

## **MINUTES**

### **BIBB COUNTY BOARD OF COMMISSIONERS**

**September 2, 2008**

The regular meeting of the Bibb County Board of Commissioners was held in the Commission Boardroom on Tuesday, September 2, 2008 at 6:00 p.m.

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

Staff present: Steve Layson, Chief Administrative Officer; Virgil Adams, County Attorney; Deborah Martin, Finance Director, Doug Furney, Director of Lake Tobesofkee; Tony Rousey, Director of Information & Technology Services; Ken Sheets, County Engineer; Sam Kitchens, Director of Buildings & Properties; Janice Ross, Administrative Assistant and Shelia Thurmond, Clerk of the Board.

News Media: Jennifer Burk, The Telegraph.

#### **PRAYER FOR THE DAY**

Commissioner Lonzy Edwards rendered the prayer.

#### **PLEDGE OF ALLEGIANCE TO THE FLAG**

**ANNOUNCEMENTS** Chairman Bishop announced that the Board has a requirement that, once they narrow a field of candidates for consideration for an appointed position and prior to performing a background investigation or any offer of employment, it has to make an announcement of the name. He stated that the field has been narrowed down to Ms. Marilu Cowan, who is presently an instructor at Georgia College and State University and Wesleyan College. She is also the founder and principal at Lilac Enterprises and has an extensive background in Human Resources. He stated her name and application will be submitted to Human Resources for a background investigation. Upon completion of said investigation, she'll be submitted to the full Board for confirmation. Ms. Cowan is a candidate for the position of Human Resources Director.

#### **APPROVAL OF MINUTES**

***On motion of Commissioner Richardson, seconded by Commissioner Edwards and carried, the Minutes of the Regular meeting on August 19, 2008 were approved as written.***

## **RECOGNITION OF VISITORS**

Chairman Bishop recognized and welcomed the following visitors:

Hazel Giddens	Johnnie Mae Dawkins	Ayesha Thornton
Calder Clay	Craig Ross	Clifford Johnson
Mary Anne Richardson	Carol Lystlund	Dan Fischer
Lindsay Holliday	Alice Boyd	Susan Hanberry-Martin

**Mr. Calder Clay** addressed the Board:

"Commissioners, I'm afraid for my community, I'm afraid for my neighborhood. Even though I do not hold elected office, I've gone to bat for people who need a voice. And a group of my neighbors have come to me and asked for my help regarding Forest Hill Road. They're afraid; they're scared and I'm scared. I know you guys have heard "*Forest Hill Road*", and don't ever want to hear those dirty words again. And I will self-admittedly say that I sat in that chair and looked at that project for years, starting in 1995 as a city councilman and later as a county commissioner. I tried to move that project from the top of the list to the bottom of the list and many of you helped me do that because of the controversy, because it needed more study. Now, we're right here at it and a couple of things that it changed since I sat in that chair and I believe it's worth bringing up and mentioning. The first is that the traffic counts that were presented by the DOT years ago, in 1995 and through the years, even through 2002, are nowhere near the traffic counts that they projected. I never really understood the formula they used to project those counts; however, based on the old DOT traffic count data that we get, the traffic counts are flat. They're actually trending down; they've never peaked; they've never shot up that would justify the widening of the four-lane, especially between Vineville and Wimbish. That's concerning to me. It's also concerning to me that our City continues to decline in population. I wished that weren't so. We worked so hard to try to get it going up; however, with the City continuing to decline in population, I don't know if they projections that they once had are completely accurate. I know they're not accurate based on the current data. The third thing is when we first looked at the project, it was the Northwest Parkway. It went from Northside Drive all the way to what we thought was an upper parkway to get out to the Mall area. And it appears that the Mall is on the decline. I certainly hope not. I hope that that area continues to grow; however, it's my understanding that the Northwest Parkway part of it, from Vineville over to Robinson Road, has not begun and is not really actively being looked at. Therefore, does it make sense to widen Forest Hill from Vineville to Wimbish to a four-lane divided median and take the trauma of that right-of-way when they're not going to potentially do the other side? If it was a continuation which we all believed it was and maybe it will be, but the feedback I'm getting from DOT and other people that I've talked to is that the DOT is very troubled over their financing and that that project might or might not be done. If it's not done, then commissioners, I fear for what's going to happen down that Forest Hill corridor. It's too much. One particular neighbor and friend who lives across the street from me, her name is Jane Hogan. And I was with many of you on 9/11 and we watched those planes go into that tower and hit the Pentagon. Her son was killed near the Pentagon on that day. He's an American Hero. This is an American Hero's family. The colored area that they're taking here is over a half acre of her property. She has the most impact of anybody on the entire section. It's tough to talk to an 81 year old lady which I did yesterday for two hours and try to advise her on what to do. It's hard for her to come down here and articulate those views simply because of the emotion involved. So, gentlemen, I will say, in closing, that this Board has been strong in many issues leading this community. I seen this Board take a strong stance on annexation when you didn't believe it was right. I seen you take strong stances on many things and I know that this Forest Hill Road project is wrong. And I'd ask you to look at it, to talk with me, to talk to others,

to help give you a comfort level to stop this project. The snowball started rolling down hill a long time ago and it got bigger and bigger and bigger and we were caught up in it. We spent money and money and money. It's not too late to stop this project and save my neighborhood and your community. Thank you."

