

**MINUTES
WORK SESSION
WARE COUNTY
JANUARY 12, 2009**

The Ware County Board of Commissioners met in a Work Session at 1:00 p.m. on Monday, January 12, 2009 in the Ware County Commission Chambers with Chairman Jimmy Brown presiding.

CALL TO ORDER: Chairman Jimmy Brown.

COMMISSIONERS PRESENT: Chairman Jimmy Brown, Commissioners Carlos Nelson, Kathy E. Davis, Victor Aldridge and Gene Dixon.

STAFF PRESENT: County Manager Gail Boyd, County Clerk Pam Gibson and County Attorney Huey W. Spearman.

INVOCATION: Chairman Jimmy Brown gave the invocation.

TRI-COUNTY LANDFILL DISCUSSION:

- **Randy Carter** – Mr. Carter thanked the Commission for committing to make to the motion to cancel the landfill contract.
- **Carlton Corbitt** – Mr. Corbitt wanted to be present in case NAMCo representatives were at the Work Session. He congratulated the new Commissioners on their election.

DISABLED AMERICANS VETERANS – LEASE AGREEMENT:

- **Thomas Graham – DAV** – Manager Boyd said in 2004 Ware County entered into a License Agreement with the Disabled American Veterans organization for use of the old Fire Station in Industrial Park. Mr. Graham said he attested the original agreement and now wants his name removed. He said they are not abiding by the terms of the agreement and no longer wants to be involved.
- **Deen Cook – DAV Commander** – Mr. Cook said he did not vote for the lease. He stated that the State of Georgia and Ware County are legally required to provide them a place to meet. The Board directed Mr. Spearman to research the law concerning this request. The Board also director County Manager Boyd to talk with the City Manager and see if a new building could be located.

PUBLIC DEFENDER CLAY CULP – 2009 BUDGET AND INDIGENT DEFENSE AGREEMENT: County Manager Boyd said the Circuit Public Defender Office of the Waycross Judicial Circuit is administered through the Georgia Public Defender Standards Council (GPDSC). Each County in the Circuit is required to appropriate funds for salaries, administration, and operating expense of the Public Defender's office. She said the agreements

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with the GPDSC are made in six month intervals with this proposed agreement being for the period of January – June 2009. Mr. Culp was present to explain the budget of \$103,121.95 for that period of time. This is approximately \$11,803.00 less than this time period last year. He added that Ware County should soon be getting a refund for last year's budget savings.

ADMINISTRATIVE ITEMS:

Election of Vice-Chairman and Chairman Pro-Tem – The Board discussed Commissioner Aldridge serving as Vice-Chairman and Commissioner Davis serving as Chairman Pro-Tem. It was agreed to add this item to the agenda.

Appointments to standing committees:

- **Waycross-Ware County Development Authority (WWDA)** – Chairman Brown
- **Okefenokee Area Development Authority (OADA)** – Chairman Brown
- **Downtown Waycross Development Authority (DWDA)** – Louis Herrin
- **Waycross-Ware County Library Board** – Commissioner Dixon
- **Waycross-Ware County Tourism Board** – Commissioner Nelson
- **Satilla Regional Water and Sewer Authority** – Chairman Brown
- **Waycross-Ware Transportation Planning Coordinating Committee (TPCC)** – Chairman Brown, Commissioner Davis
- **Southeast Georgia Regional Development Commission** – Commissioner Davis

It was agreed that the above named Commissioners and Citizens would be appointed to the standing committees and to add this item to the agenda.

Code of Conduct – Commissioners – The Chairman and Commissioners agreed to the Code of Conduct to be added to the agenda for approval.

Annual Appointments:

- **County Manager** – Gail Boyd
- **County Clerk** – Pam Gibson
- **County Attorney** – Huey Spearman

It was agreed to add the above annual appointments to the agenda for approval.

APPOINTMENTS:

- **Ware County Board of Health** – Manager Boyd said an appointment is needed for Post 6 on the Ware County Board of Health. Mr. Rodney Music is interested in serving if appointed. It was agreed to add this item to the agenda.

