

**MINUTES  
BIBB COUNTY BOARD OF COMMISSIONERS  
JULY 3, 2007  
6:00 P.M.**

The regular meeting of the Bibb County Board of Commissioners was held in the Commission Boardroom on Tuesday, July 3, 2007 at 6:00 p.m.

Board Members present: Chairman Charles W. Bishop, Commissioner Bert Bivins, III, Commissioner Elmo A. Richardson Jr. and Commissioner Joe O. Allen.

Staff present: Mr. Steve Layson, Chief Administrative Officer, Mr. Virgil Adams, County Attorney; Mr. Tommy Brown, Director of Human Resources; Mr. Doug Furney, Director of Lake Tobesofkee; Mr. Tony Rousey, Director of Information & Technology Services; Ms. Deborah Martin, Finance Director; Mrs. Sherrie Sawyer, County Engineering; Mrs. Kari Kitchens, Grant Resources Administrator; Mrs. Shelia Thurmond, Clerk of the Board and Mrs. Janice Ross, Board of Commissioners.

**News Media:**

None

**PRAYER FOR THE DAY**

Dr. Luther Strickland, Day Star Church of God, rendered the prayer for the day.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**ANNOUNCEMENTS**

Chairman Bishop announced that the Annual NACo (National Association of Counties) Conference will be held July 14 – 18, 2007 in Richmond, Virginia. He stated that since a majority of the commissioners will be attending, the Board needed to vote to cancel or postpone the July 17<sup>th</sup> Commission meeting.

**On motion of Commissioner Richardson, seconded by Commissioner Allen and carried, the July 17<sup>th</sup> Commission meeting was canceled with the stipulation that if necessary, a special meeting will be called by the Board Chairman.**

**APPROVAL OF MINUTES**

***On motion of Commissioner Richardson, seconded by Commissioner Bivins and carried, the Minutes of the Special Called meeting of June 4, 2007, Regular Meeting of June 5, 2007 and Public Hearing of June 22, 2007 were approved as written.***

## **RECOGNITION OF VISITORS**

Chairman Bishop recognized and welcomed the following visitors:

**Visitors:**

Hazel Giddens	Dell Moore	John Norrell
Donald Richardson, Jr.	Tommy Dorsey	Johnnie Mae Dawkins
Nettie Thomas	Clifford Johnson	Mike Clinard
Rod & Peggy Jarvis	Ayesha Thornton	

Mr. Mike Clinard addressed the Board with the following comments:

“I live in the Fulton Hills Subdivision in Bibb County. We recently experienced a vicious dog attack in our neighborhood. It’s a new resident who moved in and it seems like there’s not any effective legal means to watch this or overview it or protect us as citizens in our neighborhood from this type of environment. I would like for some type of action to be taken or considered for future protection in cases like this. Mr. Allen has met with us and he is well aware of the situation. He has photographs of the event. I will be glad to answer any questions you may have.”

Mrs. Peggy Jarvis addressed the Board with the following comments:

“I don’t like what I see has moved in our neighborhood. I’ve been there for about 16-17 years. Right next door to me, there are six dog pens with pit bulls. There’s barking and smells. And with the incident that happened last Friday, I feel very threatened to be out in my yard; I feel threatened with my grandchildren being there; I feel threatened with his children because they’re running around the yard with the dogs. They have one that’s not in a pen. It’s tied to a tree with a rope of some sort which is the one that did the killing. The word, **pit bull**, to me just runs a chill up my spine. Recently, up in Roswell, a woman was killed along with two small children. I also found the Georgia Statute law that I think Mr. Allen had copied for everybody. He (the neighbor) is not very congenial at all and it’s been proven the dogs can climb over the pens and over the fence and come out. These dogs are not in the back but the front yard. And my main concern as I said before is my grandchildren, his children and the children in our neighborhood. And I really feel like there should be some sort of ordinance immediately put in place to help us control this or get rid of this.”

Chairman Bishop responded that when the matter was discussed earlier today Sheriff Modena was present and stated that he would do an investigation and determined if there was a violation of State law. He also stated that Commissioner Allen may propose an ordinance with the advice of counsel to do whatever they can do within the law. He stated that everybody knows that the pit bull is known as a fighting dog and has a reputation for being vicious and that’s the reason one bite makes them categorized as a vicious dog whereas, one bite from another type dog wouldn’t do that. He stated that, unfortunately, the way State law is written, the dog has to bite a person before it is deemed vicious.

Chairman Bishop then stated that with regard to the smells and other issues that they might want to notify the Health Department.

County Attorney Virgil Adams stated that there is an ordinance in place right now that prohibits any one from having a vicious dog. He stated that the problem is that people think

that a dog is vicious just by the breed but it doesn't. He stated that the law says if the dog has bitten a human or has tried to attack a human that makes them vicious. He stated that's what the Sheriff is investigating to try and determine if anything like that has happened, so then if the dog is categorized as a vicious dog, they can't have them. Mr. Adams added that just because it's a pit bull, they can't keep them from not having a pit bull.

