

**REGULAR SESSION
TIFT COUNTY BOARD OF COMMISSIONERS
MONDAY, APRIL 13, 2009 (6:30 P.M.)**

The scheduled Regular Session of the Tift County Board of Commissioners was called to order by Chairman Grady Thompson on Monday, April 13, 2009, at 6:30 p.m. in the Commissioners Meeting Room of the Administrative Building. Member of the commission present including Chairman Thompson were Vice Chairman Buck Rigdon and Commissioners Donnie Hester, Sherry Miley, Melissa Chevers, Mike Jones and Robert Setters.

Chairman Thompson called to order the Regular Business meeting of the Tift County Board of Commissioners at 6:30 P.M.

Chairman Thompson asked Rev. Jerry Riggs to give the invocation followed by the pledge to the flag.

All actions taken in this meeting are results of Commissioners' votes with the Chairman not voting except in the case of a tie or a Commissioner is absent which will be stipulated as such.

Proclamation for Child Abuse Awareness Month: The Chairman presented Greg Millotte with a Proclamation declaring the Month of April as Child Abuse Awareness Month in Tift County.

Minutes: Motion was made by Commissioner Hester approving the March 3, 2009 Workshop Minutes and the March 9, 2009 Regular Session Minutes, seconded by Commissioner Miley. Motion carried unanimously.

Additions to the Agenda:

Allowing Tax Assessor's Office to issue citations related to Mobile Homes (L)
Emergency repairs to infrastructure (M)

Both the County Manager and the County Attorney addressed the second item of additions to the Agenda with a request for it to be removed as Staff and other Emergency Personnel are not ready for the full discussion of repairs to infrastructure in Tift County as a result of the recent storms. It will come back before the Board at the next meeting.

Motion to add Item L to the Agenda was made by Commissioner Hester, seconded by Commissioner Chevers. Motion carried unanimously.

Motion to remove Item M from the additions until further recommended by Staff was made by Commissioner Chevers, seconded by Commissioner Miley. Motion carried unanimously.

Public Comments:

Cindy Harbort, 28 Sterling Drive, McInnis Mill Subdivision, address the Board on behalf of the residents stating they wanted to know what the County was going to do for them to prevent the recent flooding of the Subdivision from happening again. This is an obvious drainage problem; we have too many water points draining to and through our Subdivision every time it rains. Some of these are the new Willow Creek Subdivision and the newest addition to the Industrial Park area. It is compounding the existing problem and making the existing problems progressively worse. How can the County continue to allow new development to come in without protecting the existing taxpaying citizens? Some of drainage problems were already there like the Church of God Camp Grounds and across 319. We are not sure how many drainage points we have but it all comes to and through this subdivision. It is not about just Saturday, March 28th or April the 2nd; this problem has been around a long time. Many officials have been out there numerous times on numerous occasions and nothing has been done. They want to know when the County is going to rectify the problem so that the properties they bought in good faith are no longer devalued. They don't want to live in a county or a subdivision that the County is just going to sit on their hands and do nothing while 53 families are panic stricken every time there is a thunderstorm for the threat of flooding or damage to their problem. After the flood there was numerous of the residents that had U-Hauls, tractor trailers and the like

moving stuff out of their homes for fear of flooding again that they would be affected the next time if they were not already affected by the water in their homes from the first time. They would like action to be taken; they deserve action to be taken and would like to know when the County is going to take action to protect them.

Char Wise, 38 Edinburgh Drive addressed the Board on the same issue. They were told when they moved out there that they were not in flood zone. They were told that there was no flooding or water problems and they did not need flood insurance. A few years ago she had her house refinanced and the mortgage company told her that she needed flood insurance at that time so she is one of the lucky ones that does have flood insurance and my heart goes out to all the others that don't have it. I have lived out there for seven years now and yes my house did get flooded on March 28th and April 2nd but I have it rise to my door step more than one time so when I sat in my driveway with my children in the car and watched the water go in my house, yes it was frightening. My mortgage company told me I might be in a flood zone and I might need the insurance; that is why I have it. Why weren't all those other people out there told. There is supposed to be flood searches done yearly, none of the mortgage companies have notified the residents out there that this might be in a flood zone and it would be necessary to purchase the insurance. Nobody has come forward and told us things have changed and now we are left with broken homes.

