

The Brooks County Board of Commissioners met for its Monthly Work Session and Regular Monthly Meeting on Monday, December 2, 2019 at 5:00 p.m., in the Commissioners Meeting Room located at the Brooks County Office Building. Commissioners present were: Mr. James Maxwell, Chairman; Mr. Patrick Folsom, Vice Chairman; Mr. Willie Cody; Ms. Myra Exum; and Mr. Rhett Rowe. Others present were: Ms. Jessica McKinney, Administrator; Ms. Patricia Williams, County Clerk; Mr. James Burchett, County Attorney; and various residents.

PUBLIC HEARING

Zoning Change on Hwy 84 East – Ms. Sherry Davidson, Senior Planner, Southern Georgia Regional Commission, presented the application by Frank McElroy and John Duncan to change the zoning of a 4.6 acre parcel, located at 15951 Hwy 84 East in unincorporated Brooks County, and being specifically described as Map no. 124, Parcel No. 0008, from Business Retail (BR) to Highway Commercial (C-H) Speculative. Planning Commission voted unanimously to approve the zoning request at their meeting on November 19, 2019. SGRC Staff recommends Commercial Highway (C-H) as the most appropriate zoning for the subject parcel, rather than Business Retail (BR), due to Hwy 84 being a four lane state highway and the broader range of uses that would be permitted under C-H zoning. (Speculative). The existing building will be turned into an event venue; and will be brought up to code. There was no one present to speak for or against the request.

Chairman asked for anyone present who would like to speak for the request. Only the applicant was present. Chairman asked for anyone against that would like to speak. Ms. Pamela Buhler, appeared to express concerns regarding what is going in the building, how it will affect their property value, homes, and pasture. Mr. Cody expressed his concerns also as to what is going in the building. Mr. Michael Moore also had the same concerns.

Special Exception to Establish an Event Venue - Ms. Sherry Davidson, Senior Planner, Southern Georgia Regional Commission, presented the application by Naja Hanna for a Special Exception to establish an event venue on a portion of 44 acres in an existing building on the property. The subject property is within the Agricultural zoning district, located at 1040 Valdosta Highway in unincorporated Brooks County, more specifically described as Map No. 11, Parcel No. 14-2, of Brooks County. Ms. Davidson stated it is not sure what is going in the building; but it is consistent with the Comprehensive Plan, it is a major thoroughfare. Planning commission voted unanimously to approve the request. SGRC Staff recommends approval of the Special Exception to establish an event venue on a portion of 44 acres in an existing building on the property.

Chairman closed Public Hearing to go into Work Session at 5:19 p.m.

WORK SESSION – Chairman called Work Session to order.

Reports from Committees/Departments
Ben DeVane – County Surveyor/Engineer

LMIG Updates (Pending Road List for 2020) – Mr. Ben DeVane, reported spoken with GDOT for permission to move Aikens Road from current 2019 LMIG project list to the 2020 LMIG list; and replace with Blue Springs Lane. To resurface Blue Springs would cost approximately \$121,710; and to widen would cost approximately \$137,544. The Board agreed to make no changes (widen) and resurface as it is. The 2020 LMIG Project List designated by each Commissioner is as follows:

- Commissioner Folsom – Johnson Short Road, Quail Road .05 miles, and Brookview Road .05 miles
- Commissioner Cody – Snow Road to begin at Dixie Road, end at Hickory Head intersection
- Commissioner Exum – Coffee Road, two sections on list to complete
- Commissioner Rowe – Burton Road to begin at Alderman Pond to the other end of road
- Commissioner Maxwell – Hamlin Road and Dodd Road. Will get with Ben DeVane to look at. Hickory Head Road at Dixie Railroad south to first bridge

JJ Allen – Road Superintendent – Chairman advised will get with later

Mike Smith – 911/EMA Services – No urgent considerations

- Did not know the current percentage of budget
- Total calls for November: 1,979 service calls

Wayne Waldron – Tax Assessors

- Personal property refund \$470
- Into second round of audits, preparing to send bills out
- Board needs to re-appoint Mr. Stalvey to Tax Assessors Board

Peggy Wilson – Victim Assistance

- Total of 592 cases, 345 are new and 247 are existing, from September 2019 to October 2019
- 4284 services to victims, of those 2953 are new and 1331 are existing
- 95 domestic violence cases, 118 child domestic violence; and 19 stalking cases

Stephanie Hollifield – Ag Extension

- 2019 had 21 educational programs
- 650 producers attended 21 community pesticide classes
- Performed 124 services
- 23 applied for research programs

- Brooks County has been recognized at the State level; received seven awards
- 4-H continues to grow; working with ECHOES, and at Middle School
- Research programs are continuing
- Luncheon will be held December 16th

1. **Call to Order** – Chairman called meeting to order at 5:58 p.m.

