

**MINUTES**  
**BIBB COUNTY BOARD OF COMMISSIONERS**  
**August 15, 2006**  
**6:00 P.M.**

The regular meeting of the Bibb County Board of Commissioners was held in the Commission Boardroom on Tuesday, August 15, 2006 at 6:00 p.m.

Board Members present: Chairman Charles W. Bishop, Vice Chairman Samuel F. Hart, Sr., 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. Ken Sheets, County Engineer; Mr. Doug Furney, Director of Lake Tobesofkee; Ms. Deborah Martin, Finance Director; Mr. Tony Rousey, Information & Technology Services; Mr. Tommy Brown, Human Resources Director; Mr. Sam Kitchens, Assistant Director of Buildings & Property; Mrs. Barbara Wood, Public Affairs; Mrs. Shelia Thurmond, Clerk of the Board; Mrs. Janice Ross, Board of Commissioners and Mrs. Bel Wall, Human Resources;

News Media: Keich Whicker, The Telegraph.

**PRAYER FOR THE DAY**

Chairman Bishop called on Reverend O. L. Ross, Jr., Pastor, Memorial Baptist Church to render the Prayer for the Day and asked everyone to stand. Everyone remained standing for the Pledge of Allegiance to the Flag.

**ANNOUNCEMENTS**

Chairman Bishop announced that there will be a joint meeting on Wednesday, August 23, 2006 of the Board of Commissioners and the Macon Water Authority in the Commissioners Boardroom for the purpose of discussing Special Tax Districts.

Chairman Bishop announced that today the Board of Commissioners received a Court Order from Judge Tommy Day Wilcox which allows for the collection of taxes based on the 2005 Tax Digest.

**APPROVAL OF MINUTES**

***On motion of Commissioner Richardson, seconded by Commissioner Hart and carried, the Minutes of the Regular meeting of August 1, 2006 were approved as written.***

**RECOGNITION OF VISITORS**

Chairman Bishop recognized and welcomed the following visitors: Mr. William A. Fickling, III; Ms. Hazel Giddens; Ms. Johnnie Mae Dawkins; Ms. Nettie Thomas and

Mr. Wright Tilley, Executive Director, Keep Macon-Bibb Beautiful/Cherry Blossom Festival.

Mr. Tilley addressed the Board by stating that he was present to introduce Mrs. Shirley Buafo, the 2007 Chair of the Cherry Blossom Festival Board. He stated that Mrs. Buafo took over effective July 1 from Mr. Steve Jukes. He announced that the 2007 Festival Chair is Mr. Lowell Register with Register Communications. He stated that Mrs. Buafo wanted to let the Board know that the CBF Board adamantly is addressing diversity in their programming, staffing and in their Board positions, and that the Board has issued a statement in response to The Telegraph's article which has been emailed and hand-delivered to The Telegraph. A copy of same was provided to the Clerk of the Board. He added that Mrs. Buafo definitely wanted to address this issue because she has been fielding quite a few telephone calls recently as have some of the other Board members.

Mrs. Buafo addressed the Board by stating that she was looking forward to chairing the 25<sup>th</sup> Cherry Blossom Festival and hopes the Board of Commissioners will work with KMBB/CBF as it has in the past.

Chairman Bishop added that Mrs. Buafo is married to local physician, Dr. Buafo and that her daughter, Althea Buafo is a well-known attorney in Macon.

Chairman Bishop also recognized Ms. Yvette Cabey and Ms. Colleen Giffin.

### **REFERRALS:**

The following items were referred to the **Engineering/Public Works Committee:**

1. Petition from Ms. Lucy Gibson, President, Gibson-Carey Development, Inc., for the registration of Bay Arbor Drive as a public road of Bibb County.
2. Correspondence from the Georgia Department of Transportation requesting authorization to access Bibb County's Soil Pit for the purpose of loading and hauling stock piled material on site.

### **RECORD AND INFORMATION:**

1. Monthly departmental reports and agency activities received for record: None.

### **ACTION:**

1. A Resolution of Bibb County to transmit the Community Agenda portion of the Year 2030 Comprehensive Plan Update to the Middle Georgia Regional Development Center and Georgia Department of Community Affairs for official review; and for other purposes.

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

2. Correspondence from Mr. Larry Collins, Chairman, Middle Georgia Clean Air Coalition and Mr. Ned Sanders, Chairman, Houston County Board of Commissioners, encouraging each city and county to pass a resolution supporting the use of alternative fuels.

