



**MINUTES
REGULAR MEETING
APRIL 13, 2010**

**STEPHENS COUNTY BOARD OF COMMISSIONERS
HISTORICAL COURTHOUSE COURTROOM
5:30 P.M.**

PRESENT: Commissioners Dean Scarborough, Harold Andrews, Jonesy Haygood and Stanley London; County Administrator John Rutan; County Clerk Beth Rider, and County Attorney Brian Ranck

Chairman Dean Scarborough called the meeting to order at approximately 5:50 p.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 London, seconded by Commissioner Andrews to approve the agenda with changes and additions as follows under New Business: Remove #9 and move the #10 to #9 add a new #10 to read: MOTION FOR BOARD TO AWARD DAWSON CONSTRUCTION FOR THE RENOVATION OF NEW HOPE FIRE DEPARTMENT IN THE AMOUNT OF \$61,150.00 AND AUTHORIZE CHAIRMAN TO SIGN CONTRACT

And to add under new business # 11 to read: MOTION FROM EMS DIRECTOR AARON WILKINSON REQUESTING THE COUNTY TO PARTICIPATE IN GRANT PROCEDURE.

Motion carried unanimously.

II. APPROVE MINUTES

1. MARCH 23, 2010 REGULAR MEETING

A motion was made by Commissioner Andrews, seconded by Commissioner London to approve minutes as presented with one spelling correction under item #2. **Motion carried unanimously.**

III. OLD BUSINESS

1. MOTION FOR BOARD TO RECONSIDER APPROVING OR DENYING MOBILE HOME VARIANCE FOR DEBORAH GARRETT

A motion was made by Commissioner London to approve the variance, the motion died for lack of second. Commissioner Andrews stated he had concerns and agreed it is a need and a desire to approve but not within the code. Commissioner Andrews stated that after the inspection he is not sure it can be moved intact and without total damage. Staff has been checking into an option that will serve this ladies needs. She has a child she can care for in this county and programs that will not accommodate her in the county she lives in now. This one is distinctly a hardship and would like to defer it for a short while to

see if we can put something else together. Some donation or help may come her way, it is a worthy cause and afraid if we move forward it may be unsafe conditions.

County Attorney Brian Ranck stated anytime you are considering a variance it doesn't matter if it is a mobile home or any variance from code, make sure you have some objective criteria and a solid reason to grant the variance, to avoid setting a dangerous precedence or any way altering the provisions of the code through your actions.

Commissioner London stated the reason he made the motion to approve, he went with Larry to do the inspection. The electrical, plumbing and necessities were in order; cosmetically it is an eyesore. Stanley stated his reasoning behind the approval is the lady is in a hardship and if we deny this opportunity for her to make it on her own she could wind up in public housing. Stanley stated he was not going to be the judge if it is a beautiful home; it is safe as far as the electrical, plumbing and heating system. Stanley stated he would like to discuss it further if there are other options. Commissioner Haygood stated he looked at it a different way, he understands it is a hardship for the lady, how much will it cost to refurbish the home? It needs a new roof; the electrical pictures show a disclaimer to this. There are holes in the walls, how much will she have to spend before Larry can give her a certificate of occupancy or just tell her to move in. If we approve this we are approving someone to move into a house that is not up to code and we are held responsible. Commissioner London stated the only thing not up to code is no underpinning or porches and that cannot be done till it is permanently set. We don't have the authority to deny because of cosmetics. Chairman Scarborough state we can deny just for the fact it is way over the ordinance. Cosmetically if we determine that, that will be ok because it is an ordinance. Commissioner Andrews stated we are looking into something that will help her and public housing is designed for this type of situation and more livable than what she is living in. We should defer this and look into some other options.

Commissioner Andrews made a motion to postpone the variance, Commissioner London seconded the motion. Motion carried 3-1, Commissioner Haygood voted no.