The next speaker was **Dr. Lindsay Holliday**:

"We are the Forest Hill Road neighborhood representatives: Lindsay Holliday, Susan Hanberry, Alice Boyd, Carol Lystlund and Dan Fischer. We met and spent of hundreds of hours. Now, the first day that I took off from work cost me about \$3,000, February 28<sup>th</sup>. And we have blood, sweat and tears. This is where we stand. First of all, I want to thank you, sincerely, because y'all offered mediation and I think at that time, we all had very high hopes for that and thank you because it was something new for everybody and I think we were real close but, unfortunately, mediation failed to reach a settlement, but mediation did result in the citizens hiring one of the nation's most respected engineers and traffic planners, Mr. Rick Chellman of New Hampshire. His work and reputation are international and he presented some significantly new ideas for refinement of the design and we're not going to ask you to stop it, we actually think we have something we can move forward on. Mr. Chellman indicated that working from the existing plans, the engineering data has already been done. It is not wasted. He said that within a couple of weeks, he could redraw that data into a different design for several tens of thousands of dollars and will save, perhaps, ten million dollars to the State and it would address the serious safety deficiencies and neighborhood concerns that we have. So, we're formally requesting tonight that you schedule a meeting with us so we can discuss these new ideas with you that Mr. Chellman developed as well as summarizing, again, the safety concerns of the project as it is now designed. At the conclusion of our presentation tonight, we'll give you a summary of our concerns as well as some relevant statistical data and a copy of Mr. Chellman's resume. Thank you."

The next speaker was **Mr. Dan Fischer**:

"I'd like to repeat and second Dr Holliday's appreciation for your efforts in starting the mediation. We feel that was good faith and we really do appreciate it. We don't feel the County was well represented by Moreland Altobelli and that they were totally committed to the original design. During the preliminary public section of mediation, they emphatically stated that they would consider only minor nonmaterial modifications to that plan. Despite this faulty start, the neighborhood representatives participated in good faith through the entire process. The judge also did an excellent job. To validate our own positions, approximately \$10,000 was collected in a very short time to hire Mr. Chellman, referred to by Lindsay. He accepted the commission with a clear understanding that he was not a hired hand, that his opinion would be independent and may very much differ from our position. We were confident enough in our concerns that we hired him with that stipulation. Serious negotiations were limited to the segment of Forest Hill Road from Wimbish to Northside excluding the critical Forest Hill – Wimbish intersection - this, despite our concerns, regarding the entire project and the impact on Wimbish itself. Our concerns regarding safety were dismissed out of hand. The statement was just continually made that the design is safe. Mr. Chellman took great issue with that. We strongly believe that citizens and public officials alike have an obligation to make the project as safe as possible. That's one of the reasons we're building it, is to improve public safety, not to deteriorate it. This is especially important now that a man of Mr. Chellman's stature is on public record pointing out some of the safety liabilities that we have with the project as designed. National statistics and experience with other road improvement projects demonstrate that the proposed design speed of 47.8 miles will actually induce traffic speeds of between 55 and 60. We've seen that from our own experience with other road improvement projects. And this is in an area where we have schools, churches, residential frontage, some with

very difficult access. Either steep hills coming down, steep hills going up, short setbacks. Design speed of that road is only appropriate on major arterials that have limited access not on a road that really functions more as a collector with a lot of local access. There are significant additional benefits from an appropriate design speed. At 35 mph design speed, you'll eliminate the need to relocate utilities. That saves a lot of money to the taxpayer and the consumer and does away with a lot of the impact of the project because you're not moving further back on people's properties. A lower speed would actually increase potential carrying capacity. And optimum carrying capacity according to national research is around 30 mph. It actually has a greater capacity than a 55-60 mph road. You must recognize, however, that the capacity limits are not on Forest Hill Road, they're on the major intersection. That is and will remain the limit to the capacity that Forest Hill can handle. Mr. Chellman devised an ingenious solution to the Wimbish, Northminster, Forest Hill Drive intersections, by combining them, that would greatly enhance both utility and safety at substantially reduced cost. Given the heavy traffic to Rosa Taylor on Northminster and the reduced distance reposed from Northminster to the High Point condominiums with the realignment of Northminster, it's a major breakthrough for the safety of the project. It should be seriously considered; it's also a lot cheaper than the major relocation of Northminster. The segment of Forest Hill Road from Wimbish to Vineville as designed has a width and cross section similar to that of the recently completed segment of Riverside Drive. The main difference is that it has a raised median instead of a flat median, but it would be four lanes with a raised median. The scale is just tremendous for going through an existing residential neighborhood. There are some of the opportunities that the neighborhood representatives ask the commissioners to explore with us in the very near future as there is an opportunity for a win-win solution that improves safety, minimizes unnecessary damage to the neighborhood and saves substantial public funds, both initially and in on-going maintenance. The serious safety issues regarding the proposed design will haunt the City, County and the public and cannot be ignored. Should the County wish to engage Mr. Chellman's services in refining the current design to address these issues, we, the neighborhood representatives, will formally waive any constraints resulting from his prior involvement with us so that he can act solely as the County's agent with no restraints attached. We believe that the community would benefit from his unique qualifications and skill. Thank you."

