

**CALLED MEETING
TIFT COUNTY BOARD OF COMMISSIONERS
MONDAY, OCTOBER 3, 2006
6:00 P.M.**

The Special Called Meeting of the Tift County Board of Commissioners was called to order by Chairman Grady Thompson on Tuesday, October 3, 2006, at 6:00 p.m. in the County Manager's Office of the Administrative Building. Members of the commission present including Chairman Thompson were Vice Chairman Charlotte Bedell, Commissioners Donnie Hester, John Huggins, Frankie Mathis, Buck Rigdon and Hugh Webb.

Chairman Thompson called the meeting to order.

REGULAR AGENDA:

- 1. Vote on hiring County Attorney:** The County Clerk prepared and passed out ballots for the vote of the hiring of the Tift County Attorney. All three (3) firms that sent in proposals and were interviewed were placed on the ballot, which were Anthony Rowell, Johnny Spurlin and Sandy Sims. Ballots were handed to the County Clerk. The ballots were counted and the Clerk announced that the Board had elected to hire Sandy Sims. The vote was unanimous. Commissioner Hester requested that the minutes reflect that this appointment is short term and that at the beginning of the 2007 Fiscal Year the County Attorney appointment will be reconsidered. Vice Chairman Charlotte Bedell made a motion to destroy the ballots, seconded by Commissioner Hester. Motion carried unanimously.
- 2. Authorize the Chairman to endorse DOT Contract on Old Brookfield Road:** The County Clerk has received the contract from the Department of Transportation for the base and plant mix surface treatment for 2.1 miles. Motion was made by Commissioner Huggins authorizing the Chairman execute the contract, seconded by Vice Chairman Bedell. Motion carried unanimously.
- 3. Award bid for Resurfacing work on various roads:** The Public Works Department solicited bids on resurfacing work on Lake Larry Drive and Duckworth Lanes. Bids received were: The Scruggs Company - \$56,114.04; Ross of Georgia - \$64,605.60 and Reeves Construction - \$57,837.00. The Public Works Director and Projects Manager recommended the acceptance of the low bidder. Motion was made by Commissioner Huggins to award the resurfacing work to The Scruggs Company in the amount of \$56,114.04 and to include any other roads approved and recommended by the Road Committee, seconded by Vice Chairman Bedell. Motion carried unanimously.

Vice Chairman Bedell made a motion to recess until the regularly scheduled Workshop Session at 6:30 PM, seconded by Commissioner Huggins. Motion carried unanimously.

Chairman Grady Thompson, Dist 7

Vice Chairman Charlotte W. Bedell, Dist 6

Commissioner Donnie Hester, Dist 1

Commissioner Frankie Mathis, Dist 2

Commissioner Hugh Webb, Dist 3

Commissioner John M. Huggins, Dist 4

Commissioner Fred W. Buck Rigdon, Dist 5

ATTEST:

County Clerk

**WORKSHOP SESSION
TIFT COUNTY BOARD OF COMMISSIONERS
TUESDAY, OCTOBER 3, 2006
6:30 P.M.**

The scheduled Workshop Session of the Tift County Board of Commissioners was called to order by Chairman Grady Thompson on Tuesday, September 5, 2006, at 6:30 p.m. in the Commissioners' Meeting Room of the Administrative Building. Members of the commission present including Chairman Thompson were Vice Chairman Charlotte Bedell, Commissioners Donnie Hester, John Huggins, Frankie Mathis, Buck Rigdon and Hugh Webb.

Appointments:

Mr. Danny Sterling with Plant Telephone Company/Plant Telenet addressed the Board and asked their consideration to approve the proposed Franchise Agreement with Plant Telenet. The Franchise Agreement is in the designated areas around Omega. Mr. Sterling was advised that the agreement was not placed on the previous Workshop Agenda and was tabled for action at that time, however, it will be considered at this Workshop Session and action taken at the October 9, 2006 meeting.