Stoney Layfield, 22 Sterling Drive addressed the Board on the same issue. He stated that if he bought a piece of land and built a house on a slab on it that would be his responsibility. He stated that this Board or their predecessors gave permission for the subdivision to be put out there, therefore the County is responsible and you have got to do something about it. He said, we have had 8 years to do something about it, they have flooded through 5 hurricanes and who knows how many big rain storms, it has been up to my garage doors I cannot tell you how many times and he had pictures to prove it until they got ruined this time. He said ya'll have been out there time after time and say there is nothing you can do, I'm not an engineer nor a very smart person but I've got enough sense to know you can get an excavator and dig out a ditch so the water can run through it. In surrounding counties during flooding they have had pumps out there pumping the water out, but ya'll have not even attempted to do that and he is ashamed to be from Tift County. He is originally from Sumter County and it breaks his heart that this is where he has chosen to live. It is not just the flooding, they have had septic tank problems from day one and it is because of the system that ya'll allowed and approved to be put in out there. He read a few paragraphs from a letter concerning the septic tank company. He just put in a new septic tank, spending \$5,000 and the County people told them where to install it, most of it floated away in the flood.

Jackie, Edinburgh drive addressed the Board with the water issues stating they have had county folks out there before and nothing has been done. She called on day when she was out walking her dog and the ground let loose and she sunk. She called the County and they went out there and filled in the hole with cement, they did nothing else to fix the problem. You cannot constantly have all this water draining in this subdivision. There has got to be another way to get this problem solved. Luckily the dam at the church of God Campground did not break but on Saturday night that water came up so fast, she watched folks drive out of their driveways with water up to the grill on the vehicles. The houses out there are valued at approximately \$130,000 each; 53 houses; do the math. It is going to cost the citizens thousands of dollars out of their own pocket. They cannot seem to get a definitive answer about being in a flood zone. We have all of these flooding problems on top of the septic tank problems of which she was here last year complaining about. The ditches are not big enough to carry the water and they have been complaining but nothing is being done to help them and now they are all out several thousand of dollars and their homes. We have been evacuated from our homes and we want your help in the homes they have invested their money. They love the subdivision, it's a beautiful area, and it has truly brought this neighborhood together. Everybody has pitched in and helped each other; we just need some help from the County now.

Beth Sellars, 56 Edinburgh Drive addressed the Board stating they bought their home back in June not knowing there were any problems out there. It is bad for the parents and the children that don't understand why they can't go back to their homes. She and other teachers have had to take off from work to move their things out of their homes. Many people in the community have offered help but they want to know what the County is willing to do to help them. She is a member of the Church of God and she has talked to them and they told her they have wanted to do something about the drainage problems out there for years but have been told by the Environmental Protection Division there is nothing they can do because it would endanger the

wild life. Is wildlife more important than 53 families? She will never forget the Saturday night a fireman knocked on her door and told them they had 30 minutes to collect essential things and get out. Can you imagine how you would feel not knowing whether you would have a home to go back to? What is the County going to do to help them?

Commissioner Hester stated that he is very concerned about the situation. He was out there helping get those folks out. This is something we are going to have to get corrected. We need to get an engineer out there to get some drainage pipes put in out there to prevent this problem.

The County Manger explained that GEMA and FEMA folks are here and have been here since this all started. We are continuing to assess the damages, we meet with them daily. We have engineers looking at the problems. Because the water is coming from several different areas does make the problem more complex. If he can have one contact person he will be glad to stay in contact with that person and the information can be passed along. All agreed that Cindy Harbort would be the contact. We are waiting on the declaration to be processed and then we can move forward. We have done everything at this point that GEMA and FEMA have asked us to do. We are daily trying to figure out a solution.

Ms. Layfield advised that 3 years ago Kurt Seigler stood in her yard and said there is nothing that can be done. Others stated the County has had eight years to do something. The owner/developer of the subdivision says that it is not his problem, it's the County's. One person stated when his ditch caved in the owner said call the County.

Jessica, 34 Edinburgh Drive addressed the dam at the Campground. She was told it had a crack in it and concerned about it breaking. She is scared to move back in when she does get repairs done. The County Manager advised that Safe Dams has assessed the dam and also told them that the dam is on private property. It is not apparent the dam has a crack.