The next speaker was **Ms. Carol Lystlund**:

"We have maintained from the beginning that this design was based on incorrect assumptions. When the basic assumptions are flawed then the whole design is flawed. One of the things that our consultant did for us was to plot the traffic count data and to look at future traffic projections and he used the same data that the Roads Program has used. The rationale for the footprint of the road was driven by traffic projections, flawed as they were. Mr. Chellman took the data that the Roads Program used and used his computer to plot two different graphs. This had not been done by the local engineers, who relied on their hand drawn projections that had no statistical basis. He then took the same data and used standard statistical analysis to plot traffic projections. The two graphs look nothing alike and we'll show them to you in just a moment. Because the Roads Program's traffic projections were made a number of years ago, we also have the advantage today of having real data to test their assumptions. It's very easy to look at these graphs and see how far off their projections are from reality. The graph made using standard analysis should be treated as an impartial and correct representation of the data. I've got the graphs here but because I'm old and my eyesight is not what it should be, I can see it when I have my magnifying glass with me, which I don't, so I'm going to ask Susan if she would show those in a larger format for us or let you look at them so that you can exactly what we're talking about. And, Susan, if you have some additional comments, you might want to make them at this time."

The next speaker was **Mrs. Susan Hanberry Martin**:

"I think they're pretty clear. The one on top is the one that shows their projections plotted against reality and then the other ones show proper projections done using proper statistical analysis instead of just pulling it out of your hat. I've also included some information that Mr. Chellman sent to us that shows the realignment that Dan talked about and just some other information from him. I did forget to copy his resume, his CV for you, but I'll get that to you."

The next speaker was **Mrs. Alice Boyd**:

"I hadn't really planned to say anything but I do just want to ask this question to make sure that we understand. What is the purpose of widening Forest Hill Road? What is that purpose? We have gone on the assumption that the purpose of the redesign is to improve the traffic flow and the congestion, particularly at the intersections, and at the same time to provide the highest level of safety possible. Now, does that *gee haw* with what you believe the purpose to be because if that is not the purpose, then what we've been trying for is of no good? I mean, is safety of value to you? It is our very highest priority. And, of course, we want the traffic to flow in a way that is safe yet people are comfortable with it. Dan mentioned this, but we had a man to come out and his name was John Hammond. He was from Bridgewater and Associates, Inc. from Atlanta. He was an independent contractor for Georgia Power Company. And when he came to talk to me about the magnolia tree in my daughter's yard, which is a huge magnolia tree and it's going to have to be cut down in order for a telephone pole to be put there. Well, that goes over like a lead balloon, of course, to cut down that beautiful magnolia tree to move a telephone pole. He, himself, said that he had talked with the engineer and try to put it across the street and do other things, but came back that he could not do anything. And I said, well, we are still trying and praying for a 35 mph design. He said if you have a 35 mph design, we will not have to move any telephone poles on Forest Hill Road. That, in itself, should be an impetus to try to keep the footprint as narrow as possible, well, really to keep the speed limit down because, of course, then people aren't going to run off the road and run into the telephone poles. And, so that, again, is a safety feature. And I just wanted to say that to you, but if our purpose is incorrect in what we're trying to achieve by redesigning Forest Hill Road then tell us what it is. Thank you."

**Commissioner Edwards:** "What would the Chellman proposal do about the concerns raised by the Forest Hill Road residents and if it would address their problem?"

Mrs. Hanberry Martin:"It would because the footprint would be narrower, a good bit narrower which means that, not only would it not encroach there and especially because if the alignment for the Northminster problem, because her property is right above that there's a whole lot of extraneous construction that needs to happen there, so it would solve that problem too. It would actually solve a number of problems."