***Chairman Bishop recommended that this matter be referred to the Ordinances & Resolutions Committee for consideration at the next meeting.***

3. Ratification of the following resolutions of the Board of Commissioners:
  - Designating August 4 through 6, 2006 as the "Dunn Family Reunion Days" in Bibb County; and
  - Declaring August 11 through 13, 2006 as the "Northeast High School Class of 1981 Days" in Bibb County.

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

## **COMMITTEE REPORTS:**

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

1. The Finance Committee recommends approval of a supplemental appropriation to the FY2007 Capital Projects Fund in the amount of \$7,297.00 for ductwork for Courtroom B.

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

2. The Finance Committee recommends awarding the bid for Roof Repair and Replacement for the Engineering Building to Pittman Waller Roofing Company in the amount of \$145,985.00 and \$3.50 per board foot for possible decking repairs.

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

3. The Finance Committee recommends awarding the bid for Paper Goods to Associate Paper at unit prices bid for the term of September 1, 2006 through February 28, 2007.

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

4. The Finance Committee recommends awarding the bid for Can Liners to Associated Paper at unit prices bid for the term of September 1, 2006 through February 28, 2007.

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

5. The Finance Committee recommends approval of authorization for chairman Bishop to sign the resolution requesting that the Bibb County Urban Development Authority issue its Revenue Bonds in a principal amount not to exceed \$5 million for the purpose of financing the construction of a branch public library, improvements to the County courthouse and for other purposes.

**DISCUSSION:**

Commissioner Bivins asked for an alphabetical, roll-call vote on the matter. Chairman Bishop said yes, but clarified that the vote would come after the discussion.

Chairman Bishop commented that the Board knew his feelings on this matter and that he has no problem at all with issuing bonds for completion of the library; however, he disagrees with any loans other than that and that he wanted make it part of the record. He stated, however, that he recognizes that the majority rules on issues like this and he'll leave it at that.

Commissioner Bivins stated that he has some problems with this too because today he asked why the library wasn't funded with the jail like they said. He stated that he did not get a satisfactory answer. He continued that there have been a number of things such as, he was told the library could not go on land that he had identified and then he read in the newspaper one day that it's going on land that he had identified. He stated also that the Board refused to include recreation for south Bibb County in the SPLOST; refused to include a drivers' license center; refused to include a senior citizens center and refused to find ways not to cut budgets like agencies that help children, seniors and the poor.

***Chairman Bishop then called for the roll-call vote in alphabetical order:***

***Commissioner Allen voted – Yes***

***Chairman Bishop voted – No***

***Commissioner Bivins voted – No***

***Commissioner Hart voted – Yes***

***Commissioner Richardson voted – Yes***

***Chairman Bishop stated that the matter passes by a three-to-two (3-2) vote.***

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

6. The Finance Committee recommends approval of authorization Chairman Bishop to sign a letter of commitment from the Board of Commissioners regarding financial commitment to the refurbishment of the tennis courts.

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

7. The Finance Committee recommends approval of a Change Order on the DFACS expansion and renovation project not to exceed \$41,407.00.

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

8. Finance Committee recommends amending the contract with Prison Health Services covering Inmate Medical Services to read "The parties agree that an annual base price is calculated based upon an average daily inmate population of up to 697. If the daily inmate population exceeds 697 inmates, then the compensation payable to PHS by the County shall be increased by a per diem rate of \$1.57 for each inmate over 697 inmates or higher."

Finance Committee further recommends extending the contract with prison Health Services for the term of January 1, 2007 through December 31, 2007.

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

**RISK MANAGEMENT COMMITTEE** – Committee Chairman Hart reported the following:

1. The Risk Management Committee recommends adoption of the revised Safety and Health policy which could result in a potential savings of 7.5% on the workers' compensation insurance premium.

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

2. The Risk Management Committee recommends adoption of the Return to Work Policy and Program which could result in a potential savings of 7.5% on the workers' compensation insurance premium.

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

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

1. The Committee recommends that the request of Mr. and Mrs. Stan Eversole for a variance to the setback requirement from the 369 contour line on Lake Tobesofkee for their property at 197 Water Way Court be approved.

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

2. The Committee recommends that the road off Bass Pro Parkway leading to the Bass Pro Distribution Center be named "Tracker Boats Road".