IV. NEW BUSINESS

1. MOTION FOR BOARD TO ADOPT RESOLUTION FOR VARIANCE FOR MANUFACTURED MOBILE HOMES

A motion was made by Commissioner Haygood, seconded by Commissioner London to adopt the Variance Manufactured Mobile Home Resolution. **Motion carried unanimously.**

2. MOTION FOR BOARD TO APPROVE BUDGET AMENDMENTS FOR FY 2010 FOR SHERIFF'S DEPARTMENT; DISTRICT ATTORNEY; RECREATION DEPARTMENT; AND PROBATE COURT

A motion was made by Commissioner Andrews, seconded by Commissioner Haygood to approve budget amendments for all departments. **Motion carried 3-1, Commissioner London voted no.**

County Attorney Brian Ranck stated the District Attorney's was coming through payroll because they are not set up to do a 1099. Commissioner Haygood stated when we set the budget, they came before us several times asking for salaries stating due to the assistance from the Federal government they can increase or decrease salary. When the budget is set, everyone has to be on track and be up front so we

don't have to deal with forward funding. Commissioner Haygood stated he liked everything up front. Chairman Scarborough stated we need to let them know up front, it is just a budget and guideline and there will be changes during the course of the year you cannot predict.

3. MOTION FOR BOARD TO CONSIDER MOVING OR CANCELING APRIL 27TH MEETING

A motion was made by Commissioner Andrews, seconded by Commissioner Haygood to cancel the April 27th meeting. **Motion carried unanimously.**

4. MOTION FOR BOARD TO APPROVE AND AUTHORIZE ADMINISTRATOR TO SIGN PURCHASE ORDER TO ENVIRONMENTAL MANAGEMENT ASSOCIATION IN THE AMOUNT OF \$5,585.00 FOR CONSULTING SERVICES FOR LANDFILL CLOSURE

A motion was made by Commissioner Haygood, seconded by Commissioner Andrews to approve and authorize administrator to sign purchase order for landfill closure. **Motion carried unanimously.**

5. MOTION FOR BOARD TO APPROVE AND AUTHORIZE ADMINISTRATOR TO SIGN PURCHASE ORDER TO A & A ELECTRIC IN THE AMOUNT OF \$5,419.00 FOR GAS PACKAGE UNIT FOR HEALTH DEPARTMENT

A motion was made by Commissioner London, seconded by Commissioner Andrews to approve and authorize Administrator to sign purchase order for A&A Electric. **Motion carried unanimously.**

6. MOTION FOR BOARD TO APPROVE OR DENY A HARDSHIP VARIANCE FOR BILL WOOD TO MOVE A 1992 DOUBLE-WIDE MOBILE HOME FROM BIBB COUNTY TO STEPHENS COUNTY

A motion was made by Commissioner Haygood, seconded by Commissioner Andrews to postpone the variance until Mr. Wood has completed the application and the inspection from Bibb County and postponement is not conditioned on approving. **Motion carried unanimously.**

7. MOTION FOR BOARD TO APPROVE OR DENY TAX REFUND TO GARY AND JEAN BENNETT FOR INCORRECT ACREAGE FOR THREE YEARS AS PER GEORGIA CODE

A motion was made by Commissioner Andrews, seconded by Commissioner London to refund in the amount and time in accordance with the Georgia Code. **Motion carried unanimously.**

Attorney Brian Ranck stated to look at the date the request was made and go back three years from date of payment per Georgia Code.

8. MOTION FOR BOARD TO APPROVE APPLICATION FOR DRIVEWAY PERMIT FOR PUBLIC WORKS DEPARTMENT

A motion was made by Commissioner Haygood, seconded by Commissioner London to approve driveway permit application. **Motion carried unanimously.**

9. MOTION FOR BOARD TO APPROVE \$20,000.00 ALLOCATION TO BE FORWARDED TO THE GEORGIA DOT FOR USE IN THE CURRENT LARP PROGRAM TO PAVE THE REMAINDER OF AVALON ROAD

A motion was made by Commissioner London, seconded by Commissioner Haygood to approve allocation to pave remainder of Avalon Road. **Motion carried unanimously.**

10. MOTION FOR BOARD TO AWARD DAWSON CONSTRUCTION FOR THE RENOVATION OF NEW HOPE FIRE DEPARTMENT IN THE AMOUNT OF \$61,150.00 AND AUTHORIZE CHAIRMAN TO SIGN CONTRACT

A motion was made by Commissioner London, seconded by Commissioner Haygood to award bid to Dawson Construction and authorize Chairman to sign contract. **Motion carried unanimously.**

11. MOTION FROM EMS DIRECTOR AARON WILKINSON REQUESTING THE COUNTY TO PARTICIPATE IN GRANT PROCEDURE.

A motion was made by Commissioner Haygood, seconded by Commissioner London to participate in the EMS grant procedure. **Motion carried unanimously.**