One resident thanked the Sheriff's Department, EMA and all the emergency folks for all they have done. They have constantly been out there helping everyone to get out.

Shane Palmer, 5 Tweedside Way, addressed the septic tank issues in the subdivision. He is concerned about all the ones flooded but he does not want the septic tank issue to be put on the back burner. For all of those that are going to have to replace their systems he requests that the County find a system that will work.

Commissioner Miley wanted them all to know that it is not just the Commissioner of that District this is concerned. It is all of the Board because that area is a part of Tift County. It is going to take some time but we are going to do what we can to help. Your concerns and issues have not fallen on deaf ears.

Public Hearings:

A. TC-SE-09-04: Darick and Tamala Jones request for approval as a Special Exception to allow a Manufactured Home in R-8 (Residential) Zoning at 114 Benjamin Street. The Manufactured Home is a 14' x 70' single wide manufactured by General which is currently located at 118 Benjamin Street. Tax Map T033 parcel 209: Carl Fortson gave the staff report stating that it comes with a recommendation of approval from Staff and Planning and Zoning Board.

The County Attorney opened the public hearing with no conflict of interest declared from any Board member.

Tamala Jones spoke on behalf of her request stating that she present rents the lot where the mobile home is now and the owner continues to go up on the rent. She has purchased the lot at 114 Benjamin Street and would like to be able to move her mobile home on her property to stop having to pay high price rent of the lot she is now on.

There was no comment against the request. The County Attorney closed the public hearing.

Motion was made by Commissioner Hester approving TC-SE-09-04 Special Exception for Darick and Tamala Jones, seconded by Commissioner Chevers. Motion carried unanimously.

B. Closing a portion of Dunn Loop:

The County Attorney opened the public hearing with no Board member declaring a conflict of interest.

The County Attorney gave the nature of the request which is to close the section of Dunn Loop from Ty Ty Omega Road to the property line of Ferol Cosper. The section is 2112 feet long and 35 feet wide. He reported that Staff recommends closing this section of road.

There was no public comment and the County Attorney closed the public hearing.

Motion was made by Commissioner Setters authorizing the closing of this section of Dunn Loop, seconded by Commissioner Hester. Motion carried unanimously.

Consent Agenda:

C. Motion authorizing the purchase of a new incinerator for the Animal Control Shelter from Southern Breeze in the amount of \$9750

D. Motion authorizing the Chairman to sign the County Resource Agreement with ABAC Art's Connection/Love Affair to be held April 30 through May 4, 2009

E. Motion authorizing the Chairman to sign the Verification Form to be eligible for the Safety Discount on the Insurance Premium through ACCG-IRMA

F. Motion to award the resurfacing bid of 9.6 miles to Scruggs Company in the bid amount of \$868,317.74

K. Motion authorizing the Chairman to sign the Family & Children Services Lease Renewal

Motion approving the Consent Agenda was made by Commissioner Hester, seconded by Commissioner Chevers. Motion carried unanimously.

REGULAR AGENDA:

G. Request to close a portion of Vance Road that crosses Sutton Road and extending Vance

Road to tie into Christie Lane and that road name will no longer exist: Jason Jordan advised the Board of this request to close a portion of Vance Road. There are currently six intersection in this area and presents some problems. The Road Department recommends that there only needs to be two intersections there. Vance road will tie into Christie Lane which will eliminate the Christie Lane Road name on our inventory list. The portion of Vance Lane that is recommended to be closed crosses Sutton Road. Motion was made by Commissioner Miley to authorize the procedure to close this section of road, seconded by Commissioner Setters. Motion carried unanimously.

H. Three appointments to the Keep Tift Beautiful Board to fill vacancies: The names were given for those applications that have been turned in to fill these vacancies; Monica Shultz, James B. Carson and Leann Culbreath. The Chairman opened the floor for nominations. Commissioner Rigdon nominated all three applicants. Jones made the recommendation that the nominations be closed and all Commissioners agreed. Motion to appoint Monica Shultz, James B. Caron and Leann Culbreath to the Keep Tift Beautiful Board was made by Commissioner Setters, seconded by Commissioner Miley. Motion carried unanimously.