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

3. The Committee recommends approval of the ordinance establishing and constituting Quail Ridge Subdivision, Phase 1C, as Street Light District 5092.

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

4. The Committee recommends approval of the ordinance establishing and constituting Hidden Creek Subdivision, Phase III, as Street Light District 5090.

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

5. The Committee recommends approval of the resolution transmitting the Joint Solid Waste Management Plan Update to the Middle Georgia Regional Development Center.

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

6. The Committee recommends that the attached list of 46 County roads consisting of 30.68 miles be submitted to the Georgia Department of Transportation as Bibb County's request for resurfacing under the FY2008 LARP.

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

7. The Committee reports that bids were received on July 27, 2006 for 1.7 miles of improvements to Houston Avenue and that the sole bid received was 18% higher than the engineer's estimate. The Committee recommends that the bid be rejected and that the revised concept for road improvements on Houston Avenue as outlined in the memorandum from Moreland Altobelli dated August 10, 2006 be approved, subject to a public information meeting being held regarding the change in scope.

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

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

1. License and Tax Committee recommends the request by Bob Lewis, Chairman, Macon-Bibb County Urban Development Authority, to waive interest and penalties as well as personal property taxes owed for Urban Development Authority property located at 325 Fifth Street be respectfully denied.

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

2. License and Tax Committee recommends that Mr. Leonard Lizek, Former Owner, Hill-N-Dale Mobile Home Park, be refunded for one year of fees for overpayment due to an error made by BFI/Southland Waste with respect to garbage fees.

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

**HEALTH DEPARTMENT** – Commissioner Bivins announced that there will be a meeting on Thursday, August 17, 2006 on the subject of the pandemic flu.

**MACON WATER AUTHORITY** – Commissioner Bivins reminded the Board regarding the joint meeting with the MWA on Wednesday, August 23, 2006 regarding the Special Tax Districts.

At this time, Chairman Bishop recognized and welcomed Mayor C. Jack Ellis, City of Macon. Mayor Ellis stated that he came to address the Board regarding the Houston Avenue project. He stated that he was a big supporter of the Road Improvement Program back in 1994. He stated that those who supported the RIP did so with the understanding that the Resolution would do what it said it would do. He stated that in that Resolution Houston Avenue was given the same weight as Northside Drive or the rest of it. He stated that there were things that were not in there that he had voted on as a member of the Executive Committee by virtue of being the Mayor that he thought was the right thing to do (i.e. improvements in front of the Grand Opera House were not in the original vote because people did not vote for it) He stated that they voted to divert money to beautify the crosswalks in front of the County building. He stated that he thought it was the right thing to do. Mayor Ellis also stated the entrance to Macon State College was not in the original vote that the people voted for; the beautification that was made around Mercer University was not in the original vote nor was one they recently voted on to give Mercer money for the hotel which he thinks is a good thing.

Mayor Ellis stated that they are coming near the end of the project and he agrees that the entire bid can't be funded and that he met with the engineer on Friday morning and they had a good meeting. He stated that he had an open mind then and still does have an open mind, but one thing that he did not understand in that meeting was that they were not going to do sidewalks. He stated he thought they were going to do sidewalks and now he learns they are going to patch the sidewalks. He added that was a whole lot different, especially when the RIP Executive Committee voted as a body to take \$2.5 million in monies from the RIP and put it into sidewalks in the Intown Historic District which was not part of the original vote in 1994. Mayor Ellis further stated that they will be doing a disservice to the people on Houston Avenue and that part of town if they didn't, at a minimum, fund money for sidewalks. He continued that he understands the resurfacing and what they have to do there and he understands the storm water, that they can't do that because it would be astronomical.

Mayor Ellis thanked Chairman Bishop for his leadership in getting the SPLOST done and some money is in there for storm water. He stated that he hopes they can work in conjunction with the SPLOST money from the storm water as they are building and can put some of that money in there. He added that even though the Board has just voted on the matter and will hold a public hearing. He added that he would hope they could find the money, even if they have divert some of the money that they have voted for the

Intown Historic District because that was not part of the original one. He added that the people in South Macon did vote in 1994 for sidewalks. He asked the Commission to consider this in its final vote after the public hearing.

Chairman Bishop asked Ken Sheets, County Engineer, if they did not say they were going to repair the sidewalks and make the cuts in the curbs for the handicap. Mr. Sheets concurred.