A. **Prayer & Pledge** – Pastor Freeman, Keys of Life Church, led all in attendance in prayer and pledge of allegiance.

2. **Amendment and Approval of Agenda**

A. **December 2, 2019 Regular Monthly Meeting** – Mr. Exum made the motion to amend the agenda to add the Special Exception and Zoning Change under New Business; which will add 5d and 5e; Mr. Cody seconded. Vote was unanimous.

Mr. Cody made a motion to approve the agenda with the changes, Mr. Folsom seconded. Vote was unanimous.

3. **Approval of Minutes**

On a motion by Mr. Folsom, seconded by Mr. Cody, the Board unanimously approved the following minutes:

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| • Monthly Work Session & Regular Meeting | November 4, 2019 |
| • Special Called Meeting & Executive Session | November 22, 2019 |

4. **Appearances**

A. **McCall Companies: Administration Building Roofing Contract** – Mr. McCall appeared to discuss the details of the covered warranty work on the complete Administrative Building Roof that was done two years ago. McCall Companies have been back and forth with the Contractor, Horizon Roofing, LLC, to try and obtain a Manufacturer's warranty for the new roof which meets the requirements of the Contract Documents; and other required final paperwork, in order to close this project out. The Manufacturer of the roofing system will not provide a warranty which meets the requirements of the Contract Documents.

Due to the Contractor not being able to secure an adequate warranty from the manufacturer, McCall suggested several months ago that Horizon Roofing, LLC offer the County a warranty which meets all technical requirements of the Contract. The difference would be from Horizon Roofing, LLC, who installed the roof, rather than GAF, the Manufacturer. Horizon has finally agreed to offer the County a 20-year, No-Dollar-Limit, Non-Prorated Weathertightness Warranty as required by the Contract. Mr. McCall needed to know (1) if Brooks County is willing to consider accepting a warranty from the roofing contractor rather than manufacturer? (2) Once all paperwork is

completed, is Brooks County prepared to close the project out and pay the contractor the remaining monies in amount of \$27,177.00? The Board tabled this issue until the next meeting in December to give County Attorney chance to look at paperwork on the motion by Mr. Folsom, seconded by Mr. Cody. Vote was unanimous.

B. Curtis Head: H & H Paving Contract – Mr. Head requested to appear to discuss the details of the contract outlining concessions for rain days in order to allow H & H Paving leniency on the negotiated terms of the contract specifically related to default. H & H Paving pulled equipment and employees off the LMIG project to go work in another County; and missed the deadline. The project on Blue Springs was to be completed by October 19, 2019; and was in default as of October 20th; and he was liquidated due to not meeting the deadline. Mr. Head asked for an extension; it was denied. Therefore, he is being fined \$500.00 each day until completion. County Attorney advised that he did not know of any law stating rain days are automatic. Mr. Head stated when he was awarded the contract (2018 LMIG), he had another project in Thomasville he had accepted at the time. He left the project in Brooks County before it was completed; and did not contact Administration to request a change order; nor did he contact County Engineer. After further discussion, the Board reaffirmed their decision to put H & H Paving in liquidation, 45 days at \$500.00 per day. Mr. Cody made a motion to amend the decision to allow H & H Paving leniency on the rain days. Chairman called for a second once, called for second twice; and called a third time. Motion died for lack of a second. Mr. Rowe stated the Board reaffirms their action from the last meeting; and let it stand as is.

C. Donald Turner: Paving Jamar Loop – Administration received a request from Mr. Donald Turner to appear to inquire about the timeframe of paving Jamar Loop. Previously, Mr. Turner was assured Jamar Loop would be on the 2019 Road Improvement list. Board advised Mr. Turner Jamar Loop does not qualify for CDBG grant due to income of residents; will take a look at TSPLOST funds to see if it is viable to do a special project. County Engineer will do a cost estimate; and County will look to see if there are any available grants.

D. Bill Branham: Business Development Proposal – Mr. Branham requested to appear to present a business proposal; but called and cancelled until February 2020 meeting.

E. David Crosby: Vehicle Purchase for Constable – Magistrate Judge Crosby appeared to request a capital purchase for a vehicle for the Constable. A quote for a 2014 Dodge Ram for \$17,995.00 was submitted by Classic Automobile Co., Inc. in Florida. An additional cost of \$1,697.00 is for the graphics package quoted by McLaggan Communications & Radar Service, Inc. Administrator approved the purchase from capital funds. Ms. Exum made the motion to approve the purchase of the 2014 Dodge Ram in the amount of \$17,995.00 plus \$1,697.00, total of \$19,692.00, for the Constable in Magistrate Court; with no more add-ons to be included, Mr. Cody seconded. Vote was unanimous.

