

The Brooks County Board of Commissioners met for its Regular Monthly Meeting on Monday, April 5, 2010 at 5:30 p.m. in the Commissioners Meeting Room located at the Brooks County Office Building. Commissioners present were: Mr. S. L. Jones, Chairman; Mr. Claude Butler, Vice Chairman; Mr. James Maxwell; Mr. Howard Lawson; and Mr. David Ragsdale. Others present were: Mr. Robert O'Barr, County Administrator; Ms. Patricia Williams, County Clerk; Mr. Vann Parrott, County Attorney; Mr. Ben DeVane, County Engineer; and various residents.

Call to Order/Prayer & Pledge

Chairman called meeting to order and asked Mr. Lawson to lead all in attendance in Prayer. Mr. Lawson acknowledged presence of Rev. George Allen and asked him to lead all in Prayer. County Administrator led all in pledge of allegiance.

Amendments to Agenda

On motion by Mr. Ragsdale, seconded by Mr. Lawson, the Board unanimously accepted the amended agenda to include: Extension of True Flight Application; Extension Office request; and Speed Detection Device Permit for Pavo.

Approval of Minutes

Mr. Lawson made a motion to approve the following minutes with correction, Mr. Ragsdale seconded. Vote was unanimous.

Monthly Workshop and Regular Monthly Meeting March 1 , 2010

Road Projects

County Engineer, Mr. Ben DeVane, updated attending residence on progress of Mt. Carmel Church Road. At this point, he stated, he is obtaining information on what right-of-way the County can work in without acquiring additional right-of-way, he is preparing to size pipes so by the time Public Works get to it, it will be ready. Mr. DeVane further stated the project is proceeding and he is putting the information together.

Appearances

a. Donna Grimes - Complaint with Sheriff Department

Ms. Donna Grimes voiced her concerns with Sheriff Mike Dewey.

b. Theodore Spencer - Confiscated Pistol

Mr. Theodore Spencer appeared to request his gun back from Sheriff Department. The gun was confiscated approximately one year ago; and has not been returned. The Sheriff Department can not find the gun; and has no record of it. Mr. Spencer stated the gun has

Administrator spoke with Sheriff and he stated he would reimburse Mr. Spencer \$385.00 for value of the gun. Mr. Spencer would rather have the gun due to sentimental value. The Board has concern about the weapon disappearing and can not be found.

c. Gerry Folsom - Introduce New CEO of Behavioral Health Services

Ms. Gerry Folsom, Representative, CSB Board for Behavioral Health Services, appeared to introduce the new CEO for the organization, Mr. Charles Powell. Mr. Powell interviewed for the position in January, liked it, and decided this was for him. He has been in the profession for 30 years; and is here to serve the community.

e. Johnny Whiddion - Extension Office

Mr. Johnny Whiddon, Brooks County Extension Office, appeared for approval of travel expense for annual meeting travel to NACAA Convention in Tulsa, Oklahoma on July 10-16, 2010. The cost will be shared by the County and NACAA. The expenditure is in the Extension Office budget. On motion by Mr. Ragsdale, seconded by Mr. Lawson, the Board unanimously approved the travel expense for Mr. Whiddon to travel to Tulsa, Oklahoma for the annual meeting.

Old Business

a. DFACS - Position Opening - Ms. Jefferson

Ms. Gracie Jefferson will continue to serve on DFACS Board until June 30, 2010. Board will continue to look for a replacement for Ms. Jefferson on the DFACS Board.

b. TTL - Air Sparging Installation Contract

During February regular monthly meeting, Mr. Keith Reaves, Principal Engineer, TTL, Inc., presented an outline of TTL's proposed tasks to clarify the tasks needed to complete the project and what entity will be performing individual tasks. Estimated cost for eight SVE wells installation, provide well installation documentation; install four AS wells; provide well installation documentation, estimated cost is \$33,241.00. Tasks to be completed by Brooks County: electrical, piping, soil vapor extraction and air sparge piping and soil vapor extraction and air sparge wells, based on preliminary budget, County tasks are expected to cost approximately \$130,500.00. Estimated cost is \$163,741.00, City 65% and County 35%. On motion by Mr. Lawson, seconded by Mr. Ragsdale, the Board approved the Client Project Services Agreement from TTL, Inc. to install air sparging system pending review of Agreement by County Attorney.

c. Brooks County Nepotism Policy

During last month regular meeting, Board authorized County Attorney to draft nepotism policy that is more restrictive and consistent with State law and bring back to Board for review. County Attorney reviewed the draft policy and added the following to be included in the County's Personnel Policies and Procedures Manual, Section #39 Nepotism:

- A. No person may be employed by Brooks County in either a full-time or part-time position that would result in his/her being supervised by an immediate family member.
- B. Immediate family member is defined as an employee's spouse, grandparents, mother, father, brother, sister, daughter, son, or legal guardian.
- C. Any person advanced, appointed, employed, promoted, or transferred in violation of this policy shall not be entitled to any payment, salary, or benefits received for any position so illegally obtained; and any person who receives payment, salary, or benefits for a position obtained in violation of this Code section shall be terminated immediately and required to reimburse the County for all amounts so received.
** This policy was amended on April 5, 2010 to include "spouse" in paragraph A and to add paragraph C.

