

The Brooks County Board of Commissioners met for its Monthly Work Session and Regular Monthly Meeting on Monday, December 7, 2015 at 5:00 p.m. in the Commissioners Meeting Room located at the Brooks County Office Building. Commissioners present were: Ms. Myra Exum, Chairperson; Mr. Joe Wingate, Vice Chairman; Mr. James Maxwell; Mr. Willie Cody. Mr. S. L. Jones was not present due to illness. Others present were: Mr. Justin DeVane, County Administrator; Ms. Patricia Williams, County Clerk; Mr. Vann Parrott, County Attorney; and various residents.

**PUBLIC HEARING – 5:00 P.M.** – SIGN-IN SHEETS PROVIDED. (ATTACHED)

**A. Road Closure Request (Portion of Timbo Circle)-** Administrator received a request from Beau Daniel Sinclair regarding a request for the County to formally begin the road closure process on a portion of Timbo Circle, of Highway 76 north of Barney. Mr. Sinclair owns the land on both sides of the road (north end) in regards to the section being requested and is requesting the closure since the road is traveled little and requires little maintenance from the County. The request is to close the section of the road that runs east to west, between his two pieces of property, approximately 500 feet. The portion of Timbo Circle that runs north to south along Mr. Sinclair's southern property line will remain open. The road splits his property into two tracts, one, a house site with 3.2 acres, and the northern tract with 21 acres, currently being used as farmland.

Glenn Walker from the Road Department states that the closure should not cause any problems with the road department, however, requests that sufficient room (cul-de-sac) be provided at the end of the road so that equipment and large trucks can turn around as needed on the portion left open that would become a dead end.

Board voted to begin the abandonment process during the November 2<sup>nd</sup> meeting. Administrator ran advertisements in the local paper and mailed notices to all Timbo Circle property owners. Should the Board decide to complete the abandonment process, the Board should make a motion declaring the road no longer serves a public use.

No one present was against the request. Mr. Billy Holtzclaw spoke in favor of the road closure; stating he had no problem with it, due to the road hardly being traveled.

**B. Request for Variance – Jackie Lynn & Phillip B. Cardin, Jr. -** Building and Zoning received a request from Phillip Cardin and Jackie Cardin for a variance to building setback on their property. The Cardin recently installed a new

mobile home on their property at 139 Dassie Lane in Pavo. The previous home was grandfathered under the setback requirements, however, the new home is not covered under the previous exception due to the size of the home changing (increased).

SGRC Staff, Ms. Sherry Davidson, was present and recommended approval because the request meets the strict standards of hardship and uniqueness; and Greater Brooks County Planning Commission voted to approve the variance during a meeting held November 17, 2015.

There was no one present in opposition of the variance request. Mr. Cardin stated he has no intentions of doing anything wrong; and asked for Board's mercy and consideration to his request.

**C. Request for Special Exception – Garrett & Chelsea Rowe –** Building and Zoning received a request from Garrett & Chelsea Rowe for a Special Exception to establish an agricultural event venue/retreat center on a 56-acre parcel within the Agricultural zoning district, located at 400 Nesbitt Road. SGRC Staff recommended approval of the application. The Planning Commission voted to approve the request on November 17, 2015, on condition that (a) the area for the proposed use will be 3 acres; and (b) vegetative buffers will border all open sides of the property.

Several neighbors present spoke of their objections to the request. Ms. Tiffany Jackson had concerns regarding no onsite management, noise ordinance; hunting; security to property; and proposed cottage being used for rental. Ms. Kay Maeno stated she enjoys the peace and tranquility, also concerned about no onsite management; the impact this request would put on residents; and the applicant not being a resident of Brooks County. Mr. William Woodfin had concerns regarding the venue being almost in his backyard; traffic on his property; the noise; peace and quiet; and with boggy road it would get bothersome. Ms. Rudy Brock had same concerns as others.

Mr. Thomas Payne stated he is retired and likes the peace and tranquility, his privacy. He asked how would this benefit or help Brooks County. Mr. Jay Barrett had same concerns; his property borders Nesbitt Road. He is concerned his cows will get out and may cause problems and liability issues. Ms. Kelly Barrett had same concerns as Mr. Barrett regarding cows getting out and someone hitting a cow. Mr. Stanley Beaty likes peace and quiet; and concerned about traffic on wet road. Mr. Glen Brasington stated his concerns were about

headlights shining in his window; planes flying over spraying, and was inquisitive as to if Mr. Rowe knew what he is getting into.

