Minutes
Historic Courthouse, Board Chambers, 3rd Floor
225 North Board Street
August 12, 2014

The Thomas County Board of Commissioners met on the above date in a regular scheduled meeting at 9:00 a.m. at the Historic Courthouse, Commission Chambers, with the following board members present:

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| Moses Gross, Chairman, Dist. 2 | Kenneth E. Hickey, Vice-Chairman, Dist. 3 |
| Merrill E. Baker, Jr., Dist. 1 | Mark NeSmith, Dist. 4 |
| Hershel P. Ansley, Dist. 5 | Wiley E. Grady, Dist. 6 |
| Phillip V. Brown, Dist. 7 | J. Elaine Mays, Dist. 8 |

Staff present was Michael J. Stephenson, County Manager, Bruce Warren, County Attorney and Twink Monahan, County Clerk. Media present was Patti Dozier, Times Enterprise and Chris Hurst, WPAX Radio.

Chairman Gross called the meeting to order.

Chairman Gross called upon Michael Stephenson to give the invocation and lead the Pledge of Allegiance to the Flag.

Chairman Gross recognized Commissioner Mays who made a motion to approve the minutes of the July 21, 2014 special called meeting as corrected and the July 22, 2014 board meeting. The motion was seconded by Commissioner NeSmith. The motion carried; Chairman Gross and Commissioners Baker, NeSmith, Ansley, Grady, Brown and Mays voting aye. Vice-Chairman Hickey abstaining due to absence at the meetings.

Chairman Gross recognized Christopher Warren. Mr. Warren requested a revision to the final plat for Heatherway Lane at the July 8, 2014 board meeting. At that meeting the board requested that all the landowners that were involved in 2008 be notified of today's meeting. Mr. Warren explained the different plats and that on June 20, 2014 he had applied for a building permit and was denied the permit based on stipulations approved by the board on 8/28/2007 limiting the number of houses to be allowed on Heatherway Lane. He also explained that he had filed a letter to FEMA to exclude his property, Lot 6, from the flood zone.

Commissioner Grady stated that he would like to hear from the landowners present that were involved in the original rezoning application and negotiations.

Chairman Gross recognized Susan Woodham. Mrs. Woodham stated that Ken Cone sold the lots differently than he presented to the board. She also stated that she was involved in the mediation between the landowners and Ken Cone. She referred to the twelve stipulations from the 8/28/2007 mediation and understood that it was in effect for 20 years.

Christopher Warren stated that there were no deed restrictions filed.

Mr. Stephenson said that three of the active participants in the 2008 negotiations were present. The number of homes were limited to two (2) existing and 4 additional houses in the mediation agreement with Judge Bass. There were also at least five (5) meetings with Ken Cone and he was in agreement with the plat stipulations in 2008 when it was filed.

Susan Woodham said that if this appeal for a building permit is allowed it would bring the housing number to seven (7).

Chairman Gross asked if any other citizens had comments. Erin Grace stated that she was opposed to the request. Roger Pace stated that he was not in favor of the request. Submitted in the meeting was a four (4) page document from Janice L. Livingston, 697 Heather Way Lane outlining the history, mediation, final agreement with contractor, and the current request summary and her request to the board to uphold the 2008 restrictions.

Chairman Gross called for a motion and recognized Commissioner Mays who made a motion to deny the appeal for a building permit on lot 6 and uphold the 2008 agreement with the property owners and the developer. The motion was seconded by Commissioner Baker.

Chairman Gross called for discussion and recognized Commissioner NeSmith. Commissioner NeSmith stated that sometimes they have to make difficult decisions.

Chairman Gross called for a vote. Motion carried unanimously; Chairman Gross, Vice-Chairman Hickey and Commissioners Baker, Ansley, NeSmith, Grady, Brown and Mays voting aye.