**Chairman Bishop:**

"Calder, the first consideration for widening Forest Hill Road was 1983. George Israel signed a Memorandum of Understanding with Georgia DOT and requested that Forest Hill Road be widened from Vineville to Wimbish Road. At the time, they requested that the City provide the money for acquisition of right-of-way and the City didn't have the money. So, it kind of stay on the side and then every mayor after that tried to get the road widened from Vineville, to include when you were on there, to Wimbish Road and every time, it was a City project. Almost 90% of what was

put on the, well maybe not 90, a good bit was put on the Roads Program. When it came along, it was decided that in order to have the funds available to do that that the City and County would agree to sign a contract with GDOT where they would provide the study money out of the one cent sales tax. It was placed on the Roads Program by Tommy Olmstead, who I think was the Mayor at the time, and along the same time, I think you were on City Council, it was voted on and approved to be widened and placed into the Roads Program. The preliminary reason for it at that time didn't have anything to do with the Mall or the North-South Connector in 1983. It was just for that portion there. And then when the idea came along to use the Northwest Connector, I don't know when that developed. But the truth of the matter is it has been forever. In fact the widening that's in the County portion most of it has been completed. They do have a contract, though, with GDOT that basically says that the City will maintain the part of the road that's in the City and the County will maintain the part of the road that's in the unincorporated area up until modifications are made and project is completed. And after the project is completed, it will maintain the road once it's taken off the State Route. It was placed on the State Route and design money was spent more than twofold. I don't know how far they've gotten along with the acquisition of property out there, what amount it is or anything like that. I know that it went to mediation and basically, that's all that's happened with it since then. You know, everybody here, including y'all are saying that some modifications need to be done to the road. You should know as well as anybody else that if it doesn't meet the criteria for use of Federal State funds, then it is no longer a project that can be paid for by State and Federal Funds. From day one, the instructions of this commission are, particularly, for them to downsize that project as much as possible where it would still meet the criteria for Federal State funds, which the monies come through the Federal down to the State level. I don't know what the criteria is for it. All the County has done in this project is managed the funds. There has been an executive committee, from day one, that's made up of the Mayor, President of Council, Vice Chairman of the County Commission, Chairman of the County Commission and also a DOT Board Member. And all of the projects that have been on the thing from day one have been approved by every Mayor that's sat in there. And everybody that's ever been involved in this project has voted to continue forward with the project that I know of. I don't know of anybody that's voted against it, or any of the County Commissioners that have voted to stop that project. If you go back and look at the record, every time the vote was taken, it was passed in the Commission. And I don't know if they took any while you were on the Board or not. I don't remember. You would know, I wouldn't know. I know you and I, at one time, talked about the project and I think we did manage to get some concessions made. I think from the original thing, it has been downsized. At one point it was supposed to go four-lane all the way out, from what I understand, and I don't know this because I hadn't been here that long and neither have I been involved on the executive committee except for the past four years and we probably hadn't had that many meetings. The truth of the matter is that the Chairman or any of these other commissioners is only one vote. I've time and time again said that it's a City project; the City asked that it be done; I don't know where the City would get any money to fix or maintain that road in the terrible condition it's in. I'm not an engineer but I know there's been countless engineers from the time this project started up until now involved in the process, DOT engineers and other hired engineers, but the truth of the matter is our part of the money has been used. The penny sales tax that we paid has been used. Everybody talks about the County saving the taxpayers money. The only thing we will do is we would lose the amount of money that's been used for buying the right-of-way because DOT told us early on that they're not in the property business. They don't need to buy any property. So, all of the money that's been spent for acquisition, there would be no reimbursement for those funds the way I understand it. And basically, all I'm doing is telling you what I know about the project and I'm sure I'm leaving out some of the things that's been involved in the process because there have been meeting after meeting and I've heard it since I've been here. The same thing has basically been restated, my engineer says your engineer is more neighborhood friendly and he does a safer concept. The only thing I know at this point is y'all are talking about hiring somebody else. I don't know how much we spent on Mediation; I don't know what the cost

was to the taxpayers for Mediation, but whatever it was came out of the Bibb County coffers and the Bibb County taxpayers' money, the entire County, for this Mediation. I don't know what we paid the judge, but at some point at time, you know, we have to be good stewards of the County money too, and I understand that people have been living there for years. Whose property was that you were showing, Calder?"