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- **Southeast Georgia RDC Board of Directors for 2009 term** – Manager Boyd said there are two (2) appointments that are made by the Chairman and Mayor and then approved by both City and County Commissioners. In the past these appointments have rotated between the Mayor and Chairman. The 2008 At-Large Appointee was James Johnson and the Minority Appointee was County Commissioner Carlos Nelson. This year mayor Billups is making the nominations for the At-Large and the Minority Appointment. The City Commission approved the 2009 At-Large Appointee as James Johnson and the Minority Appointee as Carlos Nelson. It was agreed to add this item to the agenda.

2009 TAX ANTICIPATION NOTES RFP: Manager Boyd said each year Ware County borrows operating funds for the year. These funds are paid by December 31st of the same year. Financial Consultant, Harrison Tillman recommended borrowing \$4,725,000 for 2009. Proposals for rates were sought. Staff recommends approving the floating rate from SunTrust Bank in the amount of 2.29%. Funds will only be drawn down as needed. It was agreed to add this item to the agenda.

RESOLUTION TO RE-IMPLEMENT 911 FEES: Manager Boyd said State Law requires approval of a resolution is needed each year to re-implement 911 fees. This resolution sets the following fees:

- \$1.50 per month for each exchange access facility for any exchange from which 911 services is available.
- \$1.50 per month for each wireless subscriber of any exchange from which 911 services is available.
- \$1.50 per month for each Voice over Internet Protocol telecommunications connection subscriber who's billing address is within the jurisdiction of Ware County, Georgia.

It was agreed to add this item to the agenda.

AGREEMENT FOR APPLICATION OF CDBG – EIP FUNDS FOR RAIL SPUR: Manager Boyd said approximately three years ago Ware County agreed to be the conduit for the CDBG-EIP grant for construction of a rail siding to the MRCX facility on Industrial Boulevard. The grant was awarded in the amount of \$350,000 with the stipulation of new jobs creation. No County funds are involved in this grant program; however the County is responsible to see that the Special Conditions of the Grant are met. Curtis Jarrard, owner of the MRCX facility has now obtained his letter of credit and agreement with CSX for use of the rail spur. Bids have been obtained and DCA has given us approval to move forward with construction of the spur. The only item remaining at this time for the County is approval of the attached agreement. This agreement describes the purpose of the grant funds, conditions that must be maintained, and specifies a twenty (20) year time period that the rail spur will be used. It was agreed to add this item to the agenda.

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- **CDBG Emerson Park Paving** – Civil Construction Coordinator Paul Smith said this is a proposed contract from Ingram and Associates for engineering services for this project. RFP's were sought for engineering services several months ago as required by DCA. Ingram and Associates was chosen and they have now submitted their contract for approval. It was agreed to add this item to the agenda.

PLANNING ITEMS:

- **Ware County Pre-Owned Manufactured Home Ordinance - - County** – James Shubert representing the Planning Department said this is a request for approval of an amendment to the Pre-Owned Manufactured Home Ordinance originally adopted by Ware County Board of Commissioners on May 14, 2007. It was agreed to add this item to the agenda.
- **Application for Alcoholic Beverage License – Jack Amos** – Manager Boyd said John Amos, 6000 Fairway Circle, Blackshear, GA 31516 has applied for a retail pouring license of beer, wine and liquor for Riverjac LLC DBA: Rivers Lounge located at 3001 Plant Avenue, Waycross, GA. Wayne Kilmark, Director of the Codes Department has reviewed the application along with County Attorney Huey Spearman. Both agree Mr. Amos has met all the requirements to obtain a license if the Board desires to approve it. It was agreed to add this item to the agenda.

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE GEORGIA DEPARTMENT OF TRANSPORTATION AND THE UNITED STATES DEPARTMENT OF TRANSPORTATION, FOR A GRANT FOR PUBLIC TRANSPORTATION ASSISTANCE UNDER SECTION 5311 OF THE FEDERAL TRANSIT LAWS UNDER CHAPTER 53 OF TITLE 49 OF THE UNITED STATES CODE:

Manager Boyd said approval of the resolution is needed to file the grant application for the 5311 Transit Program. It was agreed to add this item to the agenda.

ADJOURNMENT: With no further discussion, the Work Session was adjourned at 2:20 p.m.

Approved: February 12, 2009

Pam Gibson, County Clerk

Jimmy Brown, Chairman