Chairman Gross recognized Commissioner Grady who made a motion to approve the resolution to amend the impact fee ordinance by the action taken at the 7/22/2014 board meeting. The motion was seconded by Commissioner Brown. Motion carried unanimously; Chairman Gross, Vice-Chairman Hickey and Commissioners Baker, Ansley, NeSmith, Grady, Brown and Mays voting aye.

RESOLUTION

RESOLUTION WAIVING IMPACT FEES FOR OFFICE, RETAIL TRADE INDUSTRIAL D E V E L O P M E N T

WHEREAS, the economic conditions are presently depressed in Thomas County; and
WHEREAS, Thomas County desires to promote additional incentives for businesses to expand and/or move to Thomas County; and
WHEREAS, Thomas County now imposes impact fees on business development;
NOW THEREFORE, BE IT RESOLVED that:

1. The Chapter 18, Article 6 of Thomas County Ordinances be amended by adding the following section:

   The impact fees for office, retail trade and industrial development are waived effective August 15, 2014 and shall continue to be waived until this section is deleted or modified by the Thomas County Board of Commissioners.

APPROVED AND ADOPTED, this the 12 day of August, 2014.

Chairman Gross recognized Commissioner Grady who made a motion to approve an amendment after the board's review of the 1/1/13 10-Year Animal Control Contract with the Thomas County Humane Society with the following changes; increase number of vehicles from 2 to 3; add supplement payment up to or the lessor of $40,000 including benefits Animal Control Director's salary; add a budget line item for the Animal Control Director's salary and benefits; delete the Animal Control Director's position under Thomas County Commission and place it under the Thomas County Humane Society's authority. The motion was seconded by Commissioner NeSmith. Motion carried unanimously; Chairman Gross, Vice-Chairman Hickey and Commissioners Baker, Ansley, NeSmith, Grady, Brown and Mays voting aye.

Chairman Gross recognized Commissioner Mays who made a motion to approve the resolution adopting the 2014 Millage Rates. The motion was seconded by Commissioner Baker. Motion carried unanimously; Chairman Gross, Vice-Chairman Hickey and Commissioners Baker, Ansley, NeSmith, Grady, Brown and Mays voting aye.

**RESOLUTION**
THOMAS COUNTY BOARD OF COMMISSIONERS
P.O. BOX 920
THOMASVILLE, GEORGIA 31799
August 12, 2014

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Thomas County, Georgia, sitting for County purposes in a special called meeting and for the purpose of setting millage and levying a tax for 2014, that it be and is hereby ordered that nine and three hundred twelve thousandths (9.312) mills on each one dollar of all taxable property in the incorporated areas of said Thomas County, and that it be and is hereby ordered that nine and three hundred twelve thousandths (9.312) mills with a roll back of Insurance Premium Tax of one and two hundred fifty nine thousandths (1.259) mills leaving eight and fifty three thousandths (8.053) mills on each one dollar of all taxable property in the unincorporated area in said Thomas County, be and the same is hereby levied for Thomas County purposes, said rate to be apportioned for legal purposes of said Thomas County under constitutional limitations of the State of Georgia; and that the Tax Commissioner of Thomas County be, and is hereby instructed to collect the same for said Thomas County purposes, as provided by law; and,

WHEREAS: The proper Legislation was enacted and a referendum was held there under as provided therein on June 16, 1965, at which time the voters of Fire District Number 1 and 2, as described in said Legislation approved said Act creating fire districts in Thomas County and authorizing the Board of Commissioners of Thomas County, Georgia, to levy upon the taxable value of all property within such fire districts for fire protection purposes in said districts.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Thomas County, Georgia, sitting in regular meeting for County purposes, that it be and it is hereby ordered that three and two hundred eighty four thousandths (3.284) mills upon the taxable value of each one dollar of all property located in said County fire District 1, and three and two hundred ninety thousandths (3.290) mills upon taxable value of each one dollar of all property located in said Fire District 2, as described in said act creating Fire Districts in Thomas County, be and the same is hereby levied for the purpose of said County furnishing fire protection services within such district; and that the Tax Commissioner of Thomas County be, and is hereby instructed to collect the same for said purposes by law; and,