**Mr. Clay** replied, Jane Hogan, she lives on the corner of Overlook and Forest Hill Road.

**Chairman Bishop** continued: "I don't know which property has been bought and which hadn't, but there was a lady that had sold her right-of-way from what I understand and I think some of them are at the age that they don't even know that they sold it. Another thing is I don't know how wide the road is already because where the telephone poles are now is where the right-of-way stops. And I know there is planting with bushes and stuff like that, but technically, you know that the right-of-way goes to the telephone pole. I don't know where the money would come from. Again, I think the City should be a voice in this; the City created this project; the City asked that it be done; the City didn't have the money to do it; the County stepped up to the plate and helped the City come up with a way to get money to improve the road that they ask be improved and now everybody is coming to the County and saying why do y'all want to destroy our neighborhood. Nobody has any interest in destroying anybody's neighborhood. All we're doing is trying to do what we were elected to office to do and that's to carry out the taxpayers of Bibb County wishes. It was put on there by the City; it's always been a City project. We had a meeting here one night and I think y'all were all in here. We had it explained to City Council and some of said y'all just trying to get out of a bad spot. We're not in a bad spot. The truth of the matter is we, pretty much, are at the mercy of the taxpayers on both sides. We only stand to lose either way we go in this situation and what we're trying to do is what's right for y'all, what's right for the people of Bibb County, what's right for the taxpayers and there's been a lot of money wasted on all of the Road Program projects. We've been through litigation, mediation and it seems like we've tried every system we could. And I don't know what happened in Mediation and we can't get into that. I think it was agreed upon that the Mediation wouldn't be discussed by the parties involved. So, I don't want to ask y'all what went on in there because I don't want to violate the Order. All I'm saying is that I don't have a choice in this matter except to follow what the people at the City have requested since 1983. That's a long time. We've got a copy of that contract and I made it available to all of y'all at one meeting. And it was a Memorandum of Understanding between George Israel, who was Mayor of Macon at the time. At that time, I was Deputy Chief of Police, just became deputy chief that year. So, I certainly didn't have any plots and plans to destroy anybody's neighborhood. In fact, I worked a fatality out there the next year where the guy that lived on the left there got hit head on in the curve. And I know that doesn't solve anything but I was just trying to give y'all a little history on the part that I know and I don't know the answer to it and it doesn't do me any good to debate it."

**Commissioner Edwards:** "I'd like to ask at least one more question on this and that is, I guess I'm a little confused at to the positions that we've heard here tonight. I thought I heard Mr. Clay say that he was in favor of stopping the project altogether. I heard Dr. Holliday say that he thought the process of negotiation brought the parties close. And I guess I'm a little concerned as to what you're asking the Commission to do if anything. Are you asking the Commission to stop it or you asking the Commission to try to see if maybe something further might be facilitated? I think it's a legitimate concern just based on what I hear is divergence of opinion here."

**Mr. Clay:** "May I answer that? Mr. Commissioner, you heard right. My understanding, and I've been a little distant from it for a few years and I'm becoming more and more educated as we go on where we are and where we stand in the process today. My good friend, Mr. Bishop, I appreciate your kind

words and your review of history. While I disagree with many of things you said and you did have some facts wrong, out of respect for this body and you as a friend, we'll discuss offline."

**Chairman Bishop:** "I don't mind you talking about it."

**Mr. Clay:** "That's okay. I'd prefer to do it that way versus the public forum." Mr. Edwards, the concern that I've got is if the road proceeds as it does, especially from Vineville to Wimbish with that massive right-of-way, which as the Chairman said is being done to get State and Federal money to meet the guidelines to receive that money, it is drastically overdone based on existing traffic counts. It's so far overdrawn to get that funding that if it were the only option, I'd ask to kill the whole project because I believe that strongly that it will impact the neighborhood. Now, I will say this, not being familiar with what they presented today and the findings from the other consultant, I live right off Forest Hill Road, I travel it everyday. I'll be the first to say it needs improvements. I believe every Mayor has wanted improvements. Mayor Lee Robinson is not one of those mayors who is informed. As a matter of fact, he is working with me to become educated with just this issue. We would welcome improvements on that road as somebody who travels it everyday; however, it's so massive on what they're doing and I did not see the impact on me and my neighbors until they were approached by the appraiser who offered them money and would show them in a colored area how much right-of-way they were taking. The current plan as it's coming out on just one section is totally different than what I remember when I left this Board in 2002. There in lies my concern."

**Commissioner Edwards:** "It seems to me that the short answer to this is that, obviously, if the money does not come from source the Chairman has identified, I know the County doesn't have the money, at least, based on what I've seen since I've been here. So, the short answer seems to me that if we cannot come up with a design that will meet the legitimate concerns of the residents and the ones that you've expressed in such way that we can access the monies that have been identified. Do we even know that? Has anybody even addressed that? And, again, that's one of the disadvantages of mediation is that the confidentiality provision obviously limits your ability to know that, but it seems to me that that's the \$64,000 question of whatever the cost of this project is. If we could know that it would go a long way as far as resolving."

**Chairman Bishop:** "I would like to see what Chellman has proposed. I would just like to see it, not that I can change it, not that we can pay him to do, I think you said something about tens of thousands. Is that what you were saying? Does that mean a hundred thousand?"