Public Hearings:

- A. TC-ZA 06-22: Green Industries request to rezone from Agricultural Use [AU] to R-12 Residential, 63.75 acres located on Brandie Lane for proposed Sleepy Hollow Subdivision:** The County Manager explained the nature of the request and stated that this comes to the Board with a recommendation of approval from both staff and Planning and Zoning. The public hearing is scheduled for Monday, October 9, 2006 at 6:30 PM. Commissioner Rigdon wanted to go on record stating he has represented Mr. Green for many years and he will declare a conflict of interest at the Regular Meeting on these items.
- B. TC-SD-0630: This item was dropped from the Agenda because it is for an approval of preliminary plat for the above mentioned subdivision which does not require the approval of the Board of Commissioners.**
- C. TC-ZA 06-23: Green Industries request to rezone from Agricultural use [AU] to R-12 Residential, 28.80 acres for development of Phase I of the Willows Subdivision located at the intersection of Old Ocilla Road and New River Church Road:** The County Manager explained the nature of the request and stated that this comes to the Board with a recommendation of approval from both staff and Planning and Zoning. The public hearing is scheduled for Monday, October 9, 2006 at 6:30 PM.
- D. TC-SD-06-31: This item was dropped from the Agenda because it is for an approval of preliminary plat for the above mentioned subdivision which does not require the approval of the Board of Commissioners.**
- E. TC-ZA- 06-24: Helen Ball request to rezone 13 lots from Mobile Home Park [MHP] to R-8, located on Jordan Way north of Old Brookfield Road and New River Church Road:** The request, if granted, will be going from rental units to purchasing lots and placing mobile homes on the lots. This will increase the tax digest. It comes with a recommendation of approval from staff and planning and zoning. The public hearing is scheduled for Monday, October 9, 2006.
- F. TC-ZA 06-25: James Montgomery request to rezone two tracts consisting of 3.68 acres from Agricultural Use [AU] to R-1 located on Old Union Road:** The County Manager stated this property is adjacent to other tracts zoned R-1. It comes with a recommendation of approval from staff and Planning and Zoning. The public hearing is scheduled for Monday, October 9, 2006.
- G. TC-SUP 06-08: Laura Rowe request a Special Exception to allow a Rural Farm Homestead with fifty (50) feet lot width and a lot size variance of one acre on two other parcels:** The County Manager explained the nature of this request stating that on Tract 2, Ms. Rowe is asking for a Special Exception for a rural farm homesite with a variance on the road

frontage. Tract 3 meets the requirements and on Tracts 1 and 4, she is asking for a variance on the lot size of the minimum 3 acres. She is trying to divide this property for her children. The total acreage is 9.72 acres. Commissioner Rigdon does not feel this request falls under the Rural Farm Homestead Amendment to the Ordinance. This comes with approval from staff. It does not go before Planning and Zoning because the Board is the only body that can grant variances.

Items discussed by the Commission for action on October 9, 2006:

- H. Keep Tift Beautiful By Law Changes:** It was tabled from the previous meeting until Vice Chairman Bedell could meet with the Keep Tift Beautiful folks about some changes she would like to see made. She recommends approval.
- I. Georgia Indigent Defense Contract:** This was tabled from the previous meeting because of some concerns staff had with the contract; those items have been worked out and now recommends the approval from the Board.
- J. Franchise Agreement for Plant Telenet:** This was tabled from the previous meeting until the Board had time to review the Agreement.
- K. Approve Drug and Alcohol Testing Policy for Tift Lift Transit System:** This is a standard procedure from DOT in connection with Tift Lift.
- L. Approve Contract for Comprehensive Transportation Plan:** The County Manager advised that we received bids for this Transportation Plan and interviews were conducted. Staff recommends entering into this contract for a Comprehensive Transportation Plan for Tifton and Tift County. There were concerns about the cost of the Transportation Plan.
- M. Approve Renewal Proposal from ACCG-IRMA for Liability & Property Insurance:** The County Clerk advised that the renewal premium for the county's Liability and Property Insurance has been received from ACCG-IRM with a slight increase. Staff recommends continuing with the present \$2,500 deductible and accepting the premium in the amount of \$266,945 which reflects a Safety Credit of \$5,000 and a Dividend Credit of \$38,072.
- N. Consideration of request from Ambrose King, the King Association for Social Change:** This is a funding request to help with a program for teenagers in the amount of \$1,460 per month. The County Manager explained that this is a non-budgeted item and is not recommended by staff to approve this funding.
- O. Consideration of a one [1] acre tract of land on Hwy 41 South be declared as Surplus Property:** The County Manager advised that Ross Construction has requested the county consider selling a piece of property located adjacent to his facility on Highway 41 South. The Board would need to declare this piece of property surplus, advertise and sale by auction or sealed bids. Staff does not anticipate future use of this property. Staff also recommends in this process to close Hobby Perry Road.