Mr. Garrett Rowe spoke in his behalf stating he would comply with the conditions under which the Planning Commission approved the request. He explained there is a barn and cottage on property. The cottage consist of one-half being kitchen and the other half is a living area; and strictly for event venue. He further stated he understand everyone concerns; he will abide by the noise ordinance and it will be included in the contract; at this point the hunting has not been hindered. As for as pulling in neighbor's yard; he will place signs out for drivers. Mr. Garrett stated he would put up vegetative barrier to prevent headlights shining in windows and to help with noise. He stated the venue is over 1,000 feet away from neighbors. He further stated he feels the venue would be a benefit; and feel the concerns would be proven wrong over time.

Chair closed public hearings at 5:35 to go into Work Session.

## **WORK SESSION**

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

**A. Glenn Walker - Public Works** – Glenn Walker, Road Superintendent, reported on work completed for month of November:

- 66 work orders completed; 5-911 calls.
- Ditch on Burton Road complete.
- Nankin Bridge will be closed another week for repairs by Lowndes County.
- Equipment is in good working order.

**B. Ben DeVane – County Engineer**

- 2014 LMIG is closing on Ferris Road; being compacted and finished; plans to pave before the end of week.
- Road Department did good job on ditch at Burton Road (CR 39); waiting on good weather to start the project.
- Preliminary work being done on drainage on Knights Ferry Road, need ROW to raise to drain and widen.
- Mr. Cody is continue working on acquiring ROW for CR 76 Old Thomasville Road and Son Wright Road; should have by first of 2016.

**D. Tom Eggers – Fire Department** – Thanked the Board for opportunity to serve as Fire Chief.

- Pavo Fire Station is complete; but for minor fixtures.
- Hoping to obtain fire apparatus by January 2016.
- Plans to speak with Pavo Council members.
- Spoke with ISO, maybe 2-3 years before another evaluation.

- There is work going on with fire trucks; but they are active.

Chair closed work session to go into the Regular Meeting at 5:44 p.m.

1. **Call to Order** – Ms. Exum called meeting to order.

A. **Prayer & Pledge** – Pastor Chris Hilliard, First Baptist Church, led all in attendance in prayer and pledge of allegiance.

2. **Approval of Agenda**

A. **December 7, 2015 Regular Monthly Meeting** –Mr. Cody made the motion to approve the agenda as is, Mr. Wingate seconded. Vote was unanimous.

3. **Approval of Minutes**

On a motion by Mr. Maxwell, seconded by Mr. Cody; the Board unanimously approved the minutes with changes to the Special Called meeting held November 17, 2015.

A. Work Session & Regular Monthly Meeting

November 2, 2015

B. Special Called Meeting

November 17, 2015

4. **Appearances**

A. **Sharon Powell – Road Concerns (Bethlehem Church Road)** - Administration received a request from Sharon Powell, resident of 1120 Bethlehem Church Road, to discuss issues and ongoing concerns she has been having with the road. Ms. Powell was not present due to illness.

B. **Harry Welch – Road Concerns (Peach Road)** - Administration received a request from Harry Welch, property owner at 1400 Peach Road, to discuss issues and ongoing concerns he has been having with the road. He is also concerned that the road department is grading onto his property and has cut the road down and created a drop between the road and his property.

County Engineer pulled the deeds; both show a 40 feet road frontage of property. A survey needs to be done to determine the right-of-way and property line. Board unanimously authorized County Engineer to proceed with surveying property to determine right-of-way and property line of Mr. Welch's property.

C. **Jerry Lambert- Request Consideration for Variance or Exception** - Administration received a request from Jerry Lambert, resident on Valdosta Highway, who would like to apply for a business permit on a residential property currently in an R zoning type. Mr. Lambert owns over 2 acres of property that he purchased in 2015 and has a shop /garage just under 1,000 SF. According to our zoning ordinances, Mr. Lambert's request would not meet the specifications for his home based business (he runs a machine shop). His shop does not serve on-site customers and all his products are mailed out through the United States Postal Service or similar package delivery.