Mayor Ellis then asked if his Engineering Department would have an opportunity to work the County in identifying the sidewalks that they think should be repaired.

Chairman Bishop stated that they are trying to do their best to make sure that they address the needs and concerns and do it quickly, within a period of six months rather than five years. He stated that, hopefully, they'll have a public hearing and move on with it and do whatever is the right thing to do.

Commissioner Bivins commented that the County should monitor the sidewalk situation if it is a concern of the Mayor.

Chairman Bishop added that it was his understanding that they would make repairs to the sidewalks.

Mayor Ellis responded when you repair sidewalks as opposed to replacing sidewalks, it could be a different thing.

Chairman Bishop added when they get the bids, they will see really how much leeway they have with that. And hopefully, they can get those out and have a public hearing and get it done. Chairman Bishop also noted for the benefit of the public that when the Commissioners vote, a lot of times they might not hear a vote, but if a Commissioner remains silent, he is voting in affirmative with the majority of the Commissioners.

**HUMAN RESOURCES AND INFORMATION SERVICES COMMITTEE** – No Report.

**PROPERTIES COMMITTEE** – No Report.

**TOBESOFKEE COMMITTEE** – No Report.

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

Chairman Bishop reported that he listened to the lecture by the surgeon general on the bird flu while at the NACo Conference. He added that it's not a matter of if, but when the bird flu will happen and that preparation is very important and he's glad Commissioner Bivins is the County's representative on the Macon-Bibb County Health Department and that he is sort of steering that effort as far as getting up a committee of citizens.

Commissioner Bivins added that the upcoming meeting on August 17<sup>th</sup> is pretty much a regional meeting but it will have breakdowns by having the Macon people working together and then there will be more meetings dealing with just the Bibb County area as a follow-up.



Chairman Bishop also added that they the lecturer pointed out that they need to be supportive of whatever efforts that can be made by this committee to make sure they are prepared when the bird or avian flu arrives here.

Commissioner Bivins added that even if it never happens, it's the kind of thing that, it's likely, and being unprepared could be so much more devastating. He continued that you'll have illness and death under any circumstance, but it can be so much worse in a community that's unprepared. And that's what it's all about.

At the suggestion of the County Attorney, Chairman Bishop entertained a motion to discuss a new item not published on tonight's agenda.

***On motion of Commissioner Richardson, seconded by Commissioner Bivins and carried, the following item was allowed for discussion.***

County Attorney Virgil Adams stated that two or three months ago, the local Motorola representative came along with another gentleman and the Board agreed to hire that gentleman's firm, Engineering Associates, to negotiate with Nextel. He stated that what this involves is that the 800 MHz System had some interference problems and it had to be reconfigured. He stated that Nextel has agreed to absorb all of the cost in association with it. He stated that they have put together the first step of that process is a planning funding agreement, an agreement that just spells out what they're going to pay in the initial planning stage. He further stated that they sent an agreement without a whole lot of notice the other day and it is an agreement between the County, Nextel and the City. He stated that he understands now that they are reworking it to send one separate to the City and one to the County. He stated that the reason he wanted the Board to discuss is because it may be a time factor to turn that agreement around before the next meeting and so he wanted to see if the Board wanted to consider giving the Chairman the authority to sign the agreement, if necessary. He further explained that Nextel will pay all of the funding, any cost that the County has, Nextel will provide; it's no obligation on the County at all; they're going to pay for everything, but it has to be a written agreement approving the repayment plan. He added, too, that they may be under some timeline with the FCC. And so, in case that happens and it needs to be signed, subject to his review, and any of the other Commissioners review, when he gets it, he wanted to make sure the Chairman will authority to sign it because it may have to do it before the next meeting.

Chairman Bishop then entertained a motion to add this matter to the Agenda for Action.

***On motion of Commissioner Richardson, seconded by Commissioner Allen and carried, the before mentioned item was added to the Agenda.***

Commissioner Richardson then offered a motion that the Chairman be authorized to sign the agreement subject to the review by the County Attorney with regard to the Nextel issue.

**UNFINISHED BUSINESS** – None.

**NEW BUSINESS** – None.

There being no further business and on motion duly made and seconded, the meeting was adjourned at 6:40 p.m.

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Shelia Thurmond, Clerk of the Board