The Board agreed to place items H, I, J, K, M, N, & P on the Consent Agenda.

County Managers Items:

Advised that a letter has been received from DOT concerning the Pearman Road crossing and they have agreed to move forward with the crossing arms at the Carpenter Road crossing.

Gave an update on the meeting with the Library Board and another meeting is set up for next week. The appraisal for the house across the street came in at \$112,000. Mr. Park and Commissioner Mathis will report after the next meeting.

Gave some information of the Georgia Initiative Community Housing

Advised that a date for a TAG Meeting needs to be considered

Asked for approval to get sealed bids on the Old Brookfield Fire Station rather than hold an auction. Board agreed to sealed bids

Advised of some problems with the flooring at the Soup Kitchen at the Neighborhood Service Center and needs to be replaced. Staff recommends replacing with tile instead of carpet. The Board agreed to add it to the Consent Agenda for Monday night meeting.

Commissioner Comments:

Commissioner Rigdon commended the Board in the efforts to hire an attorney.

Commissioner Huggins inquired about the Special Events Ordinance and was advised that it was adopted September 11, 2006.

Vice Chairman Bedell commended Commissioner Hester for representing the Board at the A C C G Policy Conference and for serving as the county's representative on the Georgia Initiative Community Housing Committee.

Commissioner Webb suggested that no more mail be allowed to be placed in the Commissioners mailboxes unless it contains the names of whom it comes from.

Commissioner Mathis addressed the memo he received about a new vehicle for the Tax Assessors Office. The County Manager advised that has been taken care of by re-assigning a used crown vic to that department that had been turned in from another department.

Department Heads present giving brief reports were Craig Sowell, Regenia Wells, Mary Ann Eaton, Darrell Wiggins, Sheriff Vowell and Leigh Jordan.

Public Comments:

Donald Adcock thanked the County Manager for coming to Eldorado looking over the situation at the Fire Department voting precinct to see what kind of improvements can be made down there.

Executive Session: Motion was made by Commissioner Huggins to go into Executive Session under OCGA 50-14-3(6), Personnel, seconded by Commissioner Rigdon. Motion carried unanimously.

Motion was made by Commissioner Hester to close Executive Session, seconded by Commissioner Mathis. Motion carried unanimously.

Chairman Thompson adjourned the meeting.

Chairman Grady Thompson, Dist 7

Vice Chairman Charlotte W. Bedell, Dist 6

Commissioner Donnie Hester, Dist 1

Commissioner Frankie Mathis, Dist 2

Commissioner Hugh Webb, Dist 3

Commissioner John M. Huggins, Dist 4

Commissioner Fred W. Buck Rigdon, Dist 5

ATTEST:

County Clerk

**REGULAR SESSION
TIFT COUNTY BOARD OF COMMISSIONERS
TUESDAY, OCTOBER 9, 2006
6:30 P.M.**

The scheduled Regular Session of the Tift County Board of Commissioners was called to order by Chairman Grady Thompson on Monday, October 9, 2006, at 6:30 p.m. in the Commissioners' Meeting Room of the Administrative Building. Members of the commission present including Chairman Thompson were Commissioners Donnie Hester, John Huggins, Frankie Mathis, and Buck Rigdon. Vice Chairman Bedell was out due to illness and Commissioner Webb had another commitment.

Chairman Thompson asked Reverend Larry Daughtrey of Tift Avenue Church of God to give the invocation followed by the pledge to the flag.

All actions taken in this meeting are results of commissioners' votes with the Chairman not voting except in the case of a tie which will be stipulated as such.

Minutes: Motion was made by Commissioner Hester approving the minutes of the September 5, 2006 Workshop Session, September 11, 2006 Regular Session and September 18, 2006 Called Session, seconded by Commissioner Mathis. Motion carried unanimously.

Addition to the Agenda:

Request from Patrick Tractor Company for tax relief for equipment reported in error.