County Attorney stated this amendment should be placed in the Brooks County Personnel Policies and Procedures Manual attached to Section #39 for Nepotism. Mr. Maxwell made a motion to approve the amended changes; to include "spouse" in paragraph A and to add paragraph C, Mr. Ragsdale seconded. Vote was unanimous.

New Business

a. Brooks County Solid Waste Resolution

On motion by Mr. Butler, seconded by Mr. Lawson, the Board unanimously approved the Resolution to Adopt the Greater Brooks County Solid Waste Management Plan to submit notification to the Southern Georgia Regional Commission and the Georgia Department of Community Affairs pending review and changes by County Attorney.

b. CSX Railroad Agreement and Resolution

On motion by Mr. Butler, seconded by Mr. Maxwell, the Board approved Chairman to sign the Agreement between CSX Transportation, Inc., Brooks County, and Georgia Department of Transportation for bridge replacement over CSX Railroad at CR 305 and Dixie Road. Mr. Ragsdale stated in the past he has been against the project; but he will go along with the Board recommendation and procedure to proceed unanimously.

c. DOT Supplemental Agreement

Mr. Maxwell made the motion authorizing Chairman to sign the Supplemental Agreement #1 Between Department of Transportation, State of Georgia, and Brooks County for Brooks County Transit Program to purchase AVL Monitors; one computer/printer; one headset disp; and dispatching software, Mr. Butler seconded.

d. True Flight Aerospace, LLC

Mr. Ragsdale had concerns regarding True Flight Aerospace and whether or not the program is in jeopardy due to Chairman signing the request for an extension by True

Flight Aerospace,

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LLC for submission of the Employment Incentive Program application to DCA. His concern was whether the request should have been approved by the Board before Chairman signed. County Attorney explained the initial procedure has already been approved by the Board. DCA likes to be assured the application is supported by the Board, and it should not create a problem for the program; but if the Board wants to affirm by approving the extension request, they can. On motion by Mr. Lawson, seconded by Mr. Ragsdale, the Board approved the submission of a request for an extension of the Employment Incentive Program application to benefit True Flight Aerospace, LLC. DCA approved the final extension for an additional 90 days.

e. Speed Detection Device Permit for City of Pavo Police Department

On motion by Mr. Butler, seconded by Mr. Maxwell, the Board approved Chairman to sign letter to Department of Public Safety granting permission for City of Pavo Police Department to use Brooks County's FCC license.

County Administrator Comments/Fiscal Matters

a. Budget Calendar

County Administrator provided Board a copy of proposed calendar for upcoming FY 2011 Budget process.

b. Hazardous Waste Trust Fund Reimbursement

County Administrator presented the Board with a copy of the letter to Georgia Environmental Protection Division submitting the Hazardous Waste Trust Fund Application for reimbursement of \$115,579.56 for landfill expenditures.

c. E911 Demonstration Meeting

911 Director, Mr. Mike Smith will meet with Board in workshop session to present E911 setup demonstration. Administrator will set meeting after first Monday in May.

d. Certificate of Deposit Bid

A Certificate of Deposit for General Fund matured on March 10, 2010. County Administrator asked the Board for authorization to put the CD out for bid; and he and the Chairman award the bid based on the highest bid to prevent the Board from having to come together for a special meeting to award the bid. Mr. Butler made a motion to authorize Administrator to submit bid to the three local banks; Administrator and Chairman will open bids and award based on highest bid; and report to the Board at the next meeting, Mr. Ragsdale seconded. Vote was unanimous.

e. Energy Savings Grant

The County has been awarded an energy savings grant in the amount of \$139,000.00 to implement energy savings for County Office Building, Ag Building and Courthouse.

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On motion by Mr. Maxwell, seconded by Mr. Ragsdale, Board closed regular monthly meeting at 6:25 p.m.

Mr. Claude R. Butler, Vice Chairman
Mr. Robert D. O'Barr, County Administrator
Ms. Patricia A. Williams, County Clerk

Regular Monthly Meeting (April 5, 2010)

The Brooks County Board of Commissioners met for its Monthly Workshop on Monday, April 5, 2010 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. Claude Butler, Vice Chairman; Mr. James Maxwell; Mr. Howard Lawson; and Mr. David Ragsdale. Others present were: Mr. Robert O'Barr, County Administrator; Ms. Patricia Williams, County Clerk; Mr. Vann Parrott, County Attorney; Mr. Mark Deatcher, Public Works Director; Mr. Ben DeVane, County Engineer; and various residents.

Vice Chairman called workshop to order.

Public Works Director, Mr. Mark Deatcher, presented the following road update report for April 2010:

Kennedy Hill Road Update: To date, day 14; 15 each 42 inch cross drains have been installed; five driveways have been replaced w/ concrete 18 and 24 inch pipe. As of Friday April 02, 106 loads of clay has been laid down raising the low section up two feet. Spent \$43, 851.33 on pipe.