Mr. Lambert would like to be issued a permit and continue with his work from his home. He is hoping to receive a variance or exception, or request some type of change to allow for small businesses.

Ms. Sherry Davidson, Planner, SGRC, advised the Board an amendment to the Zoning Ordinance could be done to allow certain amount of acreage. With a motion by Mr. Wingate, the Board authorized SGRC to get with Planning Commission to amend the Zoning Ordinance and proceed with the process to issue Mr. Lambert a permit to work from his home, Mr. Maxwell seconded. Vote was unanimous.

**5. New Business**

**A. Road Abandonment (Portion of Timbo Circle)** – Mr. Wingate made the motion to approve the request for the road closure of a portion of Timbo Circle, off Highway 76 north of Barney, the road no longer serves a public use, Mr. Maxwell seconded. Vote was unanimous.

**B. Request for Variance – Jackie Lynn & Phillip Cardin, Jr.** – On a motion made by Mr. Wingate, seconded by Mr. Maxwell, Board unanimously approved the variance request of 3 feet from the grandfathered, non-conforming 4 foot side yard setback, in order to occupy a single-family home located at 139 Dassie Road in Brooks County.

**C. Request for Special Exception – Garrett & Chelsea Rowe** – Mr. Wingate addressed his concerns regarding the request to establish an event venue on Nesbitt Road. He stated his concern is same as the residents on Nesbitt Road; including the noise and telephone calls he will be getting due to this being in his district. Therefore, Mr. Wingate made the motion to not approve the Special Exception request, seconded by Mr. Maxwell. Vote was unanimous. Ms. Exum expressed her regrets to Mr. & Mrs. Garrett.

**D. Execution of FY2016 Superior Court Probation Contract** - Administration received a contract from Superior Court for Probation Services. The contract is a renewal for the existing services and is no cost to the County. Mr. Wingate made the motion, Mr. Cody seconded, to approve execution of the FY2016 Superior Court Probation Contract. Vote was unanimous.

**E. Bid Approval – SPLOST 6 Sheriff's Vehicles** - Administration received bids for 6 new vehicles for the Sheriff's Department. The bid includes 3 new Ford F-150 Super Crews and 3 new Ford Explorer type SUV vehicles to be fully equipped. The Sheriff requested bids from multiple vendors, the County received a total of 3 bids. However, one bid was submitted after the deadline and was not considered. McLaggin Communication was the apparently low bidder at \$239,979.50 (including addendums added after the bid. McLaggin will also install radio units and wiring in vehicles since they also do that type of work, radios will be provided by the County.

Second bidder was Brennen Ford, with a bid of \$279,724.

On a motion by Mr. Cody, seconded by Mr. Wingate, Board unanimously approved the bid from McLaggin Communication & Radar Service to purchase 6 new vehicles for Sheriff's Department; to be purchased from SPLOST #6. Bid includes 3 new Ford F-150 Super Crew and 3 new Ford Explorer SUV vehicles to be fully equipped in the amount of \$239,979.50.

**F. Re-appointment to Elections Board – Ms. Jan Baker** - Administration received a request from Elections Superintendent, Ken Collins, for the re-appointment of Jan Baker to the Elections Board. Ms. Exum stated that Ms. Baker will not serve past December 31, 2015. She advised the Board to provide names of candidates to Administrator, hopefully by the meeting scheduled for Thursday, December 10, 2015 at 5:00 p.m.

**G. County Purchasing & Credit Card Usage Resolution, Ordinance & User**

**Agreement** - Administration received information from ACCG regarding House Bill 192 that was passed during the 2015 legislative session that will become effective January 1, 2016. Administration prepared a Usage Resolution, Ordinance, and User Agreement for the Board's consideration. The User Agreement will be executed by all elected officials authorized to use County credit cards.

With a motion by Mr. Wingate, seconded by Mr. Cody; Board approved the Credit Card Resolution to be effective by January 1, 2016. Vote was unanimous. Mr. Wingate made a motion to approve the Credit Card Ordinance for Brooks County Elected Officials, will be effective January 1, 2016. Mr. Cody seconded. Vote was unanimous. On a motion made by Mr. Wingate, seconded by Mr. Maxwell, Board unanimously approved the Credit Card User Agreement for Elected Officials, to be effective January 1, 2016.