**Dr. Holliday:** "He would redraw the whole road for tens of thousands to save millions."

**Chairman Bishop:** "Tens of thousands could be \$200,000."

**Dr. Holliday:** "No, he was talking about low 10s."

**Chairman Bishop:** "Anyway, we don't have that in the budget, so to speak."

**Mr. Clay:** "If the Forest Hill Road Neighborhood Association would raise that money to pay for him would that help the Commission give it consideration?"

**Chairman Bishop:** "Again, I don't know what our contract says and I don't think we can debate it here tonight."

**Commissioner Richardson:** "Mr. Chairman, Susan may take issue with me speaking out about anything on this but my suggestion is that we have Mr. Chellman make a presentation to the Board

of Commissioners and then, I think based on that presentation we can make a decision whether or not we would want him to take it a step further."

**Commissioner Allen:** "Are we going to pay his way to get here?"

**Commissioner Richardson:** "I think we could probably scrounge up enough money to buy him an airline ticket down here and spend a couple of hours for presenting his thoughts, his concept and that sort of thing, and I think based on that that the Commissioners can decide whether they can take it a step further. You know, the Chairman is correct that losing DOT money is not constructive. If we lose that money then we don't have anyway to fund new construction or improvements. So, I think we would have to, at some point, reach an agreement with DOT."

**Chairman Bishop:** "And not only that, with the City involved once the County says here, y'all make the decision. We've got the money appropriated for this particular project. It's already been appropriated by the State. In the future, all projects are going to be few and far between and be done through State grants. Can you get the \$20 million?"

**Mr. Clay:** "When we have that meeting, Mr. Chairman, with the Board, would it be appropriate to invite the City Council to attend?"

**Chairman Bishop:** "I think you would have to have the Mayor and the President Pro Tem there because I think they're on the executive committee. We could invite them."

**Commissioner Edwards:** "Mr. Chairman, before we get to that, I appreciate Commissioner Richardson's suggestion. Mr. Adams, would it be a violation of the agreement for us to be briefed by our representative in the Mediation, to get them to tell us what we can and can't do as far as the money is concerned? Because if we don't have any money that settles it. So, if we could get a meeting with our folk and let them tell us what the criteria are for that road, to get the money, it seems to me that will go a long ways toward getting us where we need to be."

**Chairman Bishop:** "And what the instructions were to them was to scale this down to where it will only pass muster for the funds. So, if they didn't do that, they didn't do what they were asked to do. We told them to scale it down to the point that it'll comply so we can get funds for it, and that were the instructions for a long time, even before the Mediation. It wasn't that day of the Mediation, it was before then, to come up with the least intrusive that will fit the bill so that the City doesn't have to come up with the \$20 million. I don't remember if it was \$20 million or more. It's probably more than that now. It's probably gone up to \$35 million or maybe even higher because the price has gone up. And the downside of the thing is you could end up with a road with unsafe conditions. I lot of people would love to get that kind of money in their community to fix up unsafe roads. A lot of people would love it because it can be moved anywhere in that congressional district."

**Mr. Clay:** "I'm sure they would, Mr. Chairman, but it still doesn't change the fact of what it's going to do in this area of Forest Hill Road which is totally unwarranted. And I know that you and this Board don't look at things with dollar signs in your eyes. You look at people's hearts and what it does to their neighborhoods and like I said in the beginning, I know the heart of this Board and we've got to find a way to make it work and I believe that working together we can, and I appreciate the consideration, Mr. Edwards and Mr. Chairman, that y'all continue to evaluate this. Thank you."

**Mrs. Hanberry Martin:** "I've got just one more idea. When you look at the traffic projections and look at how far off they were from reality, the real constraints are at the intersection and there is a different pot of money to get intersections improvements. So, even if, through conversation, we

decide that we don't need to widen the road, there is a way to take care of the problems at the intersections outside of that as well, but we welcome a conversation."

**Chairman Bishop:** "Again though, the Federal may not pay for widening."

**Mrs. Hanberry Martin:** "Right, so if that happens then the problems at the intersections could still be addressed with a different pot of money because I know, sitting on the MATS Policy Committee as the CAC Chair, that there is a different line item for intersection improvements than there is for road projects and that has a different kind of project constraint. So, it's just a thought. I'm just throwing that out, but we would love to talk with you and thank you. That's what we really came here to ask is that you sit down and talk with us."

