the Convenient Care Clinic regarding the provision of this service, and further stated that the bids would be placed upon the October meeting agenda for the board's consideration. To date, Mr. Cannon stated that TransformHealthRx had declined to submit a bid.

Mr. Cannon presented statistical data to the board regarding current services provided by TransformHealthRx, and those being proposed by CRMC and the Convenient Care Clinic. Mr. Cannon noted that CRMC offered the broadest range of services at the lowest cost.

- Professional Medical Services – Jail & Prison Consolidated – Mr. Cannon stated that this particular contract was also terminated due to a less costly offer inclusive of better services. Mr. Cannon stated that the two duplicative medical services at the Jail and Prison would be consolidated through the implementation of an Intergovernmental Agreement (IGA) with Colquitt Regional Medical Center. Mr. Cannon declared that the county would realize significant savings and noted that Lester M. Castellow, County Attorney, was currently in the process of reviewing the contractual agreement with CRMC.
- Family Connection Contract – Mr. Cannon stated that an existing contract with the Southwest Georgia Community Action Council (SWGAC) was approved at the September board meeting, and further stated that the county served in the capacity of fiscal agent. In an effort to streamline operations, Mr. Cannon stated that the Executive Director of the Family Connection program requested that the board eliminate the current contract with the SWGAC and contract with her directly. Mr. Cannon stated that if the board was agreeable to this plan, the existing contract would be placed upon the October Board Meeting agenda for termination.

Commissioner DeMott questioned if any funds had already been allocated for the program. Mr. Putnal stated that his department was currently processing an invoice for payment.

**APPROVAL OF MOTION TO PLACE CONTRACT TERMINATION ON OCTOBER BOARD MEETING AGENDA:** Commissioner Nagy made the motion to place the termination of an existing contract with the Southwest Georgia Community Action Council regarding the Family Connection program upon the October Regular Meeting agenda. Commissioner Hardin made a second. The motion carried unanimously.

- Approval of Payment of Invoice – Mr. Cannon stated that an invoice was received from Mauldin & Jenkins, the county's external auditing firm, in the amount of \$15,600.00 regarding professional services rendered thus far in regards to the 2014 county financial audit. Mr. Cannon announced that Mr. Putnal was working diligently, in conjunction with Mauldin & Jenkins, in order to get the audit completed.
- Approval of Payment of Invoice – James, Bates, Brannan, & Groover, LLP – Mr. Cannon presented an invoice, in the amount of \$65,469.95, regarding legal services rendered in the ongoing litigation filed against the county by Northlake, LLC/Lynn Lasseter. Mr. Cannon reminded the board of the hearing regarding the lawsuit scheduled for October 8, 2015.
- Amendment to Employee Health Plan – Mr. Cannon informed the board that the current employee health plan extended coverage to retired employees and their dependents if the retiree is age 62, until they reach age 65, or until they obtain other health coverage, such as Medicare. Mr. Cannon stated that this clause could potentially expose the plan to significant claims, and asked Wayne Putnal, Finance Director, to elaborate.

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Mr. Putnal stated that, to date, no one has taken advantage of this coverage, but recommended deletion of the clause to protect the plan from substantial claims.

Discussion ensued regarding this policy, the benefits of elimination, and the extension of COBRA benefits to employees.

Mr. Cannon stated that he would place the item upon the October agenda for the board's consideration.

- Approval of Dump Truck Purchase – Roads and Bridges Department – Mr. Cannon stated that two bids were received regarding the purchase of a dump truck to be utilized by the Roads and Bridges department. Mr. Cannon stated that both bids included a two year buy back price, with the funds for this purchase to be derived from SPLOST proceeds. Due to a higher anticipated auction price, the bid from Mack was being recommended.

Stan Kirksey, Road Superintendent, stated that the increased auction price was the deciding factor when choosing the superior bid, resulting in overall lower costs.

Mac Lawson, Shop Superintendent, agreed, verifying that the Mack truck would bring more money at auction.

Commissioner DeMott questioned the likelihood of implementing alternative fuel methods, such as Compressed Natural Gas (CNG).

Mr. Lawson stated that, while these methods were popular and better for the environment, startup costs were substantial.

Discussion ensued regarding the current cost of diesel fuel.

- Public Hearings – Mr. Cannon stated that two public hearings would be on the October agenda:
  - Road Closure – Portion of Nugent Road: Mr. Cannon reminded the board that the request for closure of a portion of Nugent Road was made at the August Board meeting. Mr. Cannon stated that, pursuant to county ordinance, all adjacent property owners were notified and all required advertisements were scheduled for publication in the legal organ.
  - Request for Re-Zoning – Mr. Cannon called upon Justin H. Cox, Chief Compliance Officer, to discuss the application with the board.

