

**MINUTES**  
**BIBB COUNTY BOARD OF COMMISSIONERS**  
**August 7, 2007**  
**Immediately following Public Hearing**

The regular meeting of the Bibb County Board of Commissioners was held in the Commission Boardroom on Tuesday, August 7, 2007 at 6:15 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; Mr. Ken Sheets, County Engineer; Mrs. Barbara Wood, Public Affairs Officer; Mrs. Shelia Thurmond, Clerk of the Board and Mrs. Janice Ross, Board of Commissioners.

**News Media:**

Keich Whicker, The Telegraph  
Shamonta Dean, WMGT TV 41

**PRAYER FOR THE DAY**

Reverend William L. Turner, Jr., Maranatha Bible Baptist Church, rendered the prayer for the day during the public hearing held prior to the Board meeting.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**ANNOUNCEMENTS**

Chairman Bishop presented a Certificate of Appreciation and Service Pin to Tony Rousey, Information and Technology Services Director, for the completion of 30 years of service to Bibb County effective June 6, 2007.

Chairman announced that Town Hall meetings will be held on Thursday, August 9<sup>th</sup> at Porter Ellis Community Center on Houston Road and Monday, August 13<sup>th</sup> at Macon State College Theater, East Campus. The meetings will begin at 7:00 p.m. He stated that additional town hall meetings will be scheduled around the community and notice will be given as soon as dates and locations are finalized. He also stated that the Commissioners will make themselves available to the total Bibb County community to find out what kind of services they are delivering to their constituents and also to take constructive criticism on how they are operating Bibb County government and any way they might improve it. He stated that these citizen forums will be held in each community so that it will be convenient for the citizens to address their concerns. Chairman Bishop also stated that they will be moving clockwise around the unincorporated area and then come back into the City, and then he will try to make some commitments to go to the high rises where senior citizens are. He

stated, too, that these meetings will not be political but simply to get input from the community.

## **APPROVAL OF MINUTES**

***On motion of Commissioner Richardson, seconded by Commissioner Bivins and carried, the Minutes of the Regular Meeting of July 3, 2007 and Special Called meeting June 29, 2007 for the Adoption of FY 2008 Budget were approved as written.***

## **RECOGNITION OF VISITORS**

Chairman Bishop recognized and welcomed the following visitors:

### **Visitors:**

Kasey Robbins	Ann Parman	Kim Taylor
Don Guerrieri	Donald H. Richardson, Jr.	Terry Tripp
Clifford Johnson	Gregory Smith	K. Amber Duff
Shane McBride	Nell Stumpff	Martha McCloud
Johnnie Mae Dawkins	Nettie Thomas	April Martin
Hazel Giddens	Ivey Webb	Brian Beall
Terrence Robbins	Bradley Roberson	Rebecca Snider
Amanda Politino	Yvette Cabey	Fernella Cabey
Robert Brown	Perricci Brown	Terri Greathouse
Brenda Peek	Kathrine Francis	

The first speaker was Kathrine Francis. An excerpt of her comments is as follows:

“I live in Twiggs County but I have been told about the ordinance that you guys are trying to pass for the number of pets people can own in Bibb County. And I just here because I went around this weekend to Smiley’s and I’ve got a lot of people here who do not agree with that, just for the simple fact that we all choose to own what we choose to own. I don’t feel that you guys have a right to take that from us. If you guys pass this now, I’m just waiting for it to come to my county. I own a lot more dogs that the person this whole thing was started over. Also, if I transport all of my dogs in my car, is it going to be a problem because of the ordinance in Bibb County?”

Chairman Bishop responded there has not been an ordinance proposed as of yet and tonight is just to listen to the people that are either for or against the issue.

Ms. Francis continued she would like to know that the Board knows if they choose to place an ordinance that they would actually take the time to listen to people like them, who just because they own a specific breed of animal it does not mean it’s a vicious animal. My sister-in-law lives here and she has several dogs and the same breed as the person who is the subject of this issue.”