WHEREAS: The Board of Commissioners of Thomas County have adopted Resolution dated December 9, 1986, that there is created within Thomas County, Georgia, pursuant to the authority of Article IX, Section II, paragraph VI, of the Constitution of the State of Georgia, of 1983, a special service district to be known as Fire District No. 3 of Thomas County, Georgia.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Thomas County, Georgia, sitting in regular meeting for County purposes, that it be and it is hereby ordered that two and three hundred ninety thousandths (2.390) mills upon the taxable value of each one dollar of all property located in said County Fire District 3, be and the same is hereby levied for the purpose of said County furnishing fire protection services within such district; and that the Tax Commissioner of Thomas County be and is hereby instructed to collect the same for said purpose by law; and,

WHEREAS: The Board of Commissioners of Thomas County have adopted a Resolution dated February 11, 2003 that there is created in Thomas County, pursuant to the authority of Article IX, Section II Paragraph VI of the Constitution of the State of Georgia of 1983, a special service district to be known as Emergency Service District of Thomas County, Georgia.

NOW THEREFORE BE IT RESOLVED, by the board of Commissioners of Thomas County, Georgia, sitting in a regular meeting for County Purposes, that it be and it is hereby ordered that one and seven hundred ninety nine thousandths (1.799) mills upon the taxable value of each one dollar of all property located in said county Emergency Services District, be and the same is hereby levied for the purpose of said County furnishing emergency services within such district; and that the Tax Commissioner of Thomas County be and is hereby instructed to collect the same for said purpose by law; and,

WHEREAS: The proper authorities of the State of Georgia, have levied for General Purposes including the support of the State of Georgia:

One-tenth mills (.10) upon the taxable value of all property located in incorporated and unincorporated areas of Thomas County.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Thomas County, Georgia, that it be and is hereby ordered that said mills above be assessed for State purposes and that the Tax Commissioner of said Thomas County, be instructed to collect the same as provided by law; and,

WHEREAS: the Board of Education of Thomas County, Georgia, having recommended a levy of fourteen and six hundred ninety six thousandths mills (14.696) on all taxable property in said Thomas County, not embraced within the present corporate limits of the City of Thomasville, Georgia, for the support and maintenance of education for County-wide schools, as provided by law for the taxable year of 2014.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Thomas County, Georgia, sitting in regular meeting that the taxable year 2014 a tax of fourteen and six hundred ninety six thousandths mills (14.696) for the support and maintenance for County-wide schools be levied on each one dollar of all the taxable property in said Thomas County not embraced within the present corporate limits of the City of Thomasville, Georgia, and that the Tax Commissioner of Thomas County, Georgia, be and is hereby instructed to collect the same for the support and maintenance for County-wide schools for the taxable year of 2014 as provided by law.

BE IT FURTHER RESOLVED, that the Tax Commissioner is hereby instructed to set a due date of November 15, 2014 for 2014 taxes.

Chairman Gross recognized Vice-Chairman Hickey who made a motion to appoint Sharon Herring of Ochlocknee to a 3-year term ending 6/30/14 to the Thomas County Library Board, position number 4. The motion was seconded by Commissioner Mays. Motion carried unanimously; Chairman Gross, Vice-Chairman Hickey and Commissioners Baker, Ansley, NeSmith, Grady, Brown and Mays voting aye.

Chairman Gross recognize Commissioner Brown who made a motion to authorize the chairman to sign a contract agreed upon by the city and county attorney with the City of Thomasville for

the road construction at the Red Hills Business Park as stated in the June 24, 2014 bid. The motion was seconded by Vice-Chairman Hickey. Motion carried unanimously; Chairman Gross, Vice-Chairman Hickey and Commissioners Baker, Ansley, NeSmith, Grady, Brown and Mays voting aye.

