

**MADISON COUNTY BOARD OF COMMISSIONERS  
MINUTES  
REGULAR BUSINESS MEETING  
OCTOBER 4, 2010  
6:30 P.M.**

**MEMBERS PRESENT:**

Commission Chairman Anthony Dove  
District 1 Commissioner Stanley Thomas  
District 2 Commissioner John Pethel, Sr.  
District 3 Commissioner Mike Youngblood  
District 4 Commissioner Dewitt Bond  
District 5 Commissioner Bruce Scogin

**MEMBERS ABSENT:**

None

**MEDIA PRESENT:**

Zach Mitchem, Madison County Journal  
Erin France, Athens Banner

**STAFF PRESENT**

Linda Cox, County Clerk

Chairman Dove called the meeting to order at 6:30 pm. and led in the pledge of allegiance to the American Flag. Chairman Dove gave the invocation. Chairman Dove stated that he received a poster, which he had framed, when the Moving Wall was in town and he would address this under the Chairman's Report and ask the Board to allow him to hang it in the meeting room. Chairman Dove read the contents of the poster which depicts the branches of the military and veterans.

**Item No. 1. Approval of Minutes:**

**Minutes of Regular Business Meeting of September 7, 2010 and Agenda Setting Meeting of September 27, 2010.**

**Minutes have been distributed.**

On motion by Commissioner Pethel and second by Commissioner Youngblood, the Board unanimously approved the minutes of September 7, 2010.

On motion by Commissioner Youngblood and second by Commissioner Thomas, the Board approved the minutes of September 27, 2010 by four (4) YES votes and Commissioner Bond abstained.

**Item No. 2. Business Involving Guests, Groups or Multiple Visitors.**

Mike Moak, Chairman of the Madison County Library Board, gave an update on the construction of the addition to the library.

**Item No. 3. Chairman's Report (Chairman Dove)**

SPLOST and LOST were up a little in September, about 3 percent over last year.

Everything is completed for bids to go out on Fortson Store Rd. and Glenn Carrie intersection. Moreland Altobelli Associates are ready to advertise for three (3) weeks since this is an extensive bid. The Board needs to allow the Chairman to advertise for this bid.

On motion by Commissioner Youngblood and second by Commissioner Thomas, the Board unanimously approved to allow the Chairman to advertise for the bid.

Chairman Dove requested the Board to give him authority to negotiate the purchase of a F-450 truck for the Road Dept. They have borrowed the 1983 F150 from the Tax Assessors' office to use and the 1988 F-150 has had the transmission repaired two times. In the past, the EMS department has retired some of their vehicles and we have converted them to trucks. The Chairman will talk with Jason Lewis, EMS Director, to see if any would be retired in the future. SPLOST funds would be used to purchase a used F-450 and by negotiating we could get a better deal. The estimated cost would be in the \$15,000 range and we are going to need at least one for now.

On motion by Commissioner Youngblood and second by Commissioner Bond, the Board unanimously approved for Chairman Dove to negotiate the cost of some used vehicles.

Building Inspections were up a little for the first time last month. They were up about \$1,000 over this time last year.

The Finance Committee met last week and the audit is completed on time and we are in good shape. From the latter part of 2008 through 2009 expenses dropped 14 percent. This savings is contributed to the Board and the employees for cutting costs.

Kudos to the employees who are participating in the Biggest Loser Contest. As of today they have lost 145 pounds. The Chairman is keeping a watch on this and will challenge the winner to a race or something in order for them to inflict some pain on him. He appreciates what they are doing since this directly affects our health insurance and workman's compensation. He appreciates all they are doing to stay healthy.

Chairman Dove recognized Commissioner Youngblood who wanted to recognize Sheriff Kip Thomas, Jason Lewis, EMS Director and David Camp, E-911 Director. All came forward and Commissioner Youngblood stated that there was an incident in the Hull area last week. It was a terrible situation where three people were stabbed and the assailant ran from authorities. He commended all three for the outstanding job they did. David Camp, E-911 was precise in relaying the emergency; Jason Lewis, EMS, took control by calling another ambulance and truck to the scene at the school until they found the assailant. Sheriff Thomas had the elementary school and day care center locked down immediately and the Georgia State Patrol, helicopter and several deputies were on the scene. The assailant was captured within one hour after the incident. He commended these men and their employees for an outstanding job and keeping the area safe.

