



**MINUTES
REGULAR MEETING
MARCH 23, 2010**

**STEPHENS COUNTY BOARD OF COMMISSIONERS
HISTORICAL COURTHOUSE COURTROOM
9:00 A.M.**

PRESENT: Commissioners Harold Andrews, J.B. Hudgins Jr., Jonesy Haygood and Stanley London; County Administrator John Rutan; County Clerk Beth Rider, Finance Director Phyllis Ayers; and County Attorney Brian Ranck

Vice-Chairman J B Hudgins called the meeting to order at approximately 9:35 a.m. and welcomed those present. Rev. Phillip Teasley gave the Invocation and led the Pledge of Allegiance.

I. APPROVE AGENDA

A motion was made by Commissioner Andrews, seconded by Commissioner London to approve the agenda with additions as follows under New Business:

Item # 1 – MOTION FOR BOARD TO AUTHORIZE VICE-CHAIRMAN J B HUDGINS TO SIGN USDA COMMUNITY FACILITIES GRANT FOR EMS IN CHAIRMANS ABSENCE.

Item # 2- MOTION FOR BOARD TO AUTHORIZE CHAIRMAN TO SIGN RESOLUTION AND ORDER APPOINTING WOODY BLASINGAME TO THE TAX ASSESSORS BOARD

Motion carried unanimously.

II. APPROVE MINUTES

1. MARCH 1, 2010 EXECUTIVE SESSION
2. MARCH 3, 2010 EXECUTIVE SESSION
3. MARCH 5, 2010 EXECUTIVE SESSION
4. MARCH 9, 2010 REGULAR MEETING

A motion was made by Commissioner Andrews, seconded by Commissioner London to approve minutes as presented. **Motion carried unanimously.**

III. OLD BUSINESS

1. MOTION FOR BOARD TO APPROVE THE BUY BACK FROM YANCEY BROS. ON THE IT14G INTEGRATED TOOL CARRIER IN THE AMOUNT OF \$37,500.00 AND THE 963C TRACK LOADER IN THE AMOUNT OF 88,373.00 AND AUTHORIZE CHAIRMAN TO SIGN AGREEMENT

Bobby Hanley discussed returning the track loader we currently own. In trying to reduce the budget Bobby stated he could not justify paying the kind of money to Caterpillar for a machine we were not putting a lot of hours in. When we purchased the track hoe that takes the place of a lot of duties. This is following through from November, we are getting money back on one and one is an even trade and we will save about \$2500 a month on the track loader. A motion was made by Commissioner London, seconded by Commissioner Andrews to approve the buy back from Yancey. **Motion carried unanimously.**

2. MOTION FOR BOARD TO RESCIND PREVIOUS MOTION FROM MARCH 9TH MEETING, AWARDING BID FOR ADDITION TO BIG SMITH FIRE DEPARTMENT TO LEONARD GRIFFIN BUILDERS

Administrator John Rutan stated due to the fact Mr. Griffin only had residential license and not commercial license. Commissioner Haygood asked how we found out about this. John stated we went out to bid and one of the builders questioned the validity of Mr. Griffin's license. Staff looked into it and realized we needed commercial license. Commissioner Hudgins stated it should have been put in the bid when it went out. John stated it should have been put in there and we did require a license at the time but didn't realize we needed commercial license. John stated he wanted to point out it is the applicant's place to know what his license covers and not the staffs responsibility to define what individual should be able to do. A motion was made by Commissioner London, seconded by Commissioner Andrews to rescind the previous motion. **Motion was carried 3 – 1, Commissioner Haygood abstained from the vote.**

3. MOTION FOR BOARD TO AWARD ADDITION TO BIG SMITH FIRE DEPARTMENT TO RAY RICE IN THE AMOUNT OF \$15,890.00

A motion was made by Commissioner London, seconded by Commissioner Andrews to award Big Smith bid to Ray Rice. **Motion carried unanimously.**

