

**APPLING COUNTY BOARD OF COMMISSIONERS  
REGULAR MEETING  
TUESDAY, JUNE 5, 2007  
6:00 P.M.**

The Regular Meeting of the Appling County Board of Commissioners was called to order by Chairman Virgil Carter on Tuesday, June 5, 2007 at 6:00 p.m. Present were Commissioners Sarah Boatright, H. Mike Dyal, John Elbert Tillman, Ronnie Rentz, Theodore Wilkerson and Chairman Virgil Carter. Also present was Interim County Manager Mike Cleland, County Attorney Bob Highsmith and County Clerk Chrissy Harris. Present from the news media was a student of the TSA (Technology Student Association) videoing for ATC Cable Company, Jamie Gardner of the Baxley News Banner and Al Graham from WBYZ Radio Station.

Chairman Carter welcomed everyone to the meeting.

Commissioner Dyal led the pledge to the flag.

Mike Cleland gave the invocation.

Commissioner Dyal made a motion seconded by Commissioner Rentz to approve the minutes of the meetings held on May 15, 2007 and May 22, 2007. Commissioner Wilkerson requested that an addition be made to the minutes of May 15, 2007 in reference to the signature chip for checks that a check register of printed checks will be provided after the signature chip is installed. Motion carried unanimously.

**DISBURSEMENTS**

There were no disbursements for approval at this time.

**REQUEST FOR ROAD – DANIEL RENTZ**

Mr. Daniel Rentz addressed the board concerning a previous request for the maintenance of a portion (approximately 100 yards) of Rentz Lane. Mr. Rentz read the following letters and correspondence aloud to the commissioners.

*(see insert)*

County Attorney Bob Highsmith advised the Commissioners that the portion of the road in question is on private property, and it is illegal for the county to do work on private property.

After some discussion on this issue, Commissioner Dyal made a motion to maintain the portion of Rentz Lane as requested by the Rentz family as long as it is considered a public road. This motion died for lack of second.

**OLD BUSINESS****OPENING OF BIDS – TWO (2) 4WD MOWING TRACTORS**

County Attorney Bob Highsmith opened the bids for the two (2) four-wheel drive mowing tractors and the bids were as follows:

<i>Miles Tractor Co. Baxley, GA</i>	<i>McCormick CX105 Extra Shift</i>	<i>\$37,312.20 each</i>
<i>Yancey Brothers Brunswick, GA</i>	<i>Challenger MT455B-4C</i>	<i>\$40,590.40 each</i>
<i>Dixon Tractor Co. Baxley, GA</i>	<i>New Holland TN95DA (10% discount on parts for a year after delivery)</i>	<i>\$35,200.00 each</i>
<i>Appling Motors Baxley, GA</i>	<i>Kubota M9540 HDC12 w/o weights Kubota M9540 HDC12 w/ weights</i>	<i>\$33,121.00 each \$33,845.00 each</i>
<i>Mershon Tractor Co., Inc. Mershon, GA</i>	<i>John Deere 5603</i>	<i>\$32,200.00 each</i>
<i>Lasseter Implement Co. Hazlehurst, GA</i>	<i>John Deere 5603</i>	<i>\$32,625.00 each</i>

A motion was made by Commissioner Dyal and seconded by Commissioner Rentz to allow the County Manager and the Public Works Director to examine these bids and make a recommendation to the board at the next meeting. Motion carried unanimously.

**OPENING OF BIDS – SHERIFF CAR**

County Attorney Bob Highsmith opened the bids for the Sheriff Car and they were as follows:

<i>Bobby Jones Ford, Inc. Augusta, GA</i>	<i>2007 Patrol Car</i>	<i>\$20,820.45</i>
<i>Sapp Ford Company Baxley, GA</i>	<i>2007 Police Interceptor</i>	<i>\$19,900.00</i>
<i>Cothorn-Varnadore Chevrolet Baxley, GA</i>	<i>2008 Chevrolet Impala</i>	<i>\$17,571.00</i>
<i>Brannen Motor Company Unadilla, GA</i>	<i>2007 Crown Victoria 2007 Crown Victoria 2007 Crown Victoria</i>	<i>\$20,852.00 \$21,400.00 \$20,400.00</i>

A motion was made by Commissioner Dyal and seconded by Commissioner Tillman to allow the Sheriff and the County Manager to examine these bids and make a recommendation to the board at the next meeting. Motion carried unanimously.