Motion was made by Commissioner Mathis to add this item to the Regular Agenda under the letter Q, seconded by Commissioner Hester. Motion carried unanimously.

Q. Patrick Tractor Company Request: Teresa Lupo, Tax Assessor explained to the Board the reason Patrick Tractor Company is making this request. They filed the Property Tax Return in March and were mailed the assessment notice in May. They filed no appeal. After receiving the tax bill, they then discovered that a mistake was made by reporting inventory that should have been exempt; however, the time for filing an appeal had expired. Patrick Tractor met with the Board of Assessors in October requesting the adjustment which would result in a reduction in value of \$1,916,357. The law does not allow the Board of Assessors to extend the time to file an appeal. Ms. Lupo recommended the Commissioners ask the county Attorney to research the section of law pertaining to the request which is 48-5-380 to see what can be done with this situation.

Mr. Bob Patrick then addressed the Board restating their request for the same reasons explained by Ms. Lupo. He stated it was an honest mistake and asked the Board's consideration of the requested tax relief.

Motion to table until the next meeting was made by Commissioner Huggins, seconded by Commissioner Rigdon. Motion carried.

Public Hearings:

A. TC-ZA 06-22: Green Industries request to rezone from Agricultural Use [AU] to R-12 Residential, 63.75 acres located on Brandie Lane for proposed Sleepy Hollow Subdivision:

Chairman Thompson opened the public hearing and the County Manager advised of the Standards for Exercise of Zoning Powers and Conflict of Interest postings. Commissioner Rigdon declared a conflict of interest. The Commission was then without a quorum for the vote; however, since the public hearing has been properly advertised, it can be held but the request will need to be tabled until such time a quorum is present for action to be taken. Carl Fortson explained the nature of the request and stated it comes to the Board with a recommendation of approval from staff and Planning and Zoning.

Glenn Green, 1290 Salem Church Road spoke in favor of his request. He stated the subdivision will have access to water and sewer and that the home sizes will range from 1300 to 1700 square feet.

There was no opposition.
Chairman Thompson closed the public hearing.

Motion was made by Commissioner Hester to table due to the lack of a quorum and call a meeting to take a vote no later than October 23, 2006, seconded by Commissioner Mathis

C. TC-ZA 06-23: Green Industries request to rezone from Agricultural use [AU] to R-12 Residential, 28.80 acres for development of Phase I of the Willows Subdivision located at the intersection of Old Ocilla Road and New River Church Road:

Chairman Thompson opened the public hearing. The County Manager advised of the Standards for Exercise of Zoning Powers and Conflict of Interest postings. Commissioner Rigdon declared a conflict of interest. Carol Fortson explained the nature of the request and advised it will have access to water and sewer and plans are to build 1500 to 1900 square feet homes. It comes to the Board with a recommendation of approval from staff and Planning and Zoning.

Glenn Green, 1290 Salem Church Road spoke in favor of his request. He is presently working with the city on providing sewer to the property because the land would not be acceptable for septic tanks. He advised that water is already available at the property.

Todd Judy, 21 Back Forty Road spoke in opposition to the rezoning request because of the size of the lots being proposed. He stated that the opposition would like for Mr. Green to consider larger lots to go along with the surrounding lot sizes in the area of the proposed subdivision.

Chairman Thompson closed the public hearing.
Motion to table until the November Workshop Meeting was made by Commissioner Hester, seconded by Commissioner Huggins.

E. TC-ZA- 06-24: Helen Ball request to rezone 13 lots from Mobile Home Park [MHP] to R-8, located on Jordan Way north of Old Brookfield Road and New River Church Road:

Chairman Thompson opened the public hearing. The County Manager advised of the Standards for Exercise of Zoning Powers and Conflict of Interest postings. Carl Fortson explained the rezoning request. It comes to the Board with a recommendation of approval from staff and Planning and Zoning.

There was no one present to speak in favor or in opposition.

Motion was made by Commissioner Huggins to table until the next meeting. This motion died for the lack of a second. Motion to approve TC-ZA 06-24 was made by Commissioner Mathis, seconded by Commissioner Hester. No action was taken due to the lack of a quorum to carry the motion.