IV. NEW BUSINESS

1. MOTION FOR BOARD TO AUTHORIZE VICE-CHAIRMAN J B HUDGINS TO SIGN USDA COMMUNITY FACILITIES GRANT FOR EMS IN CHAIRMAN'S ABSENCE

A motion was made by Commissioner London, seconded by Commissioner Haygood to authorize vice-chairman to sign grant. **Motion carried unanimously.**

2. MOTION FOR BOARD TO AUTHORIZE CHAIRMAN TO SIGN RESOLUTION AND ORDER APPOINTING WOODY BLASINGAME TO THE TAX ASSESSORS BOARD

A motion was made by Commissioner London, seconded by Commissioner Andrews to authorize chairman to sign resolution and order. **Motion carried unanimously.**

3. PROCLAIM MARCH 24th AS "KICK BUTTS DAY" IN STEPHENS COUNTY AND AUTHORIZE VICE-CHAIRMAN TO SIGN

A motion was made by Commissioner London, seconded by Commissioner Andrews to proclaim March 24th as "Kick Butts Day". **Motion was carried 3-1, Commissioner Haygood voted No.**

4. MOTION FOR BOARD TO APPROVE BUDGET AMENDMENTS FOR FY 2010 FOR PUBLIC WORKS; SHERIFF'S DEPARTMENT; DISTRICT ATTORNEY; REGISTRAR; AND CONTINGENCIES; TAX ASSESSOR

A motion was made by Commissioner London, seconded by Commissioner Andrews to approve budget amendments. **Motion carried unanimously.**

5. MOTION FOR BOARD TO AUTHORIZE SHERIFF'S OFFICE TO ENTER INTO CONTRACT AGREEMENT WITH VALLEY FOOD SERVICES FOR FOOD PREPARATION AT JAIL AND AUTHORIZE CHAIRMAN TO SIGN AGREEMENT

Murray Kogod stated the contract calls for Valley Food Services for the food provisions at the jail. The original contract only provides for cost between 150-159 inmates for everyday operations. We went back to Valley Foods and re-negotiated a contract that goes to 160-169 for a lower price and 170-179 for a lower price up to 200, we are averaging 180 inmates. This is an amendment to the contract to lower the prices based on higher number of inmates. It is a continual contract until we get ready to bid it out and that would be up to the sheriff. County Attorney Brian Ranck stated the sheriff's office is happy with this contract and it is your recommendation that they continue with it, just so the board knows you don't have to continue with this but it would be wise to take the recommendation. The contract calls for a one year automatic renewal period so it will go from March 2010 to March 2011 and at that time you would take it up again. A motion was made by Commissioner Andrews, seconded by Commissioner London to approve authorization for Sheriff's office to renew Valley Food Services agreement. **Motion carried unanimously.**

6. MOTION FOR BOARD TO APPROVE AND AUTHORIZE ADMINISTRATOR TO SIGN PURCHASE ORDER FOR LOOSE EQUIPMENT TO TEN 8 IN THE AMOUNT OF \$96,098.38; NAFECO IN THE AMOUNT OF \$64,947.71; FIRELINE IN THE AMOUNT OF \$194,968.00; AND SWIFT FIRE IN THE AMOUNT OF \$253.00

Stacy Pulliam stated the loose equipment bids were opened and each fire station looked them over and came up with the best companies that met our specifications; everything was lined item so we could pick and choose. Each department had their own unique needs for each truck as far as equipment needs. We compiled a master list and these are the four companies out of 5 that responded that we want to do business with. Commissioner Hudgins stated each truck is different and will not have the same equipment. Stacy stated some departments had already purchased some new equipment they would be able to use. Commissioner Haygood asked if this would take care of everything. Stacy stated no, as he mentioned in the March 9th meeting there are some saws and other items we are going to bid out locally, this is not all the equipment that will be on the trucks. Commissioner Haygood stated this had been drawn out too long, Stacy stated they were 97% complete and this is a large item and the companies did not have to honor the prices until the end of the month. The 10th was the 90 day period and the administrator called at my request on behalf of the county and asked if they would extend the pricing till the end of the month because of the meeting today and didn't want to get caught up in technicality and couldn't get it in front of you in time. Stacy stated he was asking them to make a decision today because they don't have to extend it again and the prices would be null and void. John stated a lot of this equipment is specialty equipment and there are not that many providers for this type of equipment. In the