V. INVOICES OVER \$5000

1. ACREE OIL - \$19,809.51

A motion was made by Commissioner London, seconded by Commissioner Andrews to pay the Acre Oil Invoice. **Motion carried unanimously.**

VI. MATTERS FROM DEPARTMENTS

1. ADMINISTRATOR REPORT –
2. FINANCE REPORT
3. DEPARTMENT REPORT

Rex Nelms and Jerry Norris gave a presentation on the GIS system. Rex explained that until the new computer software was purchased they did not have a lot to work with. He shared with Mrs. London the information she requested and showed her on the computer. Rex stated GEO coding is an imaginary node (dot), each dot has a specific address, and is a straight line and each address has its own and is unique to itself. If a citizen does not give a proper address there is nothing 911 can do, E911 has to be notified. Rex stated cell phones will not plot because you have to have a structure. John stated cell phones transfer between three towers and they report back to the satellite information, interference in frequency from phone to tower will get displacement in your position. Cell phone or accident on road will be within a half mile and can get a couple of feet accuracy to a couple thousand feet accuracy. Commissioner Andrews stated the hole in the system is a house needs to have a landmark and if the person receives mail at a PO Box if they move and keep same phone number you have lost them. Rex stated that is correct the system is tied to where they live not where they get there mail. Chairman Scarborough stated all citizens are concerned as we have expressed before we need to understand the limits to

those capabilities and one being the cell phones. Commissioner Haygood asked Rex what Martin post office was doing. Rex stated he had talked with the postmaster at Eastanollee and Martin and both said they could do these address conversions first. Martin is sending cards to verify address and May 3rd is the cut-off for everyone to be switched over from their old address to new address. Commissioner London got a letter and called to verify and they told him they could not do that until the mail carrier came back. Rex stated the post office is trying to cut down on man power and use machines. Rex stated he and John had met with them before and the former post mistress at Eastanollee refused to do it.

Jerry Norris gave a presentation on road maps and signs. Jerry stated he was working on road name signs and has a copy of the MUTCD which is changing the size of the signs. Currently the signs are 6' with 3" letters the new mandate size is 9' with 6" letters and January 9th, 2012 is the deadline to get Stephens County in compliance. Jerry read and explained the mandate. Jerry stated he is working on several projects; one in particular is matching up the road names with GA DOT for LARP purposes. Jonesy asked when the state sent the road names did they send the length and easement? Jerry stated no and he was using the old database, the state puts only what the county sends to them. Jonesy stated the DOT should have this in their database and they are asking us to update ours so they can update theirs. John thanked Rex and Jerry and stated that 10% is product and 90% is data which is interrelated and hard to correlate but they are doing a good job.

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

1. JANICE LONDON

Ms. London stated she was here as a concerned citizen. On Saturday, February 27th she called 886-2935 listed in the phone book as the Sheriff's Department to report a suspicious car and person in her neighborhood. She did not know that all calls on weekends went to 911. The lady said she would dispatch someone right out. Approximately ten minutes later 911 called back and wanted to know where they were located, stating she was having trouble with their maps. Mrs. London gave her directions and 45 minutes to an hour later a deputy came out but the car and person was gone. On Monday, Mrs. London called Chairman Scarborough and explained the situation to him. Chairman Scarborough asked Mr. Nelms about the incident and Mrs. London requested Mr. Nelms to be at the meeting. Mrs. London stated her road was not listed on the map but Mr. Nelms had fixed the problem and thanked him. Mrs. London asked Rex with all the money the taxpayers have put into this, why all the roads are not accounted for. Rex stated he would give a presentation and answer that question. Mrs. London stated if it had been a medical emergency and she has a heart problem, her husband has health problems, a neighbor is diabetic, and what if the call had been an emergency or home invaders. Mrs. London asked Rex what he was doing to make sure all roads in system does not have these errors. Rex stated when a call comes in the phone numbers are attached, it is printed off and a copy is given to him if there is a problem he calls windstream if it is on their end and they will fix it. People move and will not have a correct address, Rex stated he is going over each section at a time and checking and iding the properties. Mrs. London asked Rex if he had found any since hers. Rex stated since Mrs. London's he had not, but there are 27,000 addresses in the county, he might find one very seldom; the system is 98% accurate and 2% are people moving from point A to B. County Administrator stated in the realm of GIS, up until this year it has been impossible to maintain because of no current photography. Rex has to work closely with the Tax offices to get correct addresses. The way we have to maintain is to put the information on a thumb drive and share with each office. Chairman Scarborough asked Rex if he was going to answer the initial question about why the road was not on there. Rex stated yes, that it was the way it was put in the system, a number was wrong on the road I'd. and it was not put in properly in the system.