**APPROVAL OF REPAIRS OF CONCERTED SERVICES VAN TO COME OUT OF CONTINGENCY**

A motion was made by Commissioner Wilkerson and seconded by Commissioner Boatright to approve the repairs in the amount of \$2,096.25 for the Concerted Services Van to come out of contingency. Motion carried unanimously.

**REQUEST FOR COUNTY FARM FIRE DEPARTMENT-USED FIRE TRUCK**

Fire Chief Jason Sellers reported that some of the rural fire trucks are in need of replacement. All State Used Trucks out of Valdosta has six trucks that are the type of fire trucks the firemen need to modify into what they need. The prices of these trucks range from \$22,000 - \$24,000.

Commissioner Boatright made a motion seconded by Commissioner Dyal to approve the purchase of the needed truck from All State Used Trucks to modify into a fire truck for the County Farm Fire Department. Motion carried unanimously.

**NEW BUSINESS**

**WORK DETAIL – CONTRACT RENEWAL**

The contract for the Georgia Department of Corrections Bacon County Work Detail is up for renewal. The price of the contract is \$37,500.00, the same as last year's contract.

A motion was made by Commissioner Tillman and seconded by Commissioner Boatright to renew the contract for the Georgia Department of Corrections Bacon County Work Detail in the amount of \$37,500.00. Motion carried unanimously.

**TAX COMMISSIONER – ERRORS AND OMISSIONS**

A written request was made by the Appling County Tax Commissioner, Mrs. Debra Carter, asking permission of the board the remove items from the digest. A list of boats and personal property that no longer exists was provided to the commissioners. The businesses have been closed and the boats have been sold. The list provided by the Tax Commissioner was as follows:

<b><i>Bill #</i></b>	<b><i>Year</i></b>	<b><i>Name</i></b>	<b><i>Reason</i></b>	<b><i>Relief Granted</i></b>
2139	2002	Computer Works Inc.	Out of Business Nothing to Collect On Off digest now	\$ 53.97

4884	2000-2004	<i>Jem Clean Carpet</i>	<i>Out of Business No equipment to Repo</i>	\$ 498.53
8845	2002	<i>Sapp, Franklin</i>	<i>Boat (sold, nontaxable) Deceased</i>	\$ 9.03
8807	2002	<i>Sanders, Harry J.</i>	<i>Boat (sold)</i>	\$ 5.54
9400	2002	<i>Smoak, Jesse</i>	<i>Boat (sold)</i>	\$ 46.17
2323	2002	<i>Craft Works</i>	<i>Equipment-Out of Business</i>	\$ 43.30
3386	2000-2002	<i>Family Tradition</i>	<i>Out of Business Nothing to levy on</i>	\$ 282.23
3377	2002-2003	<i>Essential Beauty Supply</i>	<i>Out of Business</i>	\$ 523.18
10551	2004-2005	<i>Woods, Benny R. Sr.</i>	<i>Boat sold</i>	\$ 12.35
4087	2001-2002	<i>Hair Fashion Center</i>	<i>Out of Business</i>	\$ 128.57
<b>TOTAL</b>				<b>\$1,797.77</b>

A motion was made by Commissioner Tillman and seconded by Commissioner Wilkerson to approve the removal of the items listed off of the digest as requested by the Tax Commissioner. Motion carried unanimously.

#### DFACS BOARD MEMBER APPOINTMENT

The term of Mrs. Vickie T. Dyal, who is a member of the Appling County Board of Department of Family Children Services, will expire on June 30, 2007. This position will become vacant on July 1, 2007 and the person appointed will serve a term extending through June 30, 2012.

A motion was made by Commissioner Dyal and seconded by Commissioner Boatright to reappoint Vickie T. Dyal to the Appling County Board of Department of Family and Children Services. Motion carried unanimously.

#### ROADS/BUILDING AND GROUNDS

##### ROADS-TOMMY DAVIS

Mr. Tommy Davis addressed the board concerning the need for the cleaning of the canals in the county. Mr. Davis requested to hire J.M. Forestry to clean out the canals for the county for an approximate cost of \$150.00 per hour to come out of the Road Department's budget under Equipment Rental. J.M. Forestry owns equipment made specially for the purpose of cleaning canals.