Chairman Dove recognized Commissioner Bond who stated that former Commissioner Jordan had brought this up before. The pipe on Crawford W. Long still has drainage problems and he would like to have the Chairman seek bids on the pipe. Chairman Dove stated that this is a complicated job and would require a considerable amount of piping.

On motion by Commissioner Bond and second by Commissioner Scogin, the Board unanimously approved for Chairman Dove to seek bids for the piping on Crawford W. Long.

Chairman Dove informed the Board that the City of Danielsville is providing water for the Senior Center and the county has been paying for it. It has gone up for the last three to four months and next year it will be higher than normal and we are monitoring that. He wants the Board to be aware of this and also they are looking to install some water catching capabilities. They did receive some stimulus funds to pay for this but some month's usage has doubled and some have tripled.

Chairman Dove asked the Board to allow him to donate and display the plaque honoring the military.

On motion by Commissioner Thomas and second by Commissioner Pethel, the Board unanimously approved for the Chairman to display the military plaque in the meeting room.

**Item No. 4. Hearings and Actions on Rezone Matters, Special Use Permits, Etc.: (Linda Fortson and Wayne Douglas)**

1. Adoption of County Ordinance during state of emergency. (Linda Fortson)

Chairman Douglas stated that this would allow Planning and Zoning to forego some requirements during a state of emergency. Planning and Zoning voted 6 to 0 to approve.

On motion by Commissioner Scogin and second by Commissioner Bond, the Board unanimously approved the ordinance.

2. Amendments to the zoning ordinance. Section 9.20 Sanitary Systems. (Chairman Douglas)

Chairman Douglas stated that this amendment is to comply with the regulations established by the Madison County Health Department. Planning and Zoning voted 6 to 0 to approve.

On motion by Commissioner Youngblood and second by Commissioner Pethel, the Board unanimously approved to accept the amendment.

Chairman Douglas stated that Items 3, 4 and 5 were considered in one vote since the request was to combine the applicant's three properties from A2 to A1.

3. Byron Lee request to rezone 39.76 ac. located on Duffel Martin Rd. from A2 to A1 for chicken houses. The property is located on Map 79 Parcel 57 in District 2.
4. Byron Lee request to rezone 20.81 ac. located on Duffel Martin Rd. from A2 to A1 for part of his chicken farm. The property is located on Map 79 Parcel 87-A in District 2.
5. Byron Lee request to rezone 10.89 ac. from A2 to A1 for part of his chicken farm. The property is located on Duffel Martin Rd. on Map 79 Parcel 59-01 in District 2.

Chairman Dove asked if anyone would like to speak in favor of the rezone. Approximately thirteen (13) citizens came forward to speak in favor of the rezone. The applicants, Byron and Beth Lee presented documentation and studies on the chicken houses showing the likelihood of this having any significant impact on a daily basis would be zero.

Ms. Cat Drose, retired Marine, presented documentation and handouts in opposition to the rezone. She stated that the four (4) chicken houses close to her home would be detrimental to her health since she suffers from severe respiratory problems. Another concern was that the chicken houses would use a large amount of water, leaving residents without water. Approximately ten (10) citizens spoke in opposition of the rezone.

Byron and Beth Lee commented on the health and traffic issues presented by the opposition.

Chairman Dove stated that this completes the public hearing and if the Board had any questions. Commissioner Pethel stated that he had friends for and against the rezone and that he would like to tell both sides what they wanted to hear. Chairman Dove asked for a motion.

On motion by Commissioner Pethel and second by Commissioner Bond, the Board unanimously approved the rezone on the above three (3) requests.

**Commissioner Pethel left the meeting due to a family medical issue and did not return.** Chairman Dove called for a five (5) minute recess at 8:15 pm. The meeting resumed at 8:20 pm.

6. Lee Siegel request to rezone 9.5 ac. from A1 to A2 to combine with his adjoining

property. The property is located on Jot Em Down Rd. on Map 10 Parcel 52 in District 1.

Chairman Douglas presented the rezone request and stated Planning and Zoning voted 6 to 0 to approve.