Pine Ridge Heights: Waiting on a letter from the Environmental Protection Agency with recommendations, straw has been spread out in the mean time.

Road Department Fence: Main posts have been installed, recommend we wait till Kennedy Hill is completed and we have the new part time folks to complete task.

Road Mowers: Out as of 23 March making the rounds.

Equipment:

Savannah Grader: Being pulled by 4 wheel drive tractor making the rounds; Receiving Kudos on its abilities.

Cat 215 1989 model Excavator w/smooth bucket down for troubleshooting/repairs.

Chairman closed the workshop at 5:20 p.m.

Mr. S. L. Jones, Chairman

Mr. Robert D. O'Barr, County Administrator

Ms. Patricia A. Williams, County Clerk

The Brooks County Board of Commissioners met for a Special Called Meeting on Monday, April 19, 2010 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. Claude Butler, Vice Chairman; Mr. Howard Lawson; and Mr. David Ragsdale. Mr. James Maxwell was not present. Others present were: Mr. Robert O'Barr, County Administrator; Ms. Patricia Williams, County Clerk.

Call to Order

Chairman called meeting to order.

Georgia Department of Natural Resources - Consent Order

A Consent Order was received from Georgia Department of Natural Resources after an investigation of construction activity on Sunset and Riley Road located in Pineridge Heights. The investigation was conducted by Division representatives for compliance with the Georgia Water Quality Control ACT; and revealed violations of the Act and Rules, which included failure to gain coverage under the General Permit and failure to submit payment of the applicable permit fees. A settlement was offered whereby the violations will be corrected and monetary payment will be made to State of Georgia. The initial payment was \$5,000, the Consent Order was revised after acknowledgment of the County's commitment to dispose of the violations; and payment was reduced to \$3,750. On motion by Mr. Butler, seconded by Mr. Lawson, the Board unanimously authorized County Administrator to get with County Engineer to proceed with necessary documents to satisfy EPD, and satisfy the fine of \$3,750.00.

Employee Assistance Program

No action was taken on this issue.

Nepotism Policy

Board discussed the nepotism policy and the O.C.G.A Code Section 45-10-80 that governs public officers being prohibited from advancing employing, or advocating the employment of family members; and the violation of the Code.

On motion by Mr. Butler, seconded by Mr. Lawson, Board closed special called meeting at 5:40 p.m.

Mr. Sanford L. Jones, Chairman
Mr. Robert D. O'Barr, County Administrator
Ms. Patricia A. Williams, County Clerk

The Brooks County Board of Commissioners met for a Special Called Meeting on Thursday, April 29, 2010 at 1:00 p.m. in the Commissioners Meeting Room located at the Brooks County Office Building. Commissioners present were: Mr. S. L. Jones, Chairman; Mr. Claude Butler, Vice Chairman; Mr. James Maxwell; Mr. Howard Lawson; and Mr. David Ragsdale. Others present were: Mr. Robert O'Barr, County Administrator; Ms. Patricia Williams, County Clerk; and County Attorney, Mr. Vann Parrott.

Call to Order

Chairman called meeting to order.

Nepotism Policy

Board discussed the nepotism policy and the O.C.G.A Code Section 45-10-80 that governs public officers being prohibited from advancing employing, or advocating the employment of family members; and the violation of the Code.

A public officer, as defined in subparagraphs (A) through (E) of paragraph (22) of Code Section 21-5-3, is prohibited from advocating for or causing the advancement, appointment, employment, promotion, or transfer of a member of his or her family, as such term is defined in Code Section 21-5-3, to an office or position to become a public employee, as defined in paragraph (3) of subsection (a) of Code Section 45-1-4, that pays an annual salary of \$10,000.00 or more or its equivalent.

County Attorney advised Board of two options: 1) file action with Superior Court; or 2) stop funding the full-time position due to being in violation of State Law.

Mr. Butler made a motion to proceed with informing the Sheriff of their position on the continued employment of Ms. Belinda Dewey and to let the Board know of her future employment status, whether or not he will comply with O.C.G.A. 45-10-80, otherwise, the position will no longer be funded and she will not be recognized as a County employee, effective immediately, Mr. Ragsdale seconded.

On motion by Mr. Maxwell, seconded by Mr. Butler, Board authorized Administrator to provide a letter to Ms. Belinda Dewey of her future status that her continued employment following her marriage to the Sheriff would be in violation of Georgia law so long as she continues to be employed in a position that earns in excess of \$10,000.00, it would be illegal to continue funding the position under the present circumstances. Unless the Sheriff notifies the County Office of a change in her employment status that will comply with O.C.G.A 45-10-80, the County will no longer recognize her as a County employee effective April 29, 2010. All benefits of employment shall cease effective April 29, 2010. A copy will be sent to the Sheriff and Board. The Board also stated there will be no other offers of a position switch.

On motion by Mr. Maxwell, seconded by Mr. Butler, Board closed special called meeting at 1:30 p.m.

Mr. Sanford L. Jones, Chairman
Mr. Robert D. O'Barr, County Administrator
Ms. Patricia A. Williams, County Clerk

