

MINUTES
BIBB COUNTY BOARD OF COMMISSIONERS
January 13, 2004
6:00 p.m.

The regular meeting of the Bibb County Board of Commissioners was held in the Commission Boardroom on Tuesday, January 13, 2004 at 6:00 p.m.

Board Members present: Chairman Tommy C. Olmstead, Vice Chairman Samuel F. Hart, Sr., Commissioner Bert Bivins, III, Commissioner Charles W. Bishop and Commissioner Elmo A. Richardson, Jr.

Staff present: Mr. Virgil Adams, County Attorney; Mr. Bill Johnston, Director of Buildings & Properties; Mr. Sam Kitchens, Assistant Director, Buildings & Properties; Mr. Tommy Brown, Director of Human Resources; Mr. Bill Vaughn, Chief Administrative Officer; Ms. Deborah Martin, Finance Director; Mr. Ken Sheets, County Engineer; Mr. Don Hoch, Director of Lake Tobesofkee; Mr. Tony Rousey, Director of Information & Technology Services; Mrs. Barbara Wood, Public Affairs Officer; and Mrs. Shelia Thurmond, Clerk of the Board.

News Media: Mr. Travis Fain of The Telegraph.

Chairman Olmstead recognized and welcomed Reverend Glenn Haskins, Pastor of the Tattnall Square Baptist Church, for the **PRAYER FOR THE DAY**.

Chairman Olmstead asked everyone to stand for the Pledge of Allegiance.

ANNOUNCEMENTS

APPROVAL OF MINUTES

On motion of Commissioner Richardson, seconded by Commissioner Hart and carried, the Minutes of the regular meeting of December 23, 2003 were approved as written.

RECOGNITION OF VISITORS

Chairman Olmstead recognized and welcomed Mr. Frank Patterson, Ms. Nettie Thomas, Ms. Johnnie Mae Dawkins, Ms. Fernella Cabey and Mr. Greg Williams.

Ms. Dawkins expressed special greetings to the members of the Board and wished for each the happiest of the New Year and the Blessings of love, peace, happiness and safety. She stated that she hopes all of their decisions are made in the best interest of all the citizens of Bibb County and that the citizens of the Kings Park area appreciated them to the highest.

Chairman Olmstead expressed appreciation to Ms. Dawkins for her kind words of encouragement.

Chairman Olmstead recognized and welcomed other guests in attendance who did not register at the front desk.

Chairman Olmstead presented a Resolution and watch to Mrs. Sandra Giles on the occasion of her retirement from Bibb County after more than 12 years of service with the Bibb County Tax Commissioners Office.

Chairman Olmstead presented a Farewell Resolution to Mr. James R. "Jim" Davis upon his departure from the position of Tax Commissioner for Bibb County. It was noted that Mr. Davis has been appointed by the Honorable Sonny Perdue, Governor of the State of Georgia, to serve as Commissioner of the Georgia Department of Motor Vehicle Safety.

Mr. Davis addressed the Board by first acknowledging his wife, Glenda, and Sandra Giles who was his secretary and her Don. Mr. Davis stated that he came in three and a half years ago and parachuted in the middle of an existing battlefield in the Tax Commissioners Office and Sandra took care of him well and helped him to find his way and he wanted to thank her publicly for all she did to help him. He also recognized Mr. Dick Morgan and his wife, Neala. He stated that Mr. Morgan has been his right-hand man and has more than 40 years of service to Bibb County and has already retired but will probably move on with him to the new department. He thanked Mr. Morgan and his wife for having to put up with all the time he spent taking care of him over the years too.

Jim stated that it has been his honor to serve many County Commissioners including this Board and all the citizens of Bibb County. He stated that he served a lot of years with Bill Vaughn and noted that the two of them use to be neighbors back when their children were young. He stated that when he started with Bibb County he had a head full of hair and no children and now he has no hair and four daughters. He stated that it has been a long career, almost 28 years. Jim added that being in the tax business you get fussed at a lot but by and large all the folks he has worked with and worked for and the citizenry has been good people and it has been his honor. He stated that his only wish is if he can have as good an experience in his new endeavor he has with his years in Bibb County he will be richly blessed because the Lord has certainly blessed him all of his life and certainly beyond what he deserve and he thanked the Board for honoring him.