F. Mike Smith: GEMA/FEMA Funding Advance – Chairman advised Mr. Smith that the Board considers this an Administrator issue; and not a Board issue.

5. New Business

A. RFP Opening/Reviews –

a. CD Investments – RFP was submitted to all local banks; Edward Jones Investment; and Raymond James Investment. The bids were as follows:

Colony Bank	.95%	APY .95%	12 Months (all accts.)
Citizens National Bank	1.25%	APY 1.26%	Early Withdrawal Penalty would be 3 mos. of interest
Raymond James	General Funds	1.561%	APY 1.561% 12 months
	Property	1.616%	APY 1.616 12 months
	Fire Fee	1.692%	APY 1.692%
	Contingency	1.638%	APY 1.638%
Edward Jones	1.620%	APY 1.620%	12 months

Mr. Folsom inquired whether or not the CDs could be divided between Edward Jones and Raymond James Investments. After discussion, a motion was made by Mr. Folsom to table awarding CD bids until get more information from Raymond James and Edward Jones Investments, Mr. Cody seconded. Vote was unanimous.

b. Farm Land – Two (2) bids were received for the Fritzke Farm Land Lease renewal: 1) Sunrise Orchards, LLC in amount of \$29,637.00. 2) Daniel Rowland submitted \$34,360.00. Ms. Exum motioned to award bid to highest bidder, Daniel Rowland, Mr. Cody seconded. Vote was unanimous.

c. Workers' Compensation/Property Liability Insurance – This item was tabled for review until next meeting on the motion by Ms. Exum; Mr. Cody seconded. Vote was unanimous.

d. Zoning Change on Highway 84 East – Ms. Exum made a motion to approve the request for zoning change on 15951 Highway 84 east from Business Retail (BR) to Highway Commercial (C-H) Speculative, Mr. Rowe seconded. Chairman called for the vote. Mr. Cody opposed and Mr. Folsom abstained. Ms. Motion carried 2 to 1; Ms. Exum and Mr. Rowe voted yes; and Mr. Cody opposed.

e. Special Exception to Establish an Event Venue – The Board unanimously approved the request for a special exception to establish an event venue on portion of 44 acres in an existing building located at 1040 Valdosta Highway, the

property is in an Agricultural zoning district, Ms. Exum made the motion, Mr. Folsom seconded.

6. Unfinished Business - None

7. County Administrator Notes/Comments

A. Position Announcement: Maintenance Supervisor (Building & Plants) – Administration informed the Board of the Position Announcement to hire a Maintenance Supervisor (Buildings & Plants). The Announcement has been posted on the Department of Labor website and will run in the Quitman Free Press.

B. UNITI Fiber Claim – Administrator informed the Board of a claim being filed for damages to fiber facilities by Phoenix Loss Control.

C. Board Appointments

i. Tax Assessors – Chief Tax Appraiser, Wayne Waldron, submitted a request for Board Appointment. Mr. John Stalvey's term expires December 31, 2019. The position must be filled prior to January 1, 2020. He has been serving on the Board since 2004; and is willing to accept another term if appointed.

ii. Development Authority – Development Authority Board needs to fill a vacancy.

Mr. Rowe has someone in mind to serve on the DFACS Board, he has spoken with them; but have not gotten back with him yet. Mr. Rowe stated he should know by the meeting in January 2020.

8. Executive Session – Personnel

The Board closed the regular meeting to go into executive session at 7:00 p.m. on a motion by Ms. Exum, seconded by Mr. Cody. On motion by Mr. Folsom, seconded by Mr. Rowe, the Board returned to the regular meeting at 8:09 p.m.

The Board took no action on issues regarding Road Department.

Mr. Folsom made a motion to reduce the pay increase allocated by the Board October 2018. Chairman called for a second once, twice, three times, motion died for lack of second. Ms. Exum made a motion to review the minutes of October 2018; and continue the salary increase as is. Chairman called for a second once, twice, on third call, Mr. Cody voted yes. Mr. Folsom opposed. Chairman asked Ms. Exum to make a motion to clarify. Ms. Exum made the motion to let the salary continue as stated in the minutes, Mr. Cody seconded. Chairman called for vote. Ms. Exum, Mr. Rowe, and Mr. Cody voted yes. Mr. Folsom opposed. Vote was 3 to 1.

9. Commissioners Notes/Comments

A. Rhett Rowe - District 1 – No comment.

B. Patrick Folsom, District 2 – No comment.

C. Willie Cody, District 3 – No comment.

D. Myra Exum, District 4 – No comment.

E. James Maxwell, District 5 – No comment.

10. Adjournment - Ms. Exum made the motion to adjourn regular meeting at 8:21 p.m.; Mr. Rowe seconded.

Mr. James Maxwell, Chairman
Ms. Jessica McKinney, Administrator
Ms. Patricia A. Williams, Clerk