The second speaker was Brenda Peek. An excerpt of her comments is as follows:

“I was here a year ago with a group of others. A nursing mother dog was caught in an animal control trap and she died from a heat stroke and when we were here, Captain

David Davis told us the reason that dog was not picked up was because they only had one animal control officer. This dog suffered immensely before she died. And my question to Mr. Allen is if you don't have the funds to pay more animal control officers to keep dogs from dying in animal control traps, where are you going to get them to enforce another ordinance limiting the number of pets? I feel like the ordinances that are on the books should be enforced instead of passing new ones. I talked to Mr. Allen and he said something about people that have more than six dogs should get a kennel license with the state of Georgia. When you do that, it takes all control away from Bibb County. The Department of Agriculture governs it. I just really feel like limiting the number of pets that people can have is government stripping our rights again. You're penalizing the people that take care of their animals by putting this ordinance on the book. I visited on Wayne Drive with Mr. Brown. There were no dogs chained there. This man has a three-part security area for these dogs. He has a five foot fence in the backyard; he put a fence in the front yard. The dogs are in kennels. He also has an electric fence going around it. The dogs were very friendly to me, a total stranger, to the point they were licking me in the face. I also went through that neighborhood. You said it was an eyesore to the community, these kennels. I drove by there five times before I could find them. I went through the neighborhood and took pictures of real eyesores, junked cars in backyards, numerous junked cars. You can't enforce the ordinance for the junked cars. Those are eyesores to me. I just feel like limiting somebody's right to own pets, no matter what breed it is, is stripping us of yet another right that our soldiers are fighting for and we're guaranteed in the Constitution."

The third speaker was Terri Greathouse. An excerpt of her comments is as follows:

"They've pretty much said everything that needs saying as far as ordinances, but what I want to say is we've got somebody over here, as far as breeding dogs and adding to the population and too many dogs and stuff like that. My last litter was ten years ago and there are so many people in our Macon Kennel Club that have wonderful dogs that they do nothing with but show them, adore them, sleep with them. A show dog doesn't live his life in a crate or a kennel, they sleep in the bed with us. Most of us, you won't know how many dogs we have because they're all in our houses; they're all treated like children; they're all loved. And I agree with the way this man had his dogs. His dogs were not there to be in the situation they were in to be protecting the people outside the fence; his dogs were protected that way to protect the dog inside the fence. Every one of my kennels that are outdoors are locked or double fenced and protected from the public. Our dogs do not pose a threat; I do not have bulldogs. I'm not going to stand up here and protect the bulldogs. I agree with having bulldogs – they are really a wonderful breed. It's kind of like a gun, the dog doesn't kill people – people teach the dog to kill people. We are passionate about our breed. It's just like somebody that plays golf. They're passionate about golf. I'm married to a golfer and somebody was to tell him that he couldn't play golf any more, he would probably get crazy. With us, it's a sport, a true, and honest to God sport! You've got to get the people that are causing the problems. You've got to get the people that are breeding these dogs that are putting them into the rescue centers and stuff like that. The people that are serious and passionate about their dogs are not making more dogs in the PETA standpoint. We are very careful who we send our dogs to. It's easier to adopt a child, probably, than to get one of our dogs. I know it is in my case. All I want to say is there are people out there that are responsible for their dogs and they are like their children; they are their sport; they are their love and in my instance, they are my life. What we need to do is punish the people that need to be punished and leave the people that are not breaking the law and let them do what they need to do in their heart as far as the dogs."

The next speaker was Mr. Robert Brown. An excerpt of his comments is as follows:

“I’m the man in question with the kennels in the yard. I spend very good money; it’s not chicken wire kennels. They are professionally installed. I did it to protect my neighbors as well as my dogs. My dogs have not attacked anybody viciously. I take really good care of them. Y’all can pass an ordinance, that’s fine and good. I’m not doing anything illegal and all of the harassment coming because I have dogs is ridiculous. I’m even in the process of getting a kennels license from the Georgia Department of Agriculture, which costs me \$100.00 a year, and then I can have 50-200 dogs if I want to. I have six dogs; I have six people in my household. Each dog belongs to somebody in my household. If my dogs are doing something wrong or if I’m doing something wrong, then punish me, but if I’m not doing anything wrong, leave me alone. My dogs are fine; I’ve got them self-contained inside a kennel, inside a fence with electric wire, padlocks. It’s no way my dogs can get out other than somebody being ignorant, climbing across my fence, cutting my gate, cutting my locks. And if they do that and my dogs bite them, they need to bite them. They need to stay out of my yard. Not only pit bulls bite – my mom has a Chihuahua and if you come in her yard, her Chihuahua will eat you up. All dogs will bite because that’s in their nature. And basically, if I don’t invite you to my house or if you don’t call me and say I’m coming to your house, don’t come to my house, don’t come in my yard because I don’t want any company. It ain’t nothing personal – I keep to myself and that’s all I have to say about this.”