Mr. Greg Williams stated that he resides at 686 Edgewood Avenue in Macon and that he is a community activist. Mr. Williams addressed the Board on the subject of the jail expansion and renovation project on Hawthorne and Oglethorpe Street. He stated that back in the 1970's when the jail was built, the community was not consulted about the building of the jail and that the Bibb Manufacturing Company donated the land to the County and that the County came in and built the jail the way it wanted to without any input from the community. Mr. Williams then switched to Robins Air Force Base, stating that there are a lot of people asking questions. He stated that he is drafting a letter to the Justice Department. He stated that there is a way you do things and that fairness is the clarity of the whole situation. Mr. Williams continued that, right now, the black

community is laying low because some of them are afraid that their welfare checks may be cut off, their social security may be taken away or something else. He stated that he was a watchman and that God granted him to be a Christian man, someone that loves everybody and tries to do everybody right. Mr. Williams then stated that someone had written in the newspaper that the jail was not going to be built because with Brown & Williamson closing, the County won't have the tax revenue. He stated that the County could always raise the millage rate or property taxes. Next, Mr. Williams asked that the County reconsider renovating the jail in that area. He continued that we have the largest number of criminals in that area of the city, particularly drug dealers. He mentioned that the Transitional Center, DFCS and the Jail were in the same general location. He also stated that there are various churches in the neighborhood that never seems to bring up the value of the property. Mr. Williams then asked why would anyone want to put a 1000-bed prison with a tower, housing federal and state prisoners, along with the local prisoners to make money on behalf of the citizens of the community. Mr. Williams then asked the Board to reconsider renovating the jail at its present location but perhaps consider building in the Browns Field area off Seventh Street where there is plenty of land because they don't need it. Next, Mr. Williams mentioned a more than \$50 million subdivision slated to be built near Mercer University which he stated he could not understand. He stated that his property value is the lowest it has ever been in the in almost 100 years the house has been there. Finally, Mr. Williams stated that the Board needs to advise the public in advance about what business will be discussed during its Retreats.

REFERRALS:

The following items were referred to the **PUBLIC WORKS/ENGINEERING COMMITTEE:**

1. A resolution of the Board of Commissioners of Bibb County, Georgia to authorize certain proceedings in eminent domain for Parcel Nos. 19-A and 21, Project 5240-23, Tucker Road Improvements, Macon-Bibb County Road Improvement Program.
2. A Resolution of the Board of Commissioners of Bibb County, Georgia to authorize certain proceedings in eminent domain for Parcels Nos. 46 and 48, Project 52403-23, Tucker Road Improvements, Macon-Bibb County Road Improvement Program.
3. A Resolution of the Board of Commissioner of Bibb County, Georgia to authorize certain proceedings in eminent domain for Parcel No. 02, Project 5240-23, Tucker Road Improvements, Macon-Bibb County Road Improvement Program.

RECORD & INFORMATION:

Monthly departmental reports and agency activities received for record: Tobesofkee Recreation Area.

ACTION:

4. Ratification of the following Resolution of the Board of Commissioners:

Honoring Mrs. Su Chang Lee, Mr. Tom Kim and Mr. David Lee for their outstanding leadership of the Macon and Middle Georgia Korean Association.

On motion of Commissioner Bivins, seconded by Commissioner Richardson and carried, the before mentioned resolution was ratified.

At this time, Chairman Olmstead recognized and welcomed Mr. Clifford Johnson of Kingston Court, Kings Park area.

COMMITTEE REPORTS:

Chairman Olmstead gave a brief report of his activities since the last Meeting. They were as follows:

- 12/28 - Attended the 2003 Korean Association of Macon-Middle Georgia Annual End of the Year Party
- 12/29 - Called Industrial Authority Meeting
- 01/02 - Meeting with Ms. Jan Baggarly, County Extension Service
- Meeting with Cleve Cunningham, Marshall Butler & Ken Sheets
- 01/05 - Meeting with George Lee with Georgia Tech, Bill Vaughn, Sharon Patterson, Davis Lucas, Pat Topping and Chip Cherry
- MEDC Meeting
- Industrial Authority Meeting
- 01/06 - Attended Press Conference with Governor Perdue
- Meeting at Chamber
- 01/07 - Meeting in Atlanta with Cornell, Parrish & Coleman
- 01/08 - Meeting with representatives of The Facilities Group, Sheriff Modena & Bill Vaughn
- Attended Rex Elder's Retirement Celebration
- 01/09 - Meeting with Van Etheridge, Ken Sheets & Bill Vaughn
- Meeting with Bill Vaughn, Commissioner Richardson, Barry Smallwood & Ken Sheets
- 01/12 - Meeting with Bill Vaughn & Commissioner Hart
- 01/13 - Meeting with Bill Vaughn, Commissioner Hart and Mike Anthony

FINANCE, TAX AND REVENUE COMMITTEE - Committee Chairman Hart reported the following:

1. The Committee recommends the bid for a Vehicle for the Bibb County Board of Commissioners be awarded to Riverside Ford in the amount of \$20,288.00.