**H. Contract Amendment – MIDS Transportation, Inc.** - Administration received a request for a contract amendment with MIDS, Inc., who is changing their name to MIDS Transportation Services. Due to the name change, we must execute a new contract agreement with them for the 5311 Transit program. Mr. Maxwell made the motion to approve the name change of MIDS, Inc. to MIDS Transportation, Inc., seconded by Mr. Cody. Vote was unanimous.

**I. County Certificates of Deposit Renewal** - Administration received bids from Ameris Bank, Citizens National Bank, and Colony Bank for two Certificates of Deposit, both to be for an estimated \$1.6 million.

Proposals FY2016 are as follows:

Citizens National Bank – APR .50%, APY .50%, 12 months, one month interest penalty for early withdrawal; funds protected by FDIC and pledged securities.

Colony Bank – APR .55%, APY .55%, 12 months, no interest penalty for early withdrawal; funds protected by FDIC and pledged securities.

Ameris Bank – APR .60%, APY .60%, 12 months, no interest penalty for early withdrawal; funds protected by FDIC and pledged securities.

Mr. Maxwell made a motion to accept/approve bid from Ameris Bank with APR .60%, APY .60%, no interest penalty for early withdrawal; funds protected by FDIC and pledged securities. Mr. Cody seconded; vote was unanimous.

**J. Brooks County 911 Dispatch Towing Policy & Regulations** - Administration has worked with 911 Director Mike Smith and currently 911 towing operators to create a 911 Dispatch Towing Policy for Brooks County. The goals for the policy are to streamline requests for assistance from 911 to Wrecker Operators by providing each operator with information regarding the needs of each situation. In addition, the policy will regulate what operators are eligible for what tow requests handled in Brooks County through 911 dispatch. The policy also stipulates charges for towing, winching, storage, etc. to be used by operators in Brooks County when towing through Brooks County dispatch on the rotation list. Operators will be required to complete a yearly DOT inspection to renew their license and will be provided a permit for each truck that means the qualifications of any given tow class (light, medium, or heavy).

The motion was made by Mr. Maxwell to approve the 911 Dispatch Towing Policy & Regulations; changes will be implemented starting January 2, 2016.

**6. Unfinished Business – None**

**7. County Administrator Notes/Comments**

**A. Employee Longevity Payments** - Administration is requesting approval for the Employee Longevity Pay to be paid with Contingency Funds. The total for bonuses is \$15,450 as figured at the traditional pay scale (based upon years of service – please note, at the time the agenda was prepared, we did not have an updated number, so the amount shown is the FY2015 figure, however, that number should be close to the FY2016 amount).

Payroll Clerk provided updated number before meeting, the amount is \$15,000. Mr. Maxwell made the motion, Mr. Wingate seconded to approve FY2016 Employee Longevity Pay from Contingency Funds in amount of \$15,000, the vote was unanimous.

**B. 2016 County Appointments Reminder** - Administration wishes to make the Board aware of appointments are coming up in January for 2016. Administration attached a copy of the minutes from January 2015 as a review of the previous assignments.

**8. Commissioners Notes/Comments**

**A. Joe Wingate - District 1** – No comment.

**B. S. L. Jones, District 2** – Not present.

**C. Willie Cody, District 3** – No comment.

**D. Myra Exum, District 4** – Wished everyone Happy Holidays and hope for prosperous year.

**E. James Maxwell, District 5** – Commented that applicants should do research for event venue applications before applying and spending money.

**9. Executive Session – Personnel**

**A.** Mr. Cody made the motion to go into Executive Session at 6:38 p.m., Mr. Wingate seconded.

On a motion by Mr. Wingate, seconded by Mr. Cody, Board adjourned Executive Session and returned to Regular Meeting at 6:53 p.m.

There was no action taken.

**10. Adjournment**

Mr. Maxwell made the motion to adjourn regular meeting at 6:54 p.m.; Mr. Cody seconded.

Ms. Myra Exum, Chairperson

Mr. Justin DeVane, Administrator

Ms. Patricia A. Williams, Clerk