A motion was made by Commissioner Wilkerson and seconded by Commissioner Dyal to approve the request of Mr. Davis to hire J.M. Forestry to clean out the canals for the county. Motion carried unanimously.

Mr. Davis also requested that the county acquire a linc radio for the prison detail guard to allow him to communicate with the Road Department, Sheriff's Department and other entities of the county that the guard has to be in contact with on a regular basis.

A motion was made by Commissioner Dyal and seconded by Commissioner Rentz to acquire a linc radio for the prison detail guard. Motion carried unanimously.

Mr. Davis reported that the radios in the motor graders are old and in need of repair. The repair of the radios will be costly. Mr. Davis asked the board to consider purchasing linc radios for the motor graders.

#### BUILDING AND GROUNDS-TROY RUSHING

Mr. Rushing had nothing to report at this time.

#### COUNTY MANAGER'S REPORT

1. Reminder: Bike Ride Across Georgia (BRAG) will be in Appling County June 14, 2007, 800 plus riders plus support people. They will be staying overnight in Baxley. Many will sleep in the High School Gym, others will be staying in area motels. The Chamber and Tourism board are making arrangements to try and make their stay here as pleasant as possible. You may want to stop by the High School in the late afternoon.
2. A reception for our legislatures will be held this Thursday, June 7, 2007 at the Chamber from 5 pm until 8 pm.
3. Georgia DOT has informed us that local governments will no longer be asked to commit to fund or partially fund the cost of utility relocations on state projects. We will continue to be asked, at times, to share in the cost of local jurisdiction projects in various areas.
4. The Appling County Hospital Authority has advised of the following Appointments to a three-year term on their board:
  1. Peggy Miles
  2. Jackie Edwards
  3. William Terry Turner
5. Ordinance: Road Closures (Draft) – The Commissioners was given a handout of a Road Closure Ordinance Draft for review:

*(the following has been inserted)*

**ORDINANCE**  
**APPLING COUNTY GEORGIA**

*An Ordinance establishing policies and procedures concerning road closures in Appling County, also to establish penalties for violations and for other purposes.*

*To provide for the purpose of safety and welfare of the citizens of Appling County and others. Be it ordained by the Appling County Board of Commissioners, as follows:*

**ARTICLE I**

**TEMPORARY ROAD CLOSURES**

*Upon adoption of this ordinance the following regulations will be enforced by Appling County.*

**SECTION 1: PERMIT**

*I. As a need arises for an individual to temporarily close a county road in Appling County, he will be required to first obtain a permit from the Commissioner's Office. Information required for permit shall include the following:*

- a. Name and addresses of the individual requesting the permit*
- b. Name of the road and location of proposed closure*
- c. Reason for the requested closure*
- d. Date and hours of the day that the road will be closed*
- e. Permittee shall maintain proper signs (county will initially furnish and place signs)*
- f. Advise county office of any change of purposed schedule.*
- g. Permittee shall advise county when work is completed (county forces will inspect roadway and remove signs)*

**SECTION 2: LIABILITY**

*I. The owner/permittee shall be wholly responsible for any damage to roadway or to other individuals or their property that may arise due to negligence, carelessness of owner/permittee.*

**SECTION 3: PENALTY**

*I. Any person violating any provision of this ordinance shall, upon conviction before the county Magistrate Judge, be fined in an amount not exceeding five hundred dollars (\$500.00) or imprisoned not exceeding one hundred eighty (180) days, either or both, in the discretion of the Magistrate Judge.*

**EXECUTIVE SESSION**

A motion was made by Commissioner Boatright and seconded by Commissioner Dyal to go into Executive Session to discuss a personnel issue. Motion carried unanimously.

After reconvening from Executive Session, a motion was made by Commissioner Boatright and seconded by Commissioner Dyal approve a contract to hire Michael Phillips as the new County Manager and the starting date for employment for Mr. Phillips will begin on July 1, 2007. Motion carried unanimously.

**CHAIRMAN'S COMMENTS**

Chairman Carter announced that the Commissioners will have a Budget Study Meeting on Tuesday, June 12, 2007 beginning at 5:00 pm.

Commissioner Tillman announced that there will be a cook-out for the rural fire departments on Thursday, June 14, 2007.

There being no further business, the meeting of the Appling County Board of Commissioners was adjourned.