

**MADISON COUNTY BOARD OF COMMISSIONERS
MINUTES
AGENDA SETTING MEETING
JUNE 26, 2017
6:30 PM**

MEMBERS PRESENT:

Commission Chairman John Scarborough
District 1 Commissioner Lee Allen
District 2 Commissioner Tripp Strickland
District 3 Commissioner Theresa Bettis
District 4 Commissioner John W. Pethel, Sr.
District 5 Commissioner Jim R. Escoe, Sr.

MEMBERS ABSENT:

None

MEDIA PRESENT:

Margie Richards, Madison County Journal

STAFF PRESENT:

Rhonda S. Wooten, County Clerk
Mike Pruet, County Attorney

Chairman Scarborough called the meeting to order at 6:30 p.m., led in the pledge to the American Flag and gave the invocation. Chairman Scarborough asked that we remember Magistrate Judge David Patton and his family as his mother recently passed away.

Item No. 1. Approval of minutes:

Minutes of the Regular Business Meeting of June 5, 2017 and Budget Work Sessions of June 6, 2017 and June 12, 2017 and Work Session of June 13, 2017. Minutes have been distributed.

On motion by Commissioner Allen and second by Commissioner Bettis the Board approved the minutes of the June 5, 2017 Regular Business Meeting. The vote was as follows: Commissioners Allen, Strickland, Bettis, Pethel and Escoe voted YES.

On motion by Commissioner Escoe and second by Commissioner Allen the Board approved the minutes of the June 6, 2017 Budget Work Session and the June 12, 2017 Work Session. The vote was as follows: Commissioners Allen, Strickland, Pethel and Escoe voted YES. Commissioner Bettis abstained.

On motion by Commissioner Allen and second by Commissioner Strickland the Board approved the minutes of the June 13, 2017 Work Session. The vote was as follows: Commissioners Allen, Strickland, Bettis and Escoe voted YES. Commissioner Pethel abstained.

Item No. 2. Business Involving Guests, Groups or Multiple Visitors.

Sheriff Moore presented a plaque to retiring Officer Rita Fulcher and expressed his appreciation for her 40 years in law enforcement. Officer Fulcher stated that she has enjoyed her work and interaction with the citizens and employees of Madison County.

Item No. 3. Chairman's Report

No report was given.

Item No. 4. Report from the Industrial Development and Building Authority. (Marvin White)

Chairman Scarborough announced the agenda item and recognized Marvin White, Executive Director of the Madison County Industrial Development and Building Authority. Mr. White gave a report of the activities of the ID&BA.

Item No. 5. Public Hearing on a rezone matter.

1. Captial Resource Management is requesting a rezone for a major subdivision on 18.46 acres located on Diamond Hill Colbert Road on Map 58 Parcel 57 in District 5. Copies of the conditions can be picked up in the Building and Zoning Office.

Chairman Scarborough asked if anyone would like to speak in favor of the request.

Attorney Victor Johnson spoke on behalf of Jay Pridgen and Capital Resource Management. Mr. Johnson presented an attachment to the rezone application with 13 conditions which were proposed through counsel on May 24, 2017. Mr. Johnson also provided a map showing the locations of this proposed subdivision and two other recently approved subdivisions. Both documents are made a part of the minutes.

Applicant Jay Pridgen spoke in favor of the request.

Chairman Scarborough asked if anyone would like to speak in opposition to the request.

John King, David Hanzinski, Frank Churchman, Sue Stone, Danny Stewart, Clark Gulley, Adam Stewart, Patricia Adams and Judy Parham spoke in opposition to the request.

Chairman Scarborough asked if anyone would like to speak in favor of the request.

Attorney Victor Johnson spoke in favor of the request.

Commissioner Escoe made a motion to deny the rezone request. Commissioner Pethel seconded the motion.

Commissioner Bettis made a substitute motion to approve the rezone request with the 13 conditions to remain the same with the exception of condition number 4 which is to be replaced with a minimum of two acre lots. Commissioner Allen seconded the motion. The vote was as follows: Commissioners Allen, Strickland and Bettis voted YES. Commissioners Pethel and Escoe voted NO.