On motion of Commissioner Hart and carried, the before mentioned recommendation was approved as presented.

2. The Committee recommends approval of a supplemental appropriation in the amount of \$507.00 to the FY 2004 General Fund budget to cover cost of additional computer equipment for State Court Probation Office.

On motion of Commissioner Hart and carried, the before mentioned recommendation was approved as presented.

3. The Committee recommends the bid for Self Contained Breathing Apparatus for the Macon-Bibb County Fire Department be awarded to Fisher Safety in the amount of \$34,144.92.

On motion of Commissioner Hart and carried, the before mentioned recommendation was approved as presented.

4. The Committee recommends the bid for Thermoplastic Line Striping of Roads for the Bibb County Engineering Department be awarded to Mid State Construction and Striping, Inc. in the amount of \$23,257.50.

On motion of Commissioner Hart and carried, the before mentioned Resolution was approved as presented.

5. The Committee recommends the bid for a Handicap Accessible Van for the Bibb County Risk Management Department be awarded to Adaptive Mobility Systems in the amount of \$41,951.00.

On motion of Commissioner Hart and carried, the before mentioned Resolution was approved as presented.

6. The Committee recommends approval of the attached listing of qualifying fees covering County offices to be filled in the Year 2004 elections.

On motion of Commissioner Hart and carried, the before mentioned recommendation was approved as presented.

7. The Committee recommends that Chairman Olmstead be authorized to sign an extension of the existing lease between James L. Brown and Bibb County for the office space occupied by the Board of Elections, pending the move to the new location.

On motion of Commissioner Hart and carried, the before mentioned recommendation was approved as presented.

8. The Committee recommends approval of the expenditure of County funds in the amount of \$8,735.00 to contract with Georgia Tech to increase scope of the study to determine the fiscal impact of the Brown and Williamson closing and approval for Chairman Olmstead to sign a contract for these services between Bibb County and Georgia Tech Research Corporation.

On motion of Commissioner Hart and carried, the before mentioned recommendation was approved as presented.

9. The Committee recommends the bid for Boiler Replacement for the Grand Opera House be awarded to Banks Boiler Service in the amount of \$28,900.00.

On motion of Commissioner Hart and carried, the before mentioned recommendation was approved as presented.

10. The Committee recommends authorizing architects to proceed in providing professional services in projecting the operating cost and number of beds for the expansion and renovation of the Bibb County Law Enforcement Center based on the revised budget of \$25,000,000.00.

On motion of Commissioner Hart and carried, the before mentioned recommendation was approved as presented.

11. FOR THE RECORD: Monthly report on the Bibb County Purchasing Card was received.

RISK MANAGEMENT COMMITTEE - Committee Chairman Hart reported the following:

1. The Committee accepts the recommendation of the County Attorney, Mr. Hale Almand, to proceed in settlement of attorney fees in the case of Thigpen and Allen vs Bibb County. The Committee further authorized Mr. Almand to execute the appropriate settlement documentation.

On motion of Commissioner Hart and carried, the before mentioned recommendation was approved as presented.

ENGINEERING/PUBLIC WORKS COMMITTEE - Committee Chairman Bishop reported the following:

1. The Committee recommends approval of the Resolution of the Board adopting the Solid Waste Short-Term Work Program (STWP) Updates, as required by the Georgia Department of Community Affairs.

On motion of Commissioner Bishop and carried, the before mentioned recommendation was approved as presented.

2. The Committee recommends approval of Budget Modification No. 16 for the Macon-Bibb County Road Improvement Program.

On motion of Commissioner Bishop and carried, the before mentioned recommendation was approved as presented.

3. The Committee reports that bids were received on November 17, 2003, for improvements to Poplar Street, from First Street to MLK Jr. Boulevard, Project RIP#5C and that the sole bidder was Site Technologies, Inc. with a total bid of \$3,987,000.00.