Mr. Cox stated that Thomas Rowell, applicant, and another individual own the property located at 1331 Hwy 319 North jointly, and wish to sell to a buyer who intends to potentially develop a large convenience store/fuel stop. Mr. Cox further stated that the property, currently zoned Ag, needed to be rezoned to C-1 to allow for the construction of the fuel station.

Mr. Cox presented slides of the existing location, explaining the intent of the owner to rezone two tracts of the existing land, with the remaining tract serving as a buffer to the residential neighborhood of Indian Lake Subdivision. Mr. Cox noted that the Moultrie – Colquitt County Planning Commission recommended approval of the application.

- Beer and Wine Ordinance – Mr. Cannon stated that the board had been considering three different options for implementation regarding the proposed Beer/Wine Ordinance for On Premises Consumption:
  - On Site Consumption tied to 65% of income for food sales only (least restrictive)
  - On Site Consumption tied to 65% of income for food OR lodging sales (somewhat restrictive)
  - On Site Consumption tied to 65% of income for food AND lodging (most restrictive)
  - Mr. Cannon stated that the proposed ordinance incorporates the second option and reviewed several applicant requirements with the board:
  - Property Re-Zoning which would require recommendation by the Moultrie – Colquitt County Planning Commission and final approval by the Board of Commissioners
  - Board of Commissioners approval of license with applicable fee of \$1,500.00
  - Background check/credit report
  - Fine and fee schedule
  - Current establishments would be “grandfathered” in regarding re-zoning requirement

Lester M. Castellow, County Attorney, stated that the county was receiving excise taxes from wholesalers of wine even though the ordinance did not require it. Mr. Castellow recommended amending the ordinance to reflect this, as well as the incorporation of stricter fines.

Mr. Cannon reviewed potential revenues with the board, consisting of distribution taxes, increased sales taxes, and licensing fees.

Mr. Cox noted that the license fee would be an annual fee.

- Sabal Trail Update – Mr. Cannon informed the board that representatives from Sabal Trail wished to update them at the October board meeting on progress regarding the proposed natural gas pipeline.

Mr. Cannon announced that the Federal Regulatory Energy Commission (FERC) recently issued the Draft Environmental Impact Statement to Sabal Trail, which is a key part of the permitting process.

Commissioner DeMott questioned the potential benefits or drawbacks for locating a tap in Colquitt County. Mr. Cannon urged the commission to ask questions such as these during the update to the board.

**ADMINISTRATOR UPDATES:** At this time, Mr. Cannon reviewed several key, pertinent issues with the board:

- Resolution for Appointment to the Board of Assessors – Mr. Cannon stated that, although Andrew K. Daniels was reappointed to the Board of Assessors in the August board meeting, state law required the adoption of a resolution in order for the appointment to be considered official. Mr. Cannon presented the resolution for the board's review.

**APPROVAL OF MOTION ADOPTING RESOLUTION FOR APPOINTMENT TO BOARD OF ASSESSORS:** Commissioner Hardin made the motion to adopt Resolution 2015-R-10, confirming Mr. Andrew K. Daniels' appointment to the Colquitt County Board of Tax Assessors. Commissioner DeMott made a second. The motion carried unanimously. (Resolution 2015-R-10 is hereby made a portion of the minutes by reference thereto.)

- Establishment of Financial Account for CDBG Funds – Mr. Cannon explained that the Department of Community Affairs (DCA) required the establishment of a non-interest bearing account to accommodate awarded grant funds. Mr. Cannon stated that proof of this would need to be included in the final award packet submitted to the DCA.

**APPROVAL OF MOTION TO ESTABLISH FINANCIAL ACCOUNT FOR CDBG FUNDS:** Commissioner Hardin made the motion to authorize the establishment of a non interest bearing checking account for the purpose of housing awarded Community Development Block Grant funds. Commissioner Giddens made a second. The motion carried unanimously.

- Approval of Purchase of Motor Grader/Sloper – Roads & Bridges Department – Mr. Cannon stated that two bids were received regarding the provision of a motor grader and sloper to be utilized by the Roads & Bridges Department. Mr. Cannon stated that the low and recommended bid was submitted by Flint Equipment Company for a John Deere 670G in the amount of \$245,000.00. Mr. Cannon explained that funding would be derived from SPLOST funds.

Mr. Kirksey stated that the department has had continued success with this particular model of motor grader.

**APPROVAL OF BID – ROADS & BRIDGES DEPARTMENT:** Commissioner Hardin made the motion to approve the low and recommended bid submitted by Flint Equipment Company, in the amount of \$245,000.00, for the provision of a John Deere 670G motor grader/sloper to be utilized by the Roads & Bridges Department. Commissioner Giddens made a second. The motion carried unanimously.