Chairman Bishop stated that they could not enforce a law that's not in existence and that once the Sheriff gets finished with his investigation, he should make a recommendation to the Board of Commissioners and if there is some ordinance or law that will help the situation, they need to pursue it from there.

Commissioner Allen stated that the Board of Commissioners, along with the Sheriff is going to do everything humanly possible to protect the citizens.

Chairman Bishop added that there may be some other situations that may warrant the attention of the Planning and Zoning Commission.

Chairman Bishop reiterated that the Board wanted to do everything it can to protect their neighborhood and he also suggested to the citizens that they look into renewing their neighborhood covenants.

Chairman Bishop called on the Clerk of the Board for the reading of the Board Agenda.

### **REFERRALS:**

The following item was referred to the **Engineering/Public Works Committee:**

1. Correspondence from J.A. Zan Thompson, ZT3 Placemaker Studio, requesting on behalf client, Moon Family Properties, a meeting with the Board of Commissioners to discuss signage for Hartley Station, a mixed-use project along I-75 and Hartley Bridge Road.

### **RECORD AND INFORMATION:**

1. Correspondence from Ms. Elaine Carr, Macon-Bibb County Board of Elections, giving notice that the Bibb County Democratic Party has appointed Mr. Steve A. Allen to complete the term as a replacement for Mr. Virgil Watkins, Jr. who resigned May 30, 2007 to run for a City of Macon Council seat. Judge William Self, Bibb County Probate Judge, will administer the oath of office to Mr. Allen before the July 17<sup>th</sup> City Primary Election.
2. Correspondence from Mrs. Rinda Wilson, Macon-Bibb County Board of Elections, giving notice that a Special Election will be held to fill the vacancy on the County Commission – District One Seat – caused by the resignation of Mr. Sam Hart, Sr. The Special Election will be held Tuesday, September 18, 2007. The last day to register to vote in the Special Election will be Monday, August 20, 2007.
3. Monthly departmental reports and agency activities received for record; Clerk, State Court.

4. The Oath of Tax Assessor was administered by The Honorable Judge Bryant Culpepper, Superior Court of Bibb County, to Mr. Johnny L. Gordon Monday, July 2, 2007 in the Commission Boardroom. Mr. Gordon completes the five-member Board of Tax Assessors.
5. Copy of an Order from The Honorable William P. Adams, State Court of Bibb County, setting the salaries of the probation officers of said court effective July 1, 2007.

**ACTION:**

1. A Resolution of Bibb County submitting the Bibb County Five-Year Short-Term Work Program for fiscal years 2007-2012 to the Middle Georgia RDC for compliance review.

***On motion of Commissioner Richardson and seconded by Commissioner Allen and carried, the before mentioned resolution was approved.***

2. Ratification of the following resolutions of the Board of Commissioners:

- paying tribute to Colonel David C. Johnson upon his retirement from the United States Air Force June 22, 2007. *An excerpt from Col. Johnson's resolution reads:*

*"After a distinguished career beginning at the Johnson Space Center in Houston, Texas and serving in various locations across the United States and abroad, Colonel Johnson's career ended at the Pentagon in Washington, D.C."*

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

**COMMITTEE REPORTS:**

**ENGINEERING/PUBLIC WORKS COMMITTEE** – Committee Chairman Bivins reported the following:

1. The Committee recommends approval of the sale of two parcels on Lower Poplar Street, totaling 9.166 acres, to Willie J. Battle, Northeast Concrete Company, at the original purchase price of \$116,000. The Committee further recommends that the Chairman be authorized to sign the necessary documents for the closing of the sale.

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

2. The Committee recommends that the request of Bill Causey, Interim Director of City Public Works, that the County help fund half the cost of a Stormwater Management Program "Amnesty Day" be respectfully denied.

**The before mentioned recommendation was approved by a three to one (3-1) vote. Commissioner Bivins cast the dissenting vote.**

3. The Committee recommends approval of the request of D. Lynn Ivey to give the name of "Brangus Lane" to a County maintained dirt road off Knoxville Road running easterly parallel to Eisenhower Parkway to a dead end at their property.

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

4. The Committee recommends that the Chairman be authorized to sign the Certificate of Substantial Completion for the laundry area of the new jail addition.

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

5. The Committee reports that bids were received on June 13, 2007, for the Fifth Phase of Repairs to Intown Sidewalks, Project RIP#65-5, and the Tatnall Place Improvements, Project RIP#71. The Committee recommends the following:

- that the bid from Ginarc Construction, Inc. be rejected due to failure to sign the bid;
- that award be made to Northeast Concrete Company at the unit prices bid subject to successful negotiations to bring the contract within budget; and
- that the Chairman be authorized to sign the contract as soon as satisfactory bonds have been furnished.

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

**LICENSE & TAX COMMITTEE** – Committee Chairman Bivins reported the following:

1. The License and Tax Committee recommends approval of a New Alcoholic Beverage License for 2007 for Raceway located at 6001 Harrison Road.

