



**MINUTES
REGULAR MEETING**

**MAY 10, 2011
5:00 P.M.**

**STEPHENS COUNTY BOARD OF COMMISSIONERS
HISTORICAL COURTHOUSE**

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

Chairman JB Hudgins, Jr. called the regular meeting to order at approximately 6:03p.m. and welcomed those present. Richard Adams gave the Invocation and led the Pledge of Allegiance.

I. APPROVE AGENDA

A motion was made by Commissioner Scarborough, seconded by Commissioner Andrews to approve the agenda with changes, to move item #5 to #1 position and one addition to add minutes for May 10, 2011 Budget Retreat. **Motion carried unanimously.**

II. APPROVE MINUTES

- 1. APRIL 26, 2011 – REGULAR MEETING**
- 2. May 10, 2011 – BUDGET RETREAT**

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

III. OLD BUSINESS

IV. NEW BUSINESS

- 1. SUPERIOR COURT JUDGE RUSTY SMITH TO ADDRESS THE BOARD REGARDING DRUG/ACCOUNTABILITY COURTS**

Judge Smith came before the Commissioners to discuss the importance of the drug court for Stephens County. Judge Smith stated the recidivism rate could be reduced by implementing the drug accountability court. Offenders are given a choice to go to prison or participate in the drug program. Drug use is a significant contributing factor to crime and drug related crimes as defined by drug courts, it includes more than just crimes that involve drug charges. In Stephens County about 80 percent of all crimes are drug-related. Treatment and other investment costs will result in public savings of \$6,744 on

average per participant. Drug Court program savings come from reduction in court costs, including judicial, counsel and investigative resources, health care according to a report by the Bureau of Justice Assistance. By successfully completing the 24 month drug program, participants are eligible to have their original charges dropped. The program is abstinence based and does not involve the use of Methadone or similar treatments. Requirements of the program include: drug treatment sessions three times a week, random drug screenings multiple times per week, participants must hold down a job, help support their family and pay for the treatment program. Judge Smith stated the program was not geared toward addicts, dealers or casual or first-time users. Violent offenders are not allowed in the program. The rules are based on the participants performance, they either appear in court or not, attend treatment sessions or does not; drug test reveal drug use or abstinence. The participants performance is immediately and directly communicated to the judge who rewards progress or penalizes non-compliance. Judge Smith stated a drug court program involves planning, coordination, cooperation, and funding. A drug court in Stephens County would most likely take at least a year to organize and initiate if the decision is made to move ahead, a majority of the surrounding judicial districts have already implemented drug courts. Judge Smith recommended DATE funds, grants and revenue raised in court fees on participants to fund the Drug Court.

2. BOARD TO CONSIDER MOTION OF APPOINTMENT TO THE STEPHENS COUNTY BOARD OF FAMILY AND CHILDREN SERVICES FOR A FIVE YEAR TERM

A motion was made by Commissioner Andrews, seconded by Commissioner Scarborough to appoint Janice London for a five year term on the DFACS Board. **Motion carried 4-1, Commissioner London abstained.**

3. BOARD TO CONSIDER MOTION TO APPROVE FY 2011 BUDGET AMENDMENT FOR COUNTY CLERK; HUMAN RESOURCES; AND PUBLIC WORKS; SENIOR CENTER; CLERK OF COURT; AND AUTHORIZE CHAIRMAN TO SIGN BUDGET AMENDMENT RESOLUTION

A motion was made by Commissioner London, seconded by Commissioner Scarborough to approve amendments and authorize Chairman to sign resolution. **Motion carried unanimously.**

4. MOTION FOR BOARD TO APPOINT DANNY YEARWOOD TO THE BEHAVIORAL HEALTH & DEVELOPMENTAL DISABILITIES ADVISORY BOARD

A motion was made by Commissioner Scarborough, seconded by Commissioner London to appoint Danny Yearwood for a three year term to the Behavioral Health and Development Disabilities Advisory Board. **Motion carried unanimously.**

5. BOARD TO CONSIDER MOTION TO APPROVE OR DENY REQUEST OF FIVE FOOT VARIANCE FOR RITA AND MAC MCCLAIN

A motion was made by Commissioner London, seconded by Commissioner Scarborough to approve a five foot variance request. **Motion carried unanimously.**

6. BILL LEE TO ADDRESS BOARD

Bill Lee stated this deals with Shady Shores. The heirs that own the property are deceased except for Valerie Ross. We are asking you to step up and take responsibility on what the county did on the

property. Her taxes were \$80 something dollars over what she would have had to pay, the reason she did not pay her taxes was because we had a contract for it ready to close and found out the county had a cloud on the title and could not close. John stated this is the original plat, note there are no dimensions, no property corner set and the original plat is basically a piece of paper. Bill Lee is representing Valerie Ross in asking for her penalties and interest back on four lots. Chairman Hudgins asked Brian Ranck if he could meet with Bill Lee to help them understand what he was specifically asking for. Brian stated he would meet with Mr. Lee at his convenience. Christen Collier, Tax Assessor stated they paid their taxes but did not pay the penalties and interest and they are still being accrued. She has not made a return and no one has ever had a problem with this property before. Brian Ranck stated he would advise against giving a refund in this situation and you would be setting a precedent. John stated that he spoke with Kenneth Cash at length about this and when he does a survey he does it by lines of occupation and that is what this plat is based on, the original plat has no meets and bounds. A motion was made by Commissioner Haygood, seconded by Commissioner London to postpone until next meeting with the understanding that County Attorney Brian Ranck will come back with some research and information from the Tax Assessors office.

V. INVOICES OVER \$5000

1. ACREE OIL - \$13,231.51
2. C & A SERVICE - \$6,000.00

A motion was made by Commissioner London, seconded by Commissioner Andrews to approve and pay invoices contingent upon the SAVE and E-Verify Affidavits be supplied by C&A Service. **Motion carried unanimously.**

VI. MATTERS FROM DEPARTMENTS

1. ADMINISTRATOR REPORT –
2. FINANCE REPORT –
Phyllis Ayers stated she enjoyed being with them the last two days during budget reviews and appreciated the Commissioners diligence and attentiveness the last two days reviewing the budget.
3. DEPARTMENT REPORT –

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

VIII. EXECUTIVE SESSION

IX. ADJOURNMENT

A motion was made by Commissioner London, seconded by Commissioner Scarborough to adjourn the meeting at 6:20 p.m.

Approved this _____ day of _____, 2011

J.B. Hudgins, Chairman

Attest:

Beth Rider, County Clerk