At this time, Commissioner Allen stated that he needed to respond to dog issue in question. His comments are as follows:

“Ladies and Gentlemen, when this first took place—this happened back---and it did happen at your residence as you well know and you and I did talk about it. Then some other incidents took place in the County and then the Michael Vick story did take center stage about what took place, but that wasn’t what took place in making my decision or saying what I wanted to do. I did not say number of dogs. I said after a certain number of dogs you should have a kennel, you should have a license to have that. I think I even told you that. If you have x number of dogs, you should have a kennel, you should have a license and that’s protection for everybody, not just the owner of the animals but for the animals and also the people that live in the ---. “

Mr. Brown interrupted with additional comments.

Chairman Bishop interrupted and stated that the meeting are operated by Roberts Rule of Order and that there has not been a consensus of the commissioners and that they addressed this issue some years ago and formed a committee made up of veterinarians and Macon Kennel Association and other associations and at that time, the committee came back with a proposal and it was adopted by the County Commission at that time. He stated that since that time, the issue is rising again and Commissioner Allen is addressing it now and then the meeting will go forward.

Commissioner Allen continued with his comments as follows:

“Basically, the bottom line is, I never said x number of animals of three, four, five or six that you could have. I have animals myself; I love animals; I have dogs. What I said is you had to have x number of animals to have a kennel. And if that be the number, it’s something that we will have to work out. And I talked with several of you on the telephone and from the kennel club and I said maybe we can put a committee together and talk about

it. Did I not? I said we could talk about this thing, but I see your compassion here, I know where you're coming from. My sister has eight dogs in Peach County and she was all over me and I said to her, you should have a kennel. That's just my belief, but we have five members of this Board and as of right now, I'm going to drop the issue because I think y'all have shown me that the kennel clubs ---.We do have laws on the books. If we have to come up with additional laws, stricter laws for the individuals that cannot take care of the animals then we should do that. We should not restrict you from your animals."

The people in the audience applauded.

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. Letter from Mr. E. J. Vandiver, 281 Burgay Road - Lizella, Georgia requesting that a 25 mph speed limit sign be posted on Burgay Road.

### **RECORD AND INFORMATION:**

1. Monthly departmental reports and agency activities received for record; Clerk, State Court.

### **ACTION:**

1. Ratification of Resolution presented to Mrs. Jacqueline Hart Wilkinson on the occasion of her 80<sup>th</sup> birthday.

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

### **COMMITTEE REPORTS:**

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

1. The Committee recommends that the request of Chris Miller, Williams Associates, on behalf of clients, Mulberry Lakeside Partners, LLLP, for a variance to allow streets in The Treetops subdivision to remain private with a private sewer system under the roads be respectfully denied.

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

2. The Committee recommends approval of the ordinance to fix the maximum speed limit on Barrington Hall Drive, from Foster's Green Drive to Estes Road, at 25 miles per hour.

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

3. The Committee recommends approval of the ordinance to fix the maximum speed limit on Canwood Drive, from Mosely Dixon Road to its end, at 25 miles per hour.

**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 on the additions and renovations to the Bibb County Law Enforcement Center.

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

5. The Committee recommends that the Chairman be authorized to sign the contract between Bibb County and the Department of Transportation for the resurfacing of Lower Thomaston Road and Tucker Road, Project PR000-S010-00(629).

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

6. The Committee recommends that the Chairman be authorized to sign the Joint Funding Agreement between Bibb County and the US Department of the Interior, Geological Survey, for the continued operation and routine maintenance of the continuous stream flow gaging station #02213500 on Tobesofkee Creek.

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

7. The Committee recommends approval of the ordinance establishing and constituting Gamble Road and Seville Avenue as special drainage and paving districts.

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

8. The Committee recommends that the petition for the registration of Windmill Plantation Road be approved and that said road be placed on the Official Road Register for maintenance by County forces.