F. TC-ZA 06-25: James Montgomery request to rezone two tracts consisting of 3.68 acres from Agricultural Use [AU] to R-1 located on Old Union Road:

Chairman Thompson opened the public hearing. The County Manager advised of the Standards for Exercise of Zoning Powers and Conflict of Interest postings. Carl Fortson explained the nature of the request and stated it comes to the Board with a recommendation of approval from staff and Planning and Zoning.

James Montgomery, 5520 Union Road spoke in favor of his request and asked the Board consideration to rezone the property.

There was no opposition.
Chairman Thompson closed the public hearing.

Motion to approve TX-ZA 06-25 was made by Commissioner Huggins, seconded by Commissioner Hester. Motion carried.

G. TC-SUP 06-08: Laura Rowe request a Special Exception to allow a Rural Farm Homestead with fifty (50) feet lot width and a lot size variance of one acre on two other parcels:

Chairman Thompson opened the public hearing. The County Manager advised of the Standards for Exercise of Zoning Powers and Conflict of Interest postings. Carl Fortson explained the nature and reason for the request from Ms. Rowe so she can divide the land up for her children. Staff feels the request is reasonable and recommends approval. Commission Rigdon asked if there were any standard written criteria for a Special Exception to be granted under. Mr. Fortson advised there are no set criteria; it is just a relaxation of the Ordinance.

Julian Rowe, 52 Faith Barnes Road spoke in favor of the request and asked the Board's consideration in granting the Special Exception.

There was no opposition.
Chairman Thompson closed the public hearing.

Motion was made by Commissioner Huggins to approve TC-SUP 06-08 Special Exception request from Laura Rowe, seconded by Commissioner Mathis. Motion carried.

CONSENT AGENDA:

- H. Motion to approve Keep Tift Beautiful By Law Changes**
- I. Motion authorizing the Chairman to execute the Georgia Indigent Defense Contract**
- J. Motion authorizing the execution of the Franchise Agreement for Plant Telenet**
- K. Motion approving the Drug and Alcohol Testing Policy for Tift Lift Transit System**
- M. Motion to accept Option 1 in the amount of \$266,945 for the Liability & Property Insurance with ACCG-IRMA**
- N. Motion to deny request funding from Ambrose King, the King Association for Social Change**
- O. Motion authorizing replacement of flooring at the Neighborhood Service Center**

Motion was made by Commissioner Hester to approve the Consent Agenda, seconded by Commissioner Mathis. Motion carried unanimously.

Regular Agenda:

- L. Discussion and approval of contract for the Comprehensive Transportation Plan:**
Motion was made by Commissioner Rigdon to approve and execute contract for the Comprehensive Transportation Plan from Carter & Burgess, Inc.
- O. Consideration of a one [1] acre tract of land on Hwy 41 South to be declared as Surplus Property:** Motion was made by Commissioner Huggins to declare this one acre tract of land surplus and authorized the advertising for sealed bids, seconded by Commissioner Hester. Motion carried unanimously.

County Managers Items: No comments.

Commissioner Comments:

Commissioner Huggins addressed an article that was printed last week in the Tifton Gazette stating that the Board of commissioners held an illegal meeting and wanted to go on record that he takes exception to the article.

Commissioner Hester asked the County Manager to check into installing a street light on Bell Street. He addressed the Ambrose King request for funding and wanted to explain that we are unable to fund these types of requests due to so many organizations that would continually be asking for funding.

Commissioner Mathis reported that a meeting with the Library Board had been held and plans are to have another one to discuss their budget request. They discovered there are some items they requested funding that can be funded through SPLOST. Negotiations will continue until all are resolved.

Public Comments:

Sheriff Gary Vowell reported that the Courts had ruled in our favor on the lawsuit filed by Jesse Anderson.

Motion to adjourn was made by Commissioner Huggins, seconded by Commissioner Hester.
Motion carried.

Chairman Grady Thompson, Dist 7

Vice Chairman Charlotte W. Bedell, Dist 6

Commissioner Donnie Hester, Dist 1

Commissioner Frankie Mathis, Dist 2

Commissioner Hugh Webb, Dist 3

Commissioner John M. Huggins, Dist 4

Commissioner Fred W. Buck Rigdon, Dist 5

ATTEST:

County Clerk