packets there are some sole source providers and the reason for that we have already standardized in the county over the last ten years with certain manufacturers with equipment and we didn't see a real good reason to change from that and we have had good service. A motion was made by Commissioner London, seconded by Commissioner Andrews to approve and authorize administrator to sign purchase order. **Motion carried unanimously.**

7. MOTION FOR BOARD TO AUTHORIZE ADMINISTRATOR TO SIGN PURCHASE ORDER IN THE AMOUNT OF \$8500.00 TO FIRELINE FOR FIRE HOSES AND NOZZLES FOR TATES CREEK FIRE TRUCKS

Vernon Wilkinson stated the money was available in their budget and the reason he is asking this to be done at this time is because of the substantial savings between \$1200-\$1500. There is a per air package if we buy now in the bulk purchase and we are going to piggy back on the purchase you just approved to get this volume rate price. Motion was made by Commissioner London, seconded by Commissioner Andrews to authorize administrator to sign purchase order for hoses and nozzles. **Motion carried unanimously.**

After the Executive Session Commissioner London made a motion to rescind and restate the original motion that stipulated hoses and nozzles, seconded by Commissioner Haygood. **Motion carried unanimously.**

A motion was made by Commissioner London, seconded by Commissioner Haygood to authorize administrator to sign purchase order for air packs. **Motion carried unanimously.**

8. MOTION FOR BOARD APPROVE ADJUSTMENT SHEETS AND AUTHORIZE CHAIRMAN TO SIGN

A motion was made by Commissioner London, seconded by Commissioner Andrews to approve and sign adjustment sheets. **Motion carried unanimously.**

9. MOTION FOR BOARD TO CONSIDER OR APPROVE REQUEST FOR BALANCE OF BUDGET FROM AIRPORT AUTHORITY IN THE AMOUNT OF \$9,500.00

John Taylor stated the line items were listed and the percentage that local governments are required when we get grants from Federal grants to participate is half of 2.5% for the county which was \$9500.00 the other \$10,000.00 was the operations expense the commissioners provide every year. Mr. Taylor stated they had signed the contract for the new terminal. A motion was made by Commissioner Andrews, seconded by Commissioner Haygood to approve Airport Authority request. **Motion carried unanimously.**

10. MOTION FOR BOARD TO AUTHORIZE CHAIRMAN TO SIGN SAFETY COORDINATOR RESOLUTION AND SAFETY DISCOUNT VERIFICATION FORMS FOR LIABILITY AND WORKER'S COMP INSURANCE

A motion was made by Commissioner London, seconded by Commissioner Andrews to sign resolution and safety forms. **Motion carried unanimously.**

11. MOTION FOR BOARD TO ENTER INTO AGREEMENT WITH THE SECRETARY OF STATE AND AUTHORIZE CHAIRMAN TO SIGN AGREEMENT

Registrar Theresa Kelley stated this inter-governmental agreement is an amendment to the agreement that we have in place with the Secretary of State concerning our machines and voting equipment. If we have one that cannot be repaired there is a procedure on how to dispose of it we have to follow. If we do have to dispose the county will be responsible for replacing it. The agreement does not cost anything and we have no machines at this time that need disposing.