Item No. 6. Statements and Remarks from Citizens on agenda items.

Chairman Scarborough asked if there were any statements or remarks on an agenda item. No one came forward.

OLD BUSINESS:

None

NEW BUSINESS:

Item No. 7. Consider contract with Penn Credit to recover fines on outstanding out-of-state citations. (Judge Cross)

Probate Judge Cody Cross addressed the Board regarding a contract with Penn Credit to recover fines on outstanding out-of-state traffic citations. On motion by Commissioner Bettis and second by Commissioner Allen the Board voted to approve the contract with Penn Credit. The vote was as follows: Commissioners Allen, Strickland, Bettis, Pethel and Escoe voted YES.

Item No. 8. Consider lease agreement with Department of Community Supervision. (Chairman Scarborough)

The Board discussed the revisions made by the State Properties Commission on behalf of the Department of Community Supervision to the lease agreement for 1,128 square feet of space at 97 Sunset Drive. The changes were regarding repairs, improvements and servicing of premises rather than "as is" condition, a 120 day right to cancel rather than 90 days and the ability to assign and sublet the premises by the tenant.

On motion by Commissioner Escoe and second by Commissioner Strickland the Board voted to not enter into the new lease agreement with the State Properties Commission on behalf of the Department of Community Supervision for the 1,128 square feet of space at 97 Sunset Drive in Danielsville and to allow 90 days to vacate. The vote was as follows: Commissioners Allen, Strickland, Bettis, Pethel and Escoe voted YES.

Item No. 9. Consider 2017/2018 agreement with Public Defender's Office. (Chairman Scarborough)

County Attorney Mike Pruett advised the Board of the Madison County portion of the 2017/2018 agreement.

On motion by Commissioner Strickland and second by Commissioner Bettis the Board voted to approve the \$110,749.33 Madison County portion of the 2017/2018 Public Defender's Office agreement. The vote was as follows: Commissioners Allen, Strickland, Bettis, Pethel and Escoe voted YES.

Item No. 10. Consider work detail agreement with Department of Corrections. (Chairman Scarborough)

The Board discussed the revisions made by the Department of Corrections to include that the county provide the vehicle for the work detail crew.

Chairman Scarborough advised the Board that Sheriff Moore has agreed to supply a work detail crew to perform the duties which have been performed by the Whitworth facility but will need an additional vehicle and an additional officer. Chairman Scarborough said that Sheriff Moore has an opportunity to receive six used GBI vehicles for an estimated maximum purchase price of \$24,123 and that one of the vehicles can be used for this

work detail crew. He said that Sheriff Moore said that he would wait until January, 2018 to request money for the additional officer.

On motion by Commissioner Escoe and second by Commissioner Allen the Board voted to not approve the new lease with the Department of Corrections for a work detail crew. The vote was as follows: Commissioner Allen, Strickland, Bettis, Pethel and Escoe voted YES.

Item No. 11. Roads Update

Chairman Scarborough stated that we have received the 2018 LMIG application. Commissioner Allen said that citizens have expressed appreciation for STOP signs that have been put up.

Item No. 12. Urgent Matters

There were no urgent matters.

Item No. 13. Statements and Remarks from Citizens.

Chairman Scarborough asked if there were any statements or remarks. Rich Justinn addressed the Board regarding the building permit for Smith Land & Cattle.

Item No. 14. Executive Session to discuss land acquisition, personnel matters and/or potential litigation (if needed).

County Attorney Mike Pruett advised the Board of a need for executive session regarding pending litigation. On motion by Commissioner Strickland and second by Commissioner Allen the Board voted to go into executive session at 8:09 p.m. to discuss pending litigation. The vote was as follows: Commissioners Allen, Strickland, Bettis, Pethel and Escoe voted YES.

The Board returned from executive session at 9:09 p.m.

On motion by Commissioner Pethel and second by Commissioner Strickland the Board voted to approve the minutes of the executive session. The vote was as follows: Commissioners Allen, Strickland, Bettis, Pethel and Escoe voted YES.

Item No. 15. Adjourn.

On motion by Commissioner Allen and second by Commissioner Pethel, the Board unanimously agreed to adjourn at 9:10 p.m.