

The Brooks County Board of Commissioners met for its Monthly Workshop and Regular Monthly Meeting on Monday, July 1, 2013 at 5:00 p.m. in the Commissioners Meeting Room located at the Brooks County Office Building. Commissioners present were: Mr. S. L. Jones, Chairman, Mr. Joe Wingate, Vice Chairman; Mr. James Maxwell; Mr. Willie Cody, and Ms. Myra Exum. Others present were: Mr. Justin DeVane, County Administrator; Ms. Patricia Williams, County Clerk; Mr. Vann Parrott, County Attorney; and various residents.

### **Call to Order**

Chairman called workshop to order.

### **Work Session**

#### **Reports from Committees/Departments**

A. Mark Deatcher – Public Works Director was not present. County Administrator reported for the Road Department:

Administrator reported with all the rain the Department is taking care of roads as best they can; they are in best shape to be expected with all the rain. When rain clears problem areas will be addressed. While the roads are wet, employees are cleaning up the borrow pit in their idle time.

Administrator has been looking into used equipment for Road Department, 7-10 years old; and at cost of \$125,000. The Mower should be up and running by end of week or first of next week.

B. Ben DeVane - County Surveyor/Engineer reported:

- 2012 LMIG is complete; going to final inspection.
- 2013 LMIG bids were opened June 27, 2013, and are in good order.
- 2014 LMIG has been sent to GDOT with estimated cost; awaiting response.
- Drainage and headwalls have been identified for following roads: Site #1 CR 162; Site #2 CR 129, Site #3 CR 223, Site #4 CR 181, Site #5 CR 242, and Site #6 CR 114. The six sites have been worked up and given to Administrator.
- CDBG bids are being prepared; ad should go to paper first of July; bids first of August.
- Mr. DeVane will get elevation of plot for Ms. Fuller's property (CR 305) and report to Administrator.
- Guard rails are still a working file; not ready for bid yet; been busy with other projects that are time sensitive.
- River Run Road (CR 299) recommends improving cul de sac and drainage area. This project will be resumed once the drain and headwalls are complete.

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- Augusta Drive has drainage problem; water backing up in ditch; Road Department cleaned easement and citizen is pleased.
- SAP has been approved by DOT; has received Right-of-Way Certification to be signed by County Attorney.

- Awaiting easements and deeds for Clay Bank from County Attorney; trying to get everything need before the County takes over.
- C. Mike Dewey – Sheriff – present; but no report.
- D. Mike Smith - 911/Emergency Management/Fire
- The CAD System is working; provided report for number of calls received for Quitman, Morven, Pavo, Barwick, Sheriff’s Office; and Road Department. Calls can be received for road emergencies; 911 has names on call for Road Department.
- E. Destination Brooks – no one was present.
- F. Garvie Nichols – Brooks County Ag Extension
- Dairy Tour was held and was successful; 95 youths attended from South Carolina, North Carolina, Florida; and Georgia.
  - Will host the Peanut Tour September 19<sup>th</sup>.
  - Application process has closed for new Extension Agent; will conduct interviews Wednesday, July 3, 2013.
- G. Laura Harrison – Brooks County Library
- Provided Agreed upon Procedures and Financial Statements for FY 2012; minutes of the February 2013 quarterly meeting of Library Board; report of activities for March, April and May 2013.

On a motion by Mr. Wingate, seconded by Mr. Cody, the work session was closed at 5:27 p.m.; and opened the public hearings. A sign-in sheet was provided.

**Public Hearing – 5:30 p.m.**

**A. Re-zoning Request** – County Building & Zoning received a Petition by Sandi James for a Special Exception to establish a catering business within the Agricultural zoning district on an 80 acre parcel of property located at 1338 Ellenburg Road in Quitman, GA. The SGRC recommends approval and the Brooks County Planning Commission approved the request 4-0.

Southern Georgia Regional Commission Staff reviewed petition and determined it is in compliance with the Standards for Exercise of Zoning Powers and the Standards for Special Exception Review of Sections 14-2.8 E and F of the Brooks County Zoning

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Ordinance. Therefore, staff recommended approval of the Petition by Sandi James for a Special Exception to establish a catering business within the Agricultural zoning district.