Mrs. London stated her other concern was to the commissioners, why do some county workers have vehicles they are driving home every day? With the cost of gas there is one in particular I have a concern about; this

employee carries her child to and from school every day and other places. Mrs. London stated she had been told the employee works with 911 and needs it for an emergency. If an emergency came up would she take her child to the emergency? What does that vehicle have that her personal vehicle does not have? Administrator John Rutan stated that vehicle is not a county vehicle, it is an EMA vehicle. Mrs. London stated with the cost of gas and the economy the way it is and the cost to get back and forth to work, as a taxpayer and property owner Mrs. London can't see paying for gas for somebody to ride back and forth. Mr. Rutan has a county vehicle and have been told he goes home for lunch every day and he does not live in the county and that takes a lot of gas, why is that allowed? John stated the vehicle was part of his contract when he was hired, and stated he did not go home every day for lunch and only lives 700 feet outside the county line. John stated some days he has meetings and don't even get a lunch. Mrs. London asked Mr. Rutan if his contract was up with the county at this time. John stated it could be up for renewal and that would be a consideration for the board to discuss. Commissioner Andrews stated he was with the county at the time John's contract was negotiated and his vehicle was considered part of his compensation package. The fact we did it is because he is always on call, not just at lunch, in the evening or anytime. The only fair way to do was provide a vehicle, he does spend evenings and other times other than 40 hours a week and it usually comes closer to a 60 hour a week and that was the reason when the contract was negotiated. John stated just for the citizens knowledge, he only uses the vehicle for county work. The weekend of the Home & Garden show, he came up to run the Census booth and did not bring the county vehicle; he drove his personal because he was going somewhere else that day. Commissioner Haygood stated when this set of commissioners came on it was discussed, the ones that are hired now, the vehicle will not be in their contract or in the schedule. Mrs. London wanted to know if anyone besides Mr. Rutan had a contract. Chairman Scarborough stated they would be discussing this again and it had been before because of the high gas bills that keep coming up.

2. JIM LEDFORD

Mr. Ledford stated in Shorewood there are 150 homes and trailers people live in. There are 2 or 3 landlords that rent out trailers, they move in and stay 30 days to six months. There is no way Mr. Nelms or you can keep up with it. Mr. Ledford stated he would like to see the county pass an ordinance where the landlords have to furnish names and addresses of these people. We have people living in campers and mobile homes that I don't know how they get them through the gate. Commissioner Andrews asked if Shorewood had subdivision agreements or anything that outlines that. Mr. Ledford stated they used to and it ran out after the 20 years, they are county owned roads and comes under county ordinance. The only thing we continue is associational property. If the county would pass an ordinance that landlords have to provide addresses otherwise you don't know who is in it. Mr. Ledford stated he had another item to discuss and that was the trash, his wife picks up trash along the side of the road everyday; bags it up and he wanted to make sure the county would pick it up. Jerry Norris state when anyone picks up litter they have always been directed to contact Keep Toccoa-Stephens County Beautiful" and they would get in touch with Jerry or they can call 706-886-9491 and leave a message for Jerry and he will schedule for it to be picked up.

A motion was made by Commissioner London, seconded by Commissioner Andrews to rescind the previous motion to approve the agenda. **Motion carried unanimously**

A motion was made by Commissioner London, seconded by Commissioner Andrews to approve the agenda to add Item # 11. **Motion carried unanimously.**

VIII. EXECUTIVE SESSION –

1. Potential Litigation

A motion was made by Commissioner London, seconded by Commissioner Andrews to enter into executive session at 6:50 p.m. for potential litigation. **Motion carried unanimously.**

A motion was made by Commissioner London, seconded by Commissioner Haygood to reconvene the meeting at 7:25 p.m. **Motion carried unanimously.**

IX. ADJOURNMENT

A motion was made by Commissioner Haygood, seconded by Commissioner Andrews to adjourn the meeting at 7:27 p.m. **Motion carried unanimously.**

Approved this _____ day of _____, 2010

Dean Scarborough, Chairman

Attest:

Beth Rider, County Clerk