- Darbyshire Road Extension – Mr. Cannon stated that a meeting had recently been held, via teleconference, with Mr. Darbyshire in order to finalize plans for Darbyshire Road Extension. Mr. Cannon noted that the survey had also been received from Dan Hinson earlier in the day. Mr. Cannon explained that the next step in the process would be to plan a land swap to obtain necessary right of way. Mr. Cannon noted that Mr. Darbyshire greatly appreciated the patience and perseverance of the board.

Mr. Kirksey added that specifications met Georgia Department of Transportation (GDOT) standards, and stated that engineering work would commence soon.

Chairman Clark requested that evidence be generated that this particular project is underway.

- Retention/Detention Pond Issue – Mr. Cannon stated that the original plans for the Publix development included the construction of a retention pond near Mildred Ancil Road. Being that this particular location is considered prime real estate, it was suggested that an existing retention/detention pond be used for this purpose.

Mr. Cannon stated that he had received a proposal from J.J. van der Watt for engineering services in regards to this project. Mr. Cannon noted that the costs would be covered with EIP Grant Funds. Mr. Cannon requested that the board voice their thoughts regarding the proposal.

Mr. Castellow questioned if Teramore Development, LLC was aware of this issue. Mr. Cannon replied that they were, and although initially apprehensive, saw no complications as long as necessary requirements were met.

- Tractor and Mower Issues – Roads & Bridges Department – Mr. Cannon stated that substantial maintenance issues were being experienced with ROW mowing tractors, most of which stemmed from age and use. As a solution to this issue, a three year buy-back rotation was suggested for all ROW mowing tractors. Mr. Cannon further stated that he wished to inform the board for their situational awareness.

Mr. Kirksey stated that his department experienced significant downtime as a result of these maintenance issues, with almost \$34,000.00 being expended in the form of repairs in the previous two years.

Mr. Lawson stated that a two year rotation would also ensure that the machines would be covered under warranty. Due to new emission requirements and the

overall rough terrain that the tractors cover on a daily basis, Mr. Lawson stated that costs would be reduced as a result of the new rotation schedule.

Mr. Cannon stated that Rights of Way are seen on a daily basis by the citizens of the county, which makes it imperative to make these areas look the best that they possibly can.

Commissioner Hardin questioned the number of mowing crews and tractors.

- VoIP Hardware Purchase – Mr. Cannon explained that the overall transition to VoIP had been a three part process, with the county arriving at the third and final step in the process: the Purchase and Installation of Hardware. Mr. Cannon called upon Darren Roberson, Information Systems Manager, to elaborate.

Mr. Roberson stated that the initial hardware connection and testing phase had begun, and he was currently in the process of finalizing the hardware count, with department heads ultimately verifying their respective departmental hardware needs.

Mr. Roberson further stated that the goal was to have final proposals and bids reviewed by October 2, with a 35-45 day arrival period for the hardware. Afterwards, Mr. Roberson stated that engineering would commence, as well as the installation of hardware.

Commissioner Strong questioned the total amount of savings that the county would realize from transitioning to Voice Over Internet Protocol (VoIP.)

Mr. Cannon stated that savings would be substantial, even on a monthly basis.

- Voting Delegate at Legislative Leadership Conference – Due to a scheduled hearing regarding ongoing litigation filed against the county on October 8, Mr. Cannon stated that he would be unable to remain the Colquitt County's voting delegate for the ACCG Legislative Leadership Conference. Mr. Cannon suggested that either Commissioner DeMott or Commissioner Nagy, both attendees of the conference, serve as the voting delegate in his stead. It was the consensus of the board that Commissioner Nagy serve as the voting delegate.
- 2016 Association of County Commissioners (ACCG) Legislative Platform – Mr. Cannon stated that he was pleased to announce that several important issues emphasized by Colquitt County were being included as an official part of the 2016 ACCG Legislative Platform. These issues included increased per diem reimbursement for state prisoners, state reimbursement for CUVA exemptions, additional LMIG funding, and the curtailing of unfunded state mandates. Mr. Cannon stated that the inclusion of these issues verified the importance of establishing and maintaining relationships with state delegates and the lobbying arm of ACCG.



- Moultrie – Colquitt County Legislative Reception – Mr. Cannon reminded the board of the Moultrie – Colquitt County Legislative Reception at Ashburn Hill Plantation on Tuesday, October 13, at 6:30 p.m. Mr. Cannon stated this was an excellent opportunity to promote Colquitt County’s relationship with state legislators and state agencies.
- Excess Funds – Colquitt County Department of Family and Children Services – Mr. Cannon announced that correspondence was received from Colquitt County DFACS requesting instruction regarding excess funds remaining from the FY 14-15 budget year. Mr. Cannon stated that three options were open for consideration: return of the funds to the county, allowing the funds to be retained in a cash account and used to supplement current budgeted funds, or allowing the funds to be retained in fund balance and be used upon request by DFACS.