**Ms. Lystlund:** "I'd like to just clarify something that I think may be a point of confusion and it began in your statements a few moments ago about Forest Hill Road and about the confidentiality statement. And I don't think that I'm going to break any confidentiality, but if I am I care enough about it that I'm ready to go to jail tonight and they will give me a better meal than I would have if I'm eating on my own. I'd get a better breakfast tomorrow; I'd get a good night sleep on the cot, on the floor or wherever. So, I'm saying I'm willing to go to jail but I don't really think I'm going to break confidentiality. But, I do want to stress one thing, yes, people have said that Forest Hill Road is in terrible condition and it is. It's because not one doggone thing has been done to it except put band-aids on something that needed major surgery since the SPLOST was passed. They said we're getting ready to widen it so why spend the money on it. There are potholes, there are cracks, there are driveways that are falling apart and there are sides of the road that are falling apart, but I want to get to is that in your statement, Mr. Chairman, you said that from 1983 each Mayor had said that they wanted to see something done about Forest Hill Road from Vineville Avenue to Wimbish Road. I want to make sure that you understand that when we went into Mediation we thought we were going to be discussing from Northside Drive to Vineville Avenue. That did not occur. We did not even discuss Vineville Avenue to Wimbish Road. We talked about the section from Wimbish Road to Northside Drive, and I think that when Mediation started on the 28<sup>th</sup> of February, I looked around and I thought, well, they're just going to cover this part first, we will eventually get to the other. Well the day passed, I looked at my watch and it was 5:30 and we hadn't even talked about that other part. So, I want to make sure that you know that the places where the two major problems are that most people complain about are Wimbish Road and Ridge Avenue and that part was really not discussed."

**Commissioner Allen:** "I thought that was what we talked about in the beginning, what y'all's Mediation was about, from Forest Hill Road all the way down."

**Ms. Lystlund:** "Did I sleep through Mediation folks or is that what happened?"

**Dr. Holliday and Mrs. Susan Hanberry Martin:** "They said it was off the table."

**Commissioner Allen:** "When, when y'all went in?"

**Dr. Holliday:** "The very first day. They said the only thing we're going to discuss is the northern section."

**Commissioner Allen:** "That ain't what I understood when we talked about all of this. Did you understand it that, Charlie?"

**Chairman Bishop:** "I didn't know what was involved in Mediation."

**Commissioner Allen:** "My understanding was Forest Hill Road down Wimbish Road then if you went on further the other way. I don't know where they came up with that other."

**Commissioner Edwards:** "I think that just underscores the need for us to get some clarification on the point that I raised earlier."

**Ms. Lystlund:** "Absolutely."

**Chairman Bishop:** "And let me say, I don't know what term Lee served, but he could have been opposed to it. So, all I'm saying is that I have never anybody voice any opposition to it and I do know that it started when George was there because we've got the letter here signed by him."

**Ms. Lystlund:** "The five of us would love the opportunity to sit around the table with you gentlemen and Mr. Adams to discuss this in more detail in some kind of format. We also appreciate very much, Mr. Richardson's idea about the possibility of talking to our Consultant, Mr. Chellman. I think that is a wonderful step on your part to reach out to try to come to some agreement with us. We would appreciate both of those things. Meet with us, please. Talk to him, please."

**Chairman Bishop:** "I think that you would have to have the Mayor and Vice Chairman because they have a Memorandum of Understanding. We ran into the same thing on Houston Avenue because they failed to maintain it and it got in worse and worse shape. But that road was different in the fact that the money to do the project out there was under and State and County contract. All of these projects had different parts associated with them. We were only responsible for the design on the part out there and we spent the money. And all of that other money is coming from the State including reimbursement for acquisition of right-of-way that the City didn't have in 1983."

**Commissioner Allen:** "I want to say thank you because I found out some truth tonight that I didn't even know and I'm sitting up here on the Board. I'll go to jail with you."

**Ms. Lystlund:** "I understand they have banana pudding several nights a week."

**Chairman Bishop:** "I'm going to let y'all go to jail without me because I put too many people there and I'd hate to be locked up with them. And we'll move on to the Board Agenda."

### **REFERRALS:**

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

1. Correspondence from F.M. Roberts, 2471 Dapleton Drive, requesting a traffic light at the intersection of Columbus Road, Interstate Drive and Harrison Road.
2. Petition from John D. Jeffers, Jr., Old South Property Development, for the registration of Dobson Road as a public road of Bibb County.
3. Correspondence from the Georgia Department of Corrections requesting that they be relieved of the paving assessment on Hunnicutt Road from FY 2000 claiming that their property is exempt under Georgia Law.

4. Request of Georgia Power Company for an easement across property known as 2444 Avondale Mill Road for the purpose of installing a distribution line for the Sardis Church Road Extension.
5. Agreement between Bibb County and Georgia Power Company for maintenance of high mast lighting at three locations: (1) Post Top lighting along Mercer University Drive; (2) Zebulon Road @ I-475; and (3) Thomaston Road @ I-475.
6. Request of the Department of Transportation to use approximately 150 yards of material from Bibb County's borrow pit off Houston Road for the purpose of repairing slopes and ditch lines on SR247.