The applicant, Lee Siegel spoke in favor of the rezone. No one spoke against the rezone.

Chairman Dove asked for a motion. On motion by Commissioner Thomas and second by Commission Youngblood, the Board unanimously approved the request by a 4 to 0 vote.

7. Donna Elrod request to rezone her 1.28 parcel from A2 to A1 to combine with a portion of the adjoining property. The property is located on Hwy 172 on Map 71 Parcel 6 in District 5.

Chairman Douglas presented the rezone request and stated Planning and Zoning voted 6 to 0 to approve.

Ms. Elrod spoke in favor of the rezone. No one spoke against the rezone.

Chairman Dove asked for a motion. On motion by Commissioner Scogin and second by Commissioner Bond, the Board unanimously approved the request by a 4 to 0 vote.

8. Morris Bullock request to rezone a 9 ac parcel from A2 to R1 to be subdivided into 4 lots. The property is located on Spratlin Mill Rd. on Map 45 Parcel 14-05 in District 3.

Chairman Douglas presented the rezone request and stated Planning and Zoning voted 6 to 0 to approve.

Morris Bullock spoke in favor of the rezone and answered questions from Commissioners Scogin and Youngblood regarding water and entrances.

Diane Spratlin and Burt Robinson spoke against the rezone. Mr. Bullock spoke in favor again of the rezone.

Chairman Dove asked for a motion. On motion by Commissioner Youngblood and second by Commissioner Bond, the Board approved the rezone by a vote of three (3) YES votes to one (1) NO vote by Commissioner Scogin.

9. Morris Bullock request to rezone a 7 ac parcel from A2 to R1 to be subdivided into 4 lots. The property is located on Spratlin Mill Rd. on Map 46 Parcel 1 in District 3.

Chairman Douglas presented the rezone request and stated Planning and Zoning voted 6 to 0 to approve.

Morris Bullock spoke in favor of the rezone and offered to answer questions from the Board. There were no questions from the Board.

Chairman Dove asked for a motion. On motion by Commissioner Youngblood and second by Commissioner Bond, the Board approved the rezone by a vote of four (4) YES votes to zero (0) NO votes.

**Item No. 5. Statements and remarks from citizens on agenda items.**

None.

**Item No. 6. Consent Agenda.**

None.

**OLD BUSINESS:**

**Item No. 7. Consider entering into an agreement with Carlton VFD for the purchase of a fire truck. (Chairman Dove)**

Chairman Dove stated that we have done business with Brian Kirk, First Citizens Bank, with other VFD's purchases/leases. Carlton VFD Chief spoke to inform the Board that they need the Board's approval to enter into the purchase/lease agreement with the Carlton VFD. Chairman Dove stated that this is a 2011 Ford 4x4 diesel brush truck and the cost is approximately \$79,056. Chairman Dove stated that he needed a motion to give Mike Pruett, County Attorney, the authority to approve the agreement and to give him the authority to sign the agreement if it meets our specifications.

On motion by Commissioner Bond and second by Commissioner Youngblood, the Board approved to give the county attorney authority to approve the agreement and for Chairman Dove to sign the agreement if it met all our specifications. Approval was four (4) YES votes to zero (0) NO votes.

**Item No. 8. Consider ordinance for outdoor landscape watering (SB 370). (Chairman Dove)**

Chairman Dove stated that this ordinance must be approved by January 1, 2011. Mike Pruett, County Attorney, stated that ACCG provided a model ordinance developed for all counties to pass which applies with the new Georgia state law. There were no questions from the Board. Chairman Dove asked for a motion.

On motion by Commissioner Bond and second by Commissioner Youngblood, the Board unanimously approved the landscape watering ordinance effective January 1, 2011. Approval was four (4) YES votes to zero (0) NO votes.

**Item No. 9. Consider software recommendation for patient care reporting. (Jason Lewis)**

Jason Lewis, EMS Director and Gary Venable, IT Director, addressed the Board on the software. Commissioner Scogin asked if \$9600 would be a reoccurring cost and the balance would come from SPLOST. This would bring EMS in compliance as of January 1, 2011. Mike Pruett, County Attorney, noted that the county normally contracts for one year at a time and the choice of law and venue is out of state. He will propose changes to reflect five (5) one (1) year terms with automatic renewals and change the choice of law and venue to Georgia. There was no further discussion. Chairman Dove asked for a motion.