Discussion was addressed in regards to the specification outlined in the Ordinance to the meaning of the word “catering”, due to the misconception of some neighboring residents as to what the business would actually involve; since the notice to property owners stated catering. Ms. James stated in her letter of intent the building would be

used to cater weddings, reunions, birthdays; and all type of gatherings. Residents were concerned and had questions, after attending the meeting held by the Planning Commission, regarding noise, alcohol on premises; increase of traffic, and the disposition of their peace and tranquility.

Property owners in favor of the request asked the Board for consideration to approve special exception stating the venue would create jobs, add to tax digest, increase property value; and would comply with Noise Ordinance to cease activity by 11:00 p.m.

The property owners that were against the request all had the same concerns in reference to their peace and quiet, noise, music, litter, traffic increase on a bad road; amenities of country life, road problems, property value; and infringement on neighbors.

On a motion by Mr. Maxwell, seconded by Mr. Wingate, Board closed public hearings to go into the Regular Meeting at 6:32 p.m.

1. **Call to Order**

A. Prayer & Pledge – Mr. Wingate led all in attendance in prayer and pledge of allegiance.

2. **Approval of Agenda**

A. July 1, 2013 Regular Monthly Meeting - Mr. Maxwell made the motion to approve the agenda as written, Ms. Exum seconded. Vote was unanimous.

3. **Approval of Minutes**

On a motion by Mr. Wingate, seconded by Mr. Maxwell, the Board unanimously approved the following minutes with a correction:

- A. June 3, 2013 Workshop & Regular Monthly Meeting (with correction)
- B. June 11, 2013 FY 2014 Budget Work Session & Special Called Meeting
- C. June 20, 2013 Special Called Meeting & Executive Session
- D. June 26, 2013 FY2014 Budget Work Session & Special Called Meeting

4. **Appearances**

A. **Michael Simmons – Roads and Bridges** – appreciate improvement of Barrett Road, but Pidcock Road has 75 or 80 potholes; and should be resurfaced rather than

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Barrett Road. Mr. Simmons thanked the Board for their actions on the guard rails for bridges issue; appreciate what they are doing.

5. **New Business**

A. **Rezoning Request** – Sandi James – Mr. Wingate stated he would like to see the Board use the SGRC for their recommendations; and they put people on Board to do what is correct. He feels it would be hard to overrule recommendation made by SGRC; and he would like to see the request approved. Mr. Maxwell stated he had a problem with the word “catering”. Mr. C.G. Spencer, Attorney for the Group against the rezoning, stated to the Board they are willing to talk with Ms. James and Mr. Exum in terms of coming to some type of mutual agreeable conditions. After discussion, Mr.

Maxwell made the motion to table the approval of the request for the special exception until the two sides get together and try to work out a mutual agreement, Mr. Cody seconded. Vote was unanimous.

**B. Georgia DOT SAP Program – Right of Way Certification**

Mr. Maxwell made the motion to approve the County Attorney's review and execution of the Right of Way Certification for DOT SAP Program, Ms. Exum seconded. Vote was unanimous.

**C. Brooks County Family Connection – Board Appointment**

Administration received notification regarding Mr. Maxwell's attendance of the monthly meetings held by Family Connection. Family Connection Coordinator advised Administrator monthly attendance is not required, but would like someone to be present every 2 to 3 months. Mr. Maxwell did not have a problem with attending every 2 to 3 months, he thought he had to attend monthly, therefore, he will stay on the Family Connection Board to represent Brooks County.

**D. Brooks County Library Board Appointments**

A letter was received by Administrator from Ms. Laura Harrison, Brooks County Library Director, advising that two of the current Library Board appointments will be expiring; and the Library Constitution states no member can serve more than two consecutive three-year terms without a one-year break in service. Both expiring appointments have served their two consecutive terms. Ms. Harrison provided recommendations of individuals interested in participating. Mr. Maxwell made the motion to appoint Johnnie Brown and Carolyn Laurie to the Library Board to serve a three-year term beginning July 1, 2013 and expire June 30, 2016, Mr. Cody seconded. Vote was unanimous.

**E. FY2013 LMIG Bid Approval and Budget Amendment**

Bids were opened and read aloud Thursday, June 27<sup>th</sup> at 3:30 p.m. to select a contractor to complete the County's FY2013 LMIG project. The County received \$450,238.51 from GDOT for local projects. Funds for the remaining balance needs to be appropriated from SPLOST road improvement funds; which requires a budget amendment to appropriate the funds. On a motion made by Mr. Cody, the Board

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unanimously approved the budget amendment to appropriate the County's portion of funding for 2013 LMIG road projects from SPLOST in amount of \$383,775.80; SPLOST #4 funds will be used first; remainder of funding will come from SPLOST #5, Mr. Maxwell seconded.