Chairman Gross recognized Commissioner Mays who made a motion to approve 2014 Budget Amendment 14-8-1, 2012 SPLOST Budget Amendment, correcting a double entry for the Stewart Road and the addition of the Smith Road repair increasing the contingency to $244,600. The motion was seconded by Commissioner NeSmith. Motion carried unanimously; Chairman Gross, Vice-Chairman Hickey and Commissioners Baker, Ansley, NeSmith, Grady, Brown and Mays voting aye.

**2014 BUDGET AMENDMENT 14-8-1**
**2012 SPLOST Capital Projects Fund (328)**
**August 12, 2014**

| Account | Description | Original 2014 Budget | Amended Budget | Difference |
|---|---|---|---|---|
| **Expenses** | | | | |
| 328-4253-541405 | Stewart Rd-Infrastructure | 319,600 | 0 | -319,600 |
| 328-4278-541405 | Smith Rd-Infrastructure | 0 | 75,000 | 75,000 |
| 328-9010-579000 | Contingencies | 3,304,337 | 3,548,937 | 244,600 |
| | **Total** | | | **0** |
| **Net Increase to Expenses** | | | | **$0** |

Chairman Gross recognized Al Bryan of Meigs, Georgia. Mr. Bryan talked of the Impact fees and the jobs created by new businesses.

Chairman Gross recognized Sheriff Powell. Sheriff Powell said the Southwest Georgia Technical College is offering a fire safety classes and has asked to use the county firing range. In turn the College has offered the use of their shooting simulator for the Sheriff's Office use. The matter was discussed with the county attorney and he said that he would look up the Gun Club agreement and report back at the next meeting.

Sheriff Powell also informed the board that the Thomas County School Board has requested an additional resource officer and that he will address that in the 2015 budget.

Mr. Stephenson thanked Commissioner NeSmith for his working with the Humane Society in amending the contract. Mr. Stephenson stated "This agreement will improve what is already a good working relationship with the Humane Society. I encourage them to continue the good work started by Pat Smith in promoting the safety of our citizens by controlling vicious and dangerous animals."

He also distributed the 911 Assessment detail and reported that Alicia Hester, Tax Commissioner, was taking the digest to Atlanta this Friday.

Chairman Gross recognized Commissioner NeSmith who made a motion to approve the recommendation from Purchasing Committee to award the purchase of rip rap rock to CMI for $31,200. The motion was seconded by Commissioner Grady. Motion carried unanimously; Chairman Gross, Vice-Chairman Hickey and Commissioners Baker, Ansley, NeSmith, Grady, Brown and Mays voting aye.

Chairman Gross recognized Commissioner NeSmith who made a motion to approve the recommendation from Purchasing Committee to award, as best bid based on engine size, the purchase of a fuel truck, 2015 Kenworth T370 14.6K, from TransPower for $141,581. The motion was seconded by Commissioner Brown. Motion carried unanimously; Chairman Gross, Vice-Chairman Hickey and Commissioners Baker, Ansley, NeSmith, Grady, Brown and Mays voting aye.

Bruce Warren reported that the time stipulation in the notice sent to Mr. Colvin concerning the junkyards expired last Thursday and that he was moving forward with the legal action.

Commissioner Hickey reported that the Town of Ochlocknee has requested a car for a security guard. No action taken.

Chairman Gross recognized Commissioner Baker who made a motion to ratify action taken in the Finance Committee to pay balance of the 2013 Audit invoice, $23,100, to Simmons Mills Simmons for the completion of the audit. The motion was seconded by Commissioner Mays. Motion carried unanimously; Chairman Gross, Vice-Chairman Hickey and Commissioners Baker, Ansley, NeSmith, Grady, Brown and Mays voting aye.

Chairman Gross recognized Commissioner Brown who made a motion to adjourn. The motion was seconded by Commissioner Hickey. Motion carried unanimously; Chairman Gross, Vice-Chairman Hickey and Commissioners Baker, Ansley, NeSmith, Grady, Brown and Mays voting aye.

Moses L. Gross

Moses L. Gross, Chairman

ATTEST:

M. Twink Monahan, County Clerk