12. MOTION FOR BOARD TO ACCEPT OR DENY VARIANCE FROM DEBORAH GARRETT TO MOVE A 1984 MOBILE HOME FROM BANKS COUNTY TO STEPHENS COUNTY

Deborah Garrett stated she was asking permission to move a 1984 mobile home into the county because of her six year old daughter that is autistic. She is a single mother with two children, she is renting now and buying the mobile home will save her around \$200.00 a month. Her daughter will be going to Big A school where they have a full day autistic program, and Banks County does not. Her daughter is non-verbal, and not potty trained and change is not good for an autistic child. The trailer has passed inspection in Banks County. Harold state it is a variance that we would have to grant and you have established a reason and we need to somewhere fit it in to the variance under normal circumstances. Larry Krul stated in the code it specifically states in section 46-34 that only HUD code or DCA approved manufactured homes of no more than ten years of age will be permitted to locate in the county. If the board wants the building inspection department to inspect the home that could be done and there is a clause if any cost is incurred it will be the responsibility of the homeowner.

Administrator John Rutan stated it should not be transferred and there should be a time limit of six months. Attorney Brian Ranck stated to condition so she cannot sell to anyone and the variance is just for her use based on the circumstances with her child. Larry stated it is a 1984 mobile home and there are life safety issues and don't expect it to meet current standards. The inspection rate is \$35.00 and .52 cents a mile. Commissioner Haygood stated when we had these to come before we had the inspection first, this is a 25 year old mobile home and the ordinance says ten years old, I understand the circumstance, but we are putting ourselves at risk of more coming in. Brian stated if the Commissioner wanted to grant the variance for the hardship it should be based on conditions of the variance. The unit pass basic inspection, bring it into the county within six months from today; mobile home will be non-transferrable to any third party; cannot be moved to any other location within the county. Brian stated as he had said before, make sure you have a good reason for the variance; you have a hardship variance considering the child's illness and the board has the discretion to grant the variance if you desire. **Commissioner London made a motion to accept the hardship variance with specifications. If she decides to move the mobile home must be moved out of Stephens County and upon completion of the inspection. Commissioner Andrews seconded the motion subject to inspection. Motion carried 3-1, Commissioner Haygood voted no.**

V. INVOICES OVER \$5000

1. ACREE OIL COMPANY - \$19,236.01

A motion was made by Commissioner London, seconded by Commissioner Andrews to approve and pay Acree Oil. **Motion carried unanimously.**

VI. MATTERS FROM DEPARTMENTS

1. ADMINISTRATOR REPORT – Dicks Hill is back in operation
2. FINANCE REPORT
3. DEPARTMENT REPORT
 1. Theresa Kelley – Theresa reported she is working on E911 addresses and the issues are road ranges, street names, and zip codes. The first report is for the 2009 audit report the state generates. Theresa stated there are 1600 people on the list, when she first started there were 6800 people on the list. There are still route and box numbers, still have no house numbers. We are working with the Post Office, and the Driver's License office trying to get everything they can. In order to precinct the list has to be at 0.

VII. MATTERS FROM CITIZENS – TIME LIMIT OF THREE (3) MINUTES

1. Gary Watkins came before the board asking permission to use the Lobby of the courthouse during the Taste of Toccoa. The Masons are setting up a Child Identification Program which is free to the children of Stephens County. They will receive a CD with a photo ID. The Commissioners granted the request.
2. Toni Childress – Family Connections
Toni gave a presentation to the board. Toni stated the graduation rate in Stephens County has increased; child abuse and neglect with 1 being the best and 159 the worse, Stephens County was ranked 152. Last year we were at 36.8% and the state was 10.8%.

VIII. EXECUTIVE SESSION –

1. Personnel & Potential Threatened Litigation

A motion was made by Commissioner London, seconded by Commissioner Andrews to enter into Executive Session at 10:04 a.m. for personnel and potential litigation. **Motion carried unanimously.**

A motion was made by Commissioner London, seconded by Commissioner Andrews to reconvene the meeting at 10:30 a.m. **Motion carried unanimously.**

IX. ADJOURNMENT

A motion was made by Commissioner London, seconded by Commissioner Andrews to adjourn the meeting at 10:32 a.m. **Motion carried unanimously.**

Approved this _____ day of _____, 2010

Dean Scarborough, Chairman

Attest:

Beth Rider, County Clerk