The two bids received were as follows:

1. Reames and Son Construction, Valdosta, GA, - \$838,138.08
2. The Scruggs Company, Valdosta, GA - \$834,014.31

On a motion by Mr. Wingate, seconded by Ms. Exum, Board unanimously awarded the lowest bid to The Scruggs Company in amount of \$834,014.31 to complete the FY2013 LMIG project.

**6. Unfinished Business**

**A. Brooks County Recreation Board Football Program Update**

Recreation Board was previously approached by Brooks County Youth Center regarding bringing their youth football program to Brooks County Recreation Department; and requested authorization from Board to study the matter. Board authorized the Recreation Board to study the matter and report back within the next two regular scheduled Board meetings. No report was submitted during the June 2013 regular meeting. Administrator reported he had spoken with Recreation Board Chairman, Buddy Holwell, and he stated they are continuing the study, but due to time frame, will pursue later.

**7. County Administrator Notes/Comments**

**A. FY2012 FEMA Assistance to Firefighters Grant Award**

Administrator received notification the Brooks County FY2012 FEMA AFG application was awarded. Southern Georgia Regional Commission submitted the application in 2012, the grant amount is \$279,100. The County's portion of award is 5%, or \$13,955, which SPLOST funds can be used. The bid process will begin in the upcoming weeks for the equipment. Mr. Maxwell made the motion to approve the budget amendment and the County's portion of \$13,955 from SPLOST #5, Mr. Wingate seconded. Vote was unanimous.

**B. Airport Authority Taxiway Expansion Update**

During last month's meeting, Administration presented a request from Airport Authority regarding construction of a taxiway at the airport. FAA is providing some of the funding at 97.5% and the rest at 95%; and the Airport Authority must match the remaining 2.5%, of which they have a portion; and is requesting the remaining split from City and County for Phase I and then again, when Phase II is contracted. The item was tabled at the June 3, 2013 meeting due to lack of funding available in the County's FY2013 budget and to be considered in the FY2014 budget. Administrator found a difference in the numbers based on calculations,

was a little less than presented. The FAA changed their funding requirements for airport owners from 2.5% to 5% of contract price; fortunately, the Airport Authority was still covered under the old 2.5% for part of funding. Airport Authority's portion for Phase I is \$36,642, of which they have \$18,000 of the amount; they are requesting one half of the remaining \$18,242 from the County and City, totaling \$9,121 each. On a motion by Mr. Wingate, seconded by Ms. Exum, Board unanimously approved the County's one-half of funding in amount up to \$9,121 for Airport Authority Taxiway Expansion.

**C. FY2014 Georgia DOT LMIG Projects Funding**

Administration received a letter from Georgia DOT regarding the County's LMIG funding for FY2014. County will receive \$484,872.88 for LMIG projects; and County's portion will be a 30% match. The Project List has been prepared and sent to DOT.

**8. Commissioners Notes/Comments**

A. Joe Wingate - District 1 – Expressed concerns regarding up keep of courthouse grounds, pot holes on Magnolia Church Road; paving of Brooks Service Center driveway; and feels the Board should sit down with committee appointments made by

them to thank them and find out what they expect from Board and what Board expect from them.

B. S. L. Jones, District 2 – Stated his concern in regards to the intersection of Hwy 122 with Hwy 133 and the fatalities that have taken place within the last month. Administrator has prepared a letter to send to DOT addressing these concerns; and to look at placing a traffic light at the intersection during their study of Hwy 133. Mr. Wingate made the motion, Ms. Exum seconded, authorizing Chairman to sign the letter to DOT. Vote was unanimous.

C. Willie Cody, District 3 – Discussed bridge on Dry Lake Road where limbs are hanging, residents complain of having to almost pull out in the road in order to see before proceeding.

D. Myra Exum, District 4 – Stated she has received only one call in a month, Administrator has taken care of the issue.

E. James Maxwell, District 5 – Discussed Health Department wanting assistance with cleaning of the building, lobby and front bathroom.

**9. Executive Session - None**

**10. Adjournment**

Mr. Maxwell made the motion to adjourn regular meeting at 7:50 p.m.; Mr. Cody seconded.

Mr. Sanford L. Jones, Jr., Chairman

Mr. Justin DeVane, Administrator

Ms. Patricia A. Williams, Clerk