I. Appointment to the Planning and Zoning Board to fill vacancies: The names were given for those applications that have been turned in to fill the vacancy; Jonathan Garvey and Joe McNair. The Chairman opened the floor for nominations. Commissioner Ridgon nominated Jonathan Garvey; Commissioner Jones nominated Joe McNair. The Chairman closed the nominations.

Motion was made by Commissioner Setters to appoint Jonathan Garvey to the Planning and Zoning Board, seconded by Commissioner Hester. The motion only received 3 votes therefore it did not carry.

Motion was made by Commissioner Jones to appoint Joe McNair to the Planning and Zoning Board, seconded by Commissioner Chevers. The motion only received 2 votes therefore it did not carry.

The Chairman then asked for another motion. Commissioner Setter made a motion to appoint Jonathan Garvey, seconded by Commissioner Hester. The motion received 3 votes and did not carry.

Commissioner Jones again made a motion to appoint Joe McNair, seconded by Commissioner Chevers. The motion received 3 votes and did not carry.

Motion was made by Commissioner Miley to table the appointment to this Board, seconded by Commissioner Jones. Motion received 3 votes and did not carry.

Motion was made by Commissioner Hester to allow the Chairman to break all ties by voting himself, seconded by Commissioner Chevers. Motion carried by a 4 to 2 vote.

The Chairman selected Jonathan Garvey to break the tie. Mr. Garvey is now appointed to the Planning and Zoning Board.

J. Chairman needs to appoint two members to the Joint Development Authority (Tift, Turner & Worth Counties): The County Manager advised that since another county, which is Cook County, has been added to this Joint Development Authority, Tift County's representation number has been changed from 2 to 3 members. Motion was made by Commissioner Rigdon to appoint Robert Setters, Sherry Miley and Melissa Chevers to serve on the Joint Development Authority, seconded by Commissioner Miley. Motion carried unanimously.

L. Allowing Tax Assessor's Office to issue citations related to mobile homes: The County Manager advised that OCGA laws allows for the process that the Governing Authority can authorize an officer to write citations to mobile homeowners who are delinquent in purchasing the required decal for the mobile home. Staff is seeking authorization from the Board to use appraisal staff to write the citation. Teresa Lupo, Tax Assessor was asked her opinion of this request. She stated her staff would be willing to issue the citation if someone is at the resident to sign for the citation. The three (3) staff appraisers would be authorized and certified to issue the citation. This will save some time and cut out the middle man. Motion was made by Commissioner Setters to use staff appraisers to issue citations to mobile home owners who have not purchased their decals, seconded by Commissioner Hester. Motion carried unanimously.

County Manager Items:

- Needs to have a short Executive Session
- The County Clerk advised that an Economic Roundtable meeting has been scheduled for April 21st from 1:30 to 3:30. In the adopted Resolution, the County Manager is required and as many as three (3) Commissioner and/or their designees. The three (3) Commissioners that volunteered to attend are Commissioners Jones, Miley and Rigdon.
- The County Clerk also reminded the Board that they all will be leaving on Friday for Annual Conference in Savannah

Commissioners Items:

Commissioner Chevers asked Jason Jordan to remember to check on the roads she discussed with him. She also has a resident on Plaza Drive that wants to put in some pipes, the property owner will purchase the pipes and the County will install them.

Commissioner Miley requested that the County Manager keep the Board informed with what is happening with all the flooded areas and more particularly McInnis Mill Subdivision.

Commissioner Hester again offered his concern for the families that were flooded in South of Tifton and McInnis Mill Subdivision all of which is in his District.

Commissioner Setters offered appreciation for all the cooperation of all involved during the flooding. He thanked everyone for pulling together during this time.

Executive Session: Motion was made by Commissioner Hester to go into Executive Session for Legal, Personnel and Real Estate, seconded by Commissioner Miley. Motion carried unanimously.

Motion to close Executive Session was made by Commissioner Chevers, seconded by Commissioner Hester. Motion carried unanimously.

Motion to adjourn was made by Commissioner Hester, seconded by Commissioner Setters. Motion carried unanimously.

Commissioner Donnie Hester, District 1

Commissioner Melissa Chevers, District 2

Commissioner Robert Setters, District 3

Commissioner Sherry Miley, Dist. 4

Commissioner C. Michael Jones, District 6

Attest: _____
Glynda Hemby, County Clerk