The following item was referred to the **License and Tax Committee:**

1. Correspondence from Robert Spiegel, 3620 Parkway, LLC, requesting that the County waive back taxes totaling \$22,437.26 for property located at 3539 Stalling Drive, formally HiFi Buys.

**RECORD AND INFORMATION:** None.

**ACTION:**

1. Ratification of the following Resolutions of the Board of Commissioners:
  - presented to the Georgia State Firefighters Association and the Georgia Association of Fire Chiefs in recognition of their 11<sup>th</sup> Annual Joint Conference held in Bibb County August 6-9, 2008;
  - presented to Mr. Alveno Ross in recognition of his retirement after 25 years and 11 months of service to Bibb County in the Tax Assessor's Office; and
  - presented to Reverend Henry C. Ficklin in recognition of his 30<sup>th</sup> Anniversary as Pastor of Mt. Vernon Baptist Church.

**On motion of Commissioner Edwards, seconded by Commissioner Richardson and carried, the above mentioned resolutions were ratified.**

2. Resolution of Bibb County adopting the final copy of the Bibb County Five-Year Short-Term Work Program Update and Capital Improvements Element Update for fiscal years 2008-2013.

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

## **COMMITTEE REPORTS:**

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

1. The Committee recommends that the petitions to register Oak Sunset Drive, Laurel Springs Drive and Summer Grove Lane be approved and that said roads 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.**

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

1. The Committee recommends approving the New Alcoholic Beverage License for 2008 for H & K Food Mart, LLC, located at 8291 Eisenhower Parkway.

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

2. The Committee recommends approving the New Alcoholic Beverage License for 2008 for Tilak Shiv Dev, Inc. located at 6024 Moseley Dixon Road.

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

3. The Committee recommends approving the New Alcoholic Beverage License for 2008 for The Whistle Stop Café, Inc. located at 5797 Houston 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.

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

1. The Committee recommends approval of a supplemental appropriation to the FY 2009 Commissary Fund budget in the amount of \$2,100.00 to replace televisions at the jail.

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

2. The Committee recommends approval of authorization for Chairman Bishop to sign contracts to change certain County phone lines from AT&T to Access/Birch Communications.

**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 2009 General Fund budget in the amount of \$183,500.00 for debris removal monitoring.

**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 two contracts with the Georgia Department of Corrections for inmate work details for Public Works.

**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 contract between Bibb County and Planning & Zoning to extend the maintenance for computer equipment.

**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 contract between Bibb County and Optimus Solutions to install Program Temporary Fixes on the 15 I-5 series.

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

7. The Committee recommends awarding the bid for replacement Vehicles to Riverside Ford in the amount of \$60,144.96.

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

**RISK MANAGEMENT/PUBLIC SAFETY COMMITTEE** – No Report.

**ORDINANCE & RESOLUTION COMMITTEE** – No Report.

**PROPERTIES COMMITTEE** – No Report.

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

1. The Committee recommends the approval of the salary for the new appointed Chief Tax Appraiser to be \$96,033.60 (A09 Step 10).

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

*Mrs. Ayesha Thornton voiced her objection to this item.*

2. The Committee recommends rescinding the motion that was passed at the last meeting on August 19, 2008 in which the Board approved to move the position of Night Crew Supervisor in the Custodial Department to L14 Step 11 with a salary of \$27,497.60 and the authorization to hire one night crew custodian and to eliminate the current vacant position of Assistant Director of Custodial Services (L29).

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

3. The Committee recommends the approval of the People's Health Express Prescription Drug Discount Card Program.

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

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

1. The Committee recommends authorizing Architect George Balian to proceed with the plans to replace the bathhouse and the lower pavilion at Sandy Beach.

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

**COMMITTEE OF THE WHOLE** – No Report.

**UNFINISHED BUSINESS** – Commissioner Edwards stated that he would like to raise a question about the four-day work week. He stated that he received a rather disturbing email from the Clerk's Office about one office that is giving time off that other employees do not get the benefit of. He stated that it seems that we have some people who are already doing the equivalent of a four-day work week without the benefit of any formal authorization from this Board. He stated that the point is that something needs to be done to address this issue. He asked that this be put back on the Agenda for consideration.

Chairman Bishop added that the Board does need to address the matter because it's unfair to other employees. He also stated that if they add a holiday to every other holiday where you're having two days for one holiday, it's not really fair to the taxpayers and we have to keep the Courthouse open which means some departments have to stay here. He referred the matter back to Human Resources for discussion at the next meeting.

**For Information**, County Attorney Virgil Adams announced that he was distributing each member of the Board a copy of the Hotel-Motel Tax Resolution that the City of Macon passed.

**NEW BUSINESS** – None.

There being no further business and on motion duly made and seconded, the meeting was adjourned at 7:12 p.m.

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Shelia Thurmond, Clerk of the Board