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

9. The Committee recommends that the Chairman be authorized to sign the Project Framework Agreement between Bibb County and the Department of Transportation detailing preliminary engineering, right-of-way and construction commitments on the replacement of the bridge on Peake Road at Rocky Creek.

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

10. The Committee recommends approval of the request of Zan Thompson, on behalf of client, Moon Family Properties, to build a development ID sign in public right-of-way at Hartley Station off Hartley Bridge Road.

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

11. The Committee recommends that the Chairman be authorized to sign Change Order No. 1 for the South Bibb Branch Library on Houston Road.

**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 Committee recommends approval of a New Alcoholic Beverage License for 2007 for 247 Clubhouse LLC Raceway located at 7275 Hawkinsville 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 Committee recommends that the Commissioners interpret the term “senior judge” in unrelated code Section 5-1(b) entitled “Supplementation of Superior Court Judges’ Salaries” to include Superior Court Judges who have retired pursuant to the Georgia Judicial Retirement system as well as those who have elected senior status. 9see O.C.G.A. § 47-23-106(a)

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

2. The Committee recommends approval of the policy entitled "Procedures for Transfer to a Lower Pay Grade."

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

3. The Committee recommends approval of a Legal Secretary for the State Court Judge at Grade C22 Step 8.

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

4. The Committee recommends approval to extend the services of two temporary employees in the Custodial Department for a period not to exceed ninety (90) days.

**Note: Pending RFP for Custodial Services**

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

**FINANCE, TAX AND REVENUE COMMITTEE** – Committee Chairman Richardson reported the following:

1. The Committee recommends that the Finance Officer enforce the Bibb County Code in relation to audits being received from agencies that receive county funds and directs her to notify all agencies that audits are to be delivered to the Finance Office.

**On motion of Commissioner Richardson and carried, the before mentioned recommendation was approved by a three-to-one (3-1) vote. Commissioner Bivins cast the dissenting vote.**

2. The Committee recommends approval of a supplemental appropriation to the FY 2007 General Fund budget in the amount of \$12,077.00 to cover salaries for the Board of Commissioners.

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

3. The Committee recommends approval of a supplemental appropriation to the FY 2008 General Fund budget in the amount of \$150.00 for equipment for the H.E.A.T. Grant to be offset with revenue.

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

4. The Committee recommends approval of authorization for Chairman Bishop to sign the lease between Bibb County and River Edge Behavioral Health Center for space at the Macon-Bibb County Health Plaza and property at Fulton Mill Road.

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

5. The Committee recommends approval of authorization for Chairman Bishop to sign the lease between Bibb County and the Macon-Bibb County Economic Opportunity Council for space at the Randall Building.

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

6. The Committee recommends approval of authorization for Chairman Bishop to sign the lease between Bibb County and Republic Parking.

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

7. The Committee recommends approval of authorization for Chairman Bishop to sign the lease with A.T. Holt for parking spaces on Walnut Street Lane.

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

8. The Committee recommends approval of a supplemental appropriation in the amount of \$12,783.00 for State Court Judge to fund a temporary position in FY 2008.

*Commissioner Richardson noted that this was approved this past May.*

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

9. The Committee recommends extending the term contract with Pro Power Solutions covering Generator Preventive Maintenance Services for the term of September 1, 2007 through August 31, 2008 at current unit prices.

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

10. The Committee recommends awarding the bid for Painting of Public Works Buildings to ICS, Inc. in the amount of \$23,400.00.

The Committee further recommends transferring \$3,400.00 from Capital Outlay Contingency Account.

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

**RISK MANAGEMENT COMMITTEE** – No Report.

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

**TOBESOFKEE COMMITTEE** – Committee Chairman Allen reported the following:

1. The Committee recommends approval of the request from the Macon Police Department's Youth and Intervention Division to use Sandy Beach Park on Friday, August 10, 2007 for a "Volunteers Appreciation Day" and that all fees be waived.

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

**PROPERTIES COMMITTEE** – Committee Chairman Allen reported the following:

1. The Committee recommends approval that the County conduct a Phase I Environmental Study on the Norfolk Southern Property and that the Chairman be authorized to sign a Right of Entry form with the Railroad.

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

**COUNTY ATTORNEY** – No Report.

**UNFINISHED BUSINESS** – None.

**NEW BUSINESS** – None.

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