**APPROVAL OF MOTION CONCERNING EXCESS FUNDS – COLQUITT COUNTY DEPARTMENT OF FAMILY AND CHILDREN SERVICES:**

Commissioner DeMott made the motion to allow the Colquitt County Department of Family and Children Services to retain excess funds from FY 14-15 in a cash account for the purpose of supplementing FY 15-16 budgeted funds. Commissioner Hardin made a second. The motion carried unanimously.

- Colquitt County Solid Waste Tax Sale – Mr. Cannon proceeded to update the board regarding the latest Solid Waste Tax Sale scheduled for March 1, 2016. Mr. Cannon stated that 510 account had been turned over for collection, with Phase I of the levy process beginning on September 22, 2015, and the tax sale itself scheduled for March 1, 2016. Mr. Cannon noted that the estimated revenue to be collected from this tax sale was \$150,000.00 - \$175,000.00.

The board recessed for a five minute break at 6:12 p.m.

**EXECUTIVE SESSION:** Commissioner Giddens made the motion at 6:17 p.m. to go into Executive Session to discuss personnel and pending litigation. Commissioner Strong 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 be reference thereto.)

**REGULAR SESSION:** Commissioner Hardin made the motion at 6:40 to reconvene into regular session. Commissioner DeMott made a second. The motion carried unanimously.

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

There being no further business to come before the board, the meeting was adjourned at 6:43 p.m.

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Terry R. Clark  
Chairman

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Melissa Lawson  
County Clerk

Approved:

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# AFFIDAVIT

This is to certify that the Colquitt County Board of Commissioners held an Executive Session Meeting (closed meeting) on September 22, 2015 at 7:17 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 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 22<sup>nd</sup> day of September, 2015.

Terry Clark  
Terry Clark, Chairman

Winfred Giddens  
Winfred Giddens, Commissioner

Donna Herndon  
Donna Herndon, Commissioner

Johnny Hardin  
Johnny Hardin, Commissioner

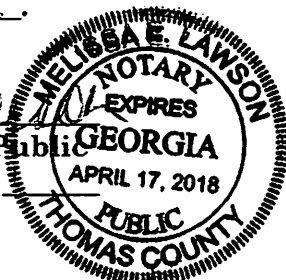
Luke Strong  
Luke Strong, Commissioner

Marc DeMott  
Marc DeMott, Commissioner

Paul Nagy  
Paul Nagy, Commissioner

Sworn to and subscribed before me, this 22<sup>nd</sup> day of September, 2015.

Melissa E. Lawson  
County Clerk or Notary Public  
My Commission Expires:



# RESOLUTION

## APPOINTMENT TO THE COLQUITT COUNTY BOARD OF TAX ASSESSORS

WHEREAS, the Official Code of Georgia Annotated, Section 48-5-295, requires that each county adopt a resolution appointing and setting the term lengths of the board of tax assessors; and,

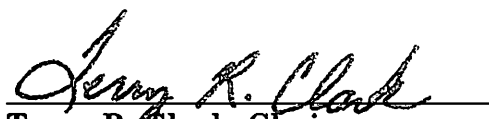
WHEREAS, Andrew K. Daniels, has served concurrent terms on the Board of Tax Assessors of Colquitt County since 1994 and would like to continue said service;

WHEREAS, through official action taken by the Colquitt County Board of Commissioners on June 2, 2015, Andrew K. Daniels was unanimously appointed to the Colquitt County Board of Tax Assessors for an additional three year term; and,

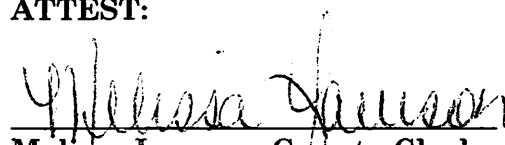
THEREFORE BE IT RESOLVED, that Andrew K. Daniels, as part of said appointment, is required to maintain all certification and qualifications as a member of the Board of Tax Assessors of Colquitt County, Georgia.

BE IT FURTHER RESOLVED, that said appointment shall be for a term of three years, beginning June 27, 2015 and expiring on June 26, 2018.

SO RESOLVED, this 22<sup>st</sup> day of September, 2015.

  
Terry R. Clark, Chairman  
Board of Commissioners  
Colquitt County, Georgia

ATTEST:

  
Melissa Lawson, County Clerk  
Colquitt County, Georgia