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

**MACON WATER AUTHORITY** – No Report.

**HEALTH DEPARTMENT** – No Report.

**LAND BANK AUTHORITY** – No Report.

**HUMAN RESOURCES AND INFORMATION SERVICES COMMITTEE** – Committee  
Chairman Richardson reported the following:

1. The Human Resources and Information Services Committee accepts the following recommendation of the Human Resources Director:
  - Deputy Tax Commissioner T37 – Step 1
  - Deputy Comm. – Accounting Operations T32 – Step 7
  - Administrative Assistant IV C29 – Step 1
  - Tax Office Clerk Part-time C13 – Step 2 \*(25 hrs. weekly)

The redirection in staffing is a savings to Bibb County by eliminating the vacant position of Deputy Tax Comm. – Operations.

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

2. The Human Resources and Information Services Committee recommends increasing the daily ***Stipend for Civil Service Board members*** to \$35.00, which includes preparation for interviews and scheduled meetings.

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

**RISK MANAGEMENT COMMITTEE** – Committee Member Richardson reported the following:

1. The Risk Management Committee recommends the approval of the modifications to the policy on the ***“Use of County-Owned Vehicle”*** to include the use of seat belts.

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

2. The Risk Management Committee recommends the approval for Mr. Robert Ryals’ to take the Bibb County vehicle home and classify his assignment as Exclusive-Restricted.

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

3. The Risk Management Committee recommends approval of the new County policy ***“Vehicle Replacement”*** to be effective July 3, 2007.

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

**PROPERTIES COMMITTEE** –No Report:

**FINANCE, TAX AND REVENUE COMMITTEE** – Committee Member Allen reported the following:

1. The Finance Committee recommends approval of authorization for Chairman Bishop to sign a grant application for the Juvenile Court Unruly Program.

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

2. The Finance Committee recommends approval of a Letter of Commitment from the Bibb County Board of Commissioner's for the match on the Courthouse Preservation Grant.

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

3. The Finance Committee recommends approval of a supplemental appropriation to the FY 2007 General Fund budget in the amount of \$5,000.00 for Emergency Management.

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

4. The Finance Committee recommends approval of authorization for Chairman Bishop to sign the lease between Bibb County and the Baldwin County Board of Health.

The authorization is contingent upon changes to the lease by the County Attorney.

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

5. The Finance Committee recommends that Sam Kitchens, with the assistance of the County Attorney, proceed with legal action to collect \$2,580.45 due to Bibb County from a general contractor.

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

6. The Finance Committee recommends that Steve Layson and Deborah Martin begin the process of the selection of an attorney to assist in the establishment of a Trust for OPEB obligations and instructs them to bring the recommendations back to the Committee for final approval.

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

7. The Finance Committee recommends approval of payment in the amount of \$9,000.00 to Sammy Thompson for additional work on the DFACS Building expansion and renovation.

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

8. Finance Committee recommends extending the term contract with STAT Medical of Georgia covering Records Management Services for the term of August 1, 2007 through July 31, 2008 at current unit prices.

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

9. Finance Committee recommends rejecting all bids for Bath House Renovations at Lake Tobesofkee.

Finance Committee further recommends exploring other options regarding the Bath House.

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

#### **ORDINANCES & RESOLUTIONS COMMITTEE** – No Report.

Commissioner Allen stated that he had a sample ordinance from Austin, Texas, a copy of which was provided to each member of the Board and County Attorney with regard to Noise. Specifically, loud music emanating from vehicles. He stated that he would like for the County Attorney to take a look at it and to bring Bibb County's ordinance in line with it and to bring a proposed document before the Board at the next regular meeting for consideration.

Chairman Bishop stated that he would refer the matter to the Ordinances and Resolutions Committee.

Commissioner Allen asked for the consent of the Board to provide this information to the City of Macon for consideration so that if adopted by them as well, the ordinances would be a joint effort of the County and City. There were no objections to the information being provided to the City.

#### **TOBESOFKEE COMMITTEE** – No Report.

#### **COUNTY ATTORNEY** – No Report.

#### **UNFINISHED BUSINESS** – None.

**NEW BUSINESS** – Chairman Bishop stated that he would like the unanimous consent of the Board to add an item to the Agenda with regard to appointments to committees and the appointment of the vice chairman of the board. There were no objections to adding the matter to the agenda. Chairman Bishop stated that he would like to make the following recommendations:

- (1) For Vice Chairman of the Board of Commissioners: **Commissioner Bert Bivins**
- (2) For Chairman of the Finance Committee: **Commissioner Elmo Richardson**
- (3) For Chairman of the Properties Committee: **Commissioner Joe Allen**

Chairman Bishop noted that the Chair of the Risk Management Committee will be named at a later date. He then called for a motion to approve the above mentioned recommendations.

**On motion of Commissioner Richardson and seconded by Commissioner Allen and carried, the recommendations were approved unanimously.**

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

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Shelia Thurmond, Clerk of the Board