The Committee recommends that the technicality of the obligee being incorrectly named on the Bid Bond be waived and that awarded be made to Site Technologies, Inc. at the unit prices bid, with the stipulation that they provide for the 20% MBE participation goal.

The Committee further recommends that the Chairman be authorized to sign the contract as soon as satisfactory bonds have been furnished.

On motion of Commissioner Bishop and carried, the before mentioned recommendation was approved as presented.

TOBESOFKEE COMMITTEE - No Report.

PUBLIC SAFETY COMMITTEE - No Report.

HUMAN RESOURCES AND INFORMATION SERVICES COMMITTEE - Committee Chairman Bivins reported the following:

1. The Committee recommends the reappointment of Ms. Anita Ponder as the Minority Representative to Middle Georgia RDC Board of Directors.

On motion of Commissioner Bivins and carried, the before mentioned recommendation was approved as presented.

2. The Committee recommends the reappointment of Mr. Chuck O'Neal as the Non-Public Representative to the Middle Georgia RDC Board of Directors.

On motion of Commissioner Bivins and carried, the before mentioned recommendation was approved as presented.

3. The Committee recommends the approval of the following holiday modifications for **2004**:

- INDEPENDENCE DAY July 4th (OBSERVE Friday, July 2nd)
- CHRISTMAS DAY December 25th (OBSERVE Friday, Dec. 24th)

- NEW YEARS DAY January 1, 2005 (OBSERVE Friday, Dec 31, 2004)

On motion of Commissioner Bivins and carried, the before mentioned recommendation was approved as presented.

4. The Committee makes the following recommendations for the Planning Advisory Committee (PAC) of the Regional Bicycle/Pedestrian Plan:

Mr. Bill Causey
Captain Wayne Ennis

On motion of Commissioner Bivins and carried, the before mentioned recommendation was approved as presented.

5. The Committee recommends the following appointments to the Middle Georgia RDC Tack Force:

A) Housing	Mr. John Hiscox-Member
B) Economic Development	Mr. Chester Wheeler-Member
C) Natural Resources (Alternate)	Mr. Tony Rojas-Member Mr. John Wilson
D) Public Facilities Infrastructure	Mr. Ken Sheets-Member
E) Land Use	Mr. Dave Fortson-Member

On motion of Commissioner Bivins and carried, the before mentioned recommendation was approved as presented.

REGIONAL DEVELOPMENT CENTER - Commissioner Bivins reported that they recently had reappointments to committees and that he was appointed to serve on the Executive Committee.

ORDINANCES, RESOLUTIONS & LEGISLATIVE COMMITTEE - No Report.

LICENSE & TAX COMMITTEE - No Report.

PROPERTIES COMMITTEE - No Report.

UNFINISHED BUSINESS - Commissioner Bishop called for a motion to discuss the 1.5% increase for retirees. Seconded by Commissioner Hart and carried the matter was opened for discussion.

Commissioner stated that he may not know all of the history of the Pension Fund for Bibb County but he does know that it is a good benefit for the employees and it has always been so. He said that when it was first started it was a participatory pension system. He stated that a lot of the people that have already retired put their money into the system knowing that someday they would have a

defined benefit derived from it. He stated that over the years, it evolved and it got down to the point where they didn't have to put in anymore but also there were a lot of people added into that system that had never put any money into it. He further stated that they didn't complain when the County offered the Early Out which essentially helped the County out because what it did was cut the amount that was coming from the General Fund to the payroll by having some of the higher paid employees leave but they got their 6% increase out of the pension fund that the County and these employees had contributed to. Commissioner Bishop stated that while he agrees that's proper, he voted for it and for economic reasons, and he voted for it for the taxpayers of Bibb County. He stated that they are supposed to be fiscally responsible and try the taxpayers' money but he also appreciates the fact that they didn't hear any outcry from any of the retired employees that had already retired and had put money in and didn't get the 6%. He stated that they didn't have any complaints when they used the excess money to provide pay increases for employees still working. Commissioner Bishop stated that he voted to free up the merit increases for the employees that are working. He stated that some of the employees got 4% which increased the liability for the pension plan. He also stated that some of top paid employees received pay increases which increased the liability for the pension plan.