On motion by Commissioner Scogin and second by Commissioner Youngblood, the Board unanimously approved the software recommendation pending approval of the above changes by a vote of four (4) YES votes to zero (0) NO votes.

**Item No. 10. Consider recommendation for running main water line at the new Soccer field. (Dick Perpall)**

Mr. Perpall stated only two (2) bids were received. Perry's Plumbing & Electrical for \$4900 and Wayne Chandler Plumbing & Well for \$3250. He recommends Wayne Chandler Plumbing & Well which meets all the requirements and the county will supply the materials.

There was no discussion. Chairman Dove asked for a motion. On motion by Commissioner Bond and second by Commissioner Scogin the Board unanimously approved Wayne Chandler Plumbing & Well for the project. There were four (4) YES votes to zero (0) NO votes.

**Item No. 11. Consider 2010 holiday pay. (Commissioner Youngblood)**

Commissioner Youngblood stated the Board discussed this at the last Board meeting and would look at where the funding would come from. Chairman Dove stated that the Finance Director provides him with projections each month on the departments' budgets. Nineteen (19) out of twenty-five (25) departments are under budget and some departments can cover their own and the other departments can take from those that are under budget at the end of the year. The cost, including social security, would be: One day (4 hours) \$10,614.90 and two days (8 hours) \$21,229.82. Commissioner Youngblood recommended giving 8 hours back, 4 hours for Thursday and 4 hours for Friday. Commissioner Thomas stated that the Board took money from the employees during budget talks with the understanding that it would be given back if possible. Chairman Dove asked for a motion.

On motion by Commissioner Youngblood and second by Commissioner Bond, the Board unanimously approved to give the employees back eight (8) hours pay for the Thanksgiving holidays which include Thursday and Friday. Also, in the near future, look at restoring pay for the two (2) Christmas holidays if funds are available. There were four (4) YES votes to zero (0) NO votes.

**Item No. 12. Consider four way stop at Sorrow Patterson and Foote Mclellan Rd. (Commissioner Scogin)**

Commissioner Scogin explained the situation at this intersection. Chairman Dove asked for a motion.

On motion by Commissioner Scogin and second by Commissioner Youngblood, the Board unanimously approved to take the necessary steps to post a four way stop sign at the above intersection. Four (4) YES votes to zero (0) NO votes.

**Item No. 13. Consider speed limit sign at Sailors Rd. (Commissioner Thomas)**

On motion by Commissioner Thomas and second by Commissioner Bond, the Board unanimously approved to install a 35 mph speed limit sign at Sailors Road. Four (4) YES votes to zero (0) NO votes.

**NEW BUSINESS:**

**Item No. 14. Consider Emergency Management Ordinances and Agreements. (Chairman Dove)**

Mike Pruett informed the Board that these were standard ordinances and agreements required by FEMA. They allow for government authorities and officials to take action in case of a disaster or dire emergency.

On motion by Commissioner Scogin and second by Commissioner Bond, the Board unanimously approved all the ordinances and agreements. Four (4) YES votes to zero (0) NO votes.

**Item No. 15. Roads Update.**

Chairman Dove took requests from the Board for maintenance on roads in their districts.

**Item No. 16. Urgent Matters.**

Chairman Dove informed the Board that he had received two (2) bids for Helican Springs Rd. and since both bids were over \$10,000 he would need the Board's approval. The county has the pipe ordered. The bids were from Gunnels for \$13,950 and Lord Farms for \$10,250. Chairman Dove asked for a motion.

On motion by Commissioner Bond and second by Commissioner Youngblood, the Board unanimously approved to accept the lower bid from Lord Farms for \$10,250. Four (4) YES votes to zero (0) NO votes.

**Item No. 17. Statements and Remarks from Citizens.**

None.

**Item No. 18. Executive Session to discuss land acquisition, personnel matters and/or litigation (if needed).**

There was no need for executive session.

**Item No. 19. Adjourn.**

On motion by Commissioner Youngblood and second by Commissioner Bond, the Board unanimously agreed to adjourn at 9:40 pm.