Commissioner Bishop stated that they voted last year to change where they were giving the retirees 4% every three years to make it 1.5% every year. He stated that he felt like they would be better able to fund that and project it and fund it based on how much they had instead of waiting until the end of three years and giving a 4% pay increase. He stated that according to what he heard today, the actuary was saying that, technically speaking, they should have all the time been projecting that 4% pay increase at the end of three years and provided for funding of it. He stated that the actuary said that and the lawyer said that State law said that. Commissioner Bishop stated that this wasn't done for whatever reason and that the pay increase wasn't projected out of a period of three years to provide for the 4% increase but every year from that year, they gave a 3% pay increase and that the former actuary didn't do an actuarial study. He added that this actuary comes along and he does an actuarial study and projects over a five-year period that it'll cost the County to raise the contributions that it contributes by 13.2% and he's not sure it wouldn't be higher than that if the actuary had projected out the 4%. He stated that he was sure it would have been up there around the same 20%. Commissioner Bishop stated that he's now projecting if they do that ahead of time, it will be a mandatory pay increase that has to go up to 20%. He stated that they could change it anytime they wanted to but the retirees were promised a 1.5% pay increase on January 1.

Commissioner Bishop continued that at the last committee meeting, seven days before the end of the year, on the Agenda it read, "Revisions in the Pension Plan." He stated that he had no information except that it would cost the County 20% if they voted to do the 1.5%. He stated that this is what was said in the meeting but it was not the truth. He stated that technically, they can stop it at any time and if they can't, they couldn't have done it when they cut back on the 1.5%. Commissioner Bishop stated that he was saying they promised them 1.5% last year and that the total annual benefits paid out of the pension plan was \$5,179,842,000 and there was a deferred annual benefit of \$343,518.00. He stated that if you take 1.5% of that, it would not project out to be that much money. He stated that you're talking about 1.5% of right at \$5.5 million. Commissioner Bishop continued that there are

32 employees who are 80 years old or over, 39 employees over 75, 37 over 70, and 39 over 65 years of age. He stated that the County has some old employees and the life expectancy is not that long. He asked the Board not to take the 1.5% they promised the retirees and try to talk about fiscal responsibility but rather talk about fairness and open-mindedness. Commissioner Bishop stated that if the Board was going to defer some things it should be other things. He asked that the Board restore, for this year and without changing the ordinance, the 1.5% cost-of-living adjustment to retirees they were promised in the middle of last year because a lot of those folk out there are drawing less than \$600 a month. He continued that when you some employees making \$70,000 or \$80,000 a year, he thinks the County can afford to give a 1.5% to those people living on \$600 a month and social security.

Commissioner Bishop stated that his motion is that the Board restores the 1.5% and then take time to look at it. He stated that if it's going to bankrupt the system, he'll vote to rescind it but in the meantime, they should go ahead and give them the money they were promised last year because everybody else gets a cost-of-living increase.

Chairman Olmstead stated that there was a motion on the floor to give the retirees 1.5% for this year. He then asked Commissioner Bishop if this was his motion.

At this time, County Attorney Virgil Adams clarified that the actual motion should be to rescind the previous motion.

Commissioner Bishop then stated that his motion was to rescind the previous motion and reinstate the 1.5% cost-of-living raise for this year. The motion failed for lack of a second.

Commissioner Hart then what came out of the Human Resources and Information Committee as far as a recommendation on the matter. Chairman Olmstead stated that it was his understanding that they have asked Attorney Brown Dennis and the Actuary, Mr. MacDonald, to get together and come up with some figures, hopefully, sometime tomorrow and that Mr. Vaughn will get with Mr. Dennis and decipher exactly what is and report it back. Chairman Olmstead also stated that the matter will be back on the Agenda in two weeks. Commissioner Hart then stated that it would be appropriate at that time for Commissioner Bishop to bring the motion back up. Chairman Olmstead concurred.

Commissioner Bishop added that they should have had this information when the matter was discussed last time when the Board voted to do away with it and he hopes the other Board members feel good about because he feels terrible about it. He continued that he was not a mathematician but he looked at what was paid out last year and he knows what the promise was which was a unanimous decision and he hopes the folk that have already retired make a lot more than \$600.00 a month.

Chairman Olmstead stated that there will be time to discuss that at the next meeting and they'll have more information at that time. Commissioner Bishop stated that they have all the information they need and then suggested a called meeting to decide this issue.

NEW BUSINESS - None.

There being no further business and on motion duly made and seconded, the meeting adjourned at 6:50 p.m.

Clerk of the Board