

**MADISON COUNTY BOARD OF COMMISSIONERS
MINUTES
REGULAR BUSINESS MEETING
FEBRUARY 11, 2013
6:30 P.M.**

MEMBERS PRESENT:

Commission Chairman Anthony Dove
District 1 Commissioner Stanley Thomas
District 2 Commissioner Dewitt Bond
District 3 Commissioner Mike Youngblood
District 4 Commissioner John Pethel, Sr.
District 5 Commissioner Jim Escoe

MEMBERS ABSENT:

None

MEDIA PRESENT:

Zach Mitchem, Madison County Journal

STAFF PRESENT

Linda Cox, County Clerk
Mike Pruett, County Attorney

Chairman Dove called the meeting to order at 6:30 pm and led in the pledge to the American flag. Chairman Dove asked for a moment of silence for Dean Crowe, Zeb Dean's grandson, who passed away and for Madison Hoxit who was badly burned.

Item No. 1. Approval of Minutes:

Minutes of Regular Business Meeting of January 7, 2013; Work Session of January 25, 2013 and Agenda Setting Meeting of January 28, 2013.

Minutes have been distributed.

On motion by Commissioner Bond and second by Commissioner Pethel, the Board unanimously approved the above minutes.

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

None.

Item No. 3. Chairman's Report (Chairman Dove)

Chairman Dove updated the Board regarding the fire at the road department. The Board may need to have a Special Called Meeting if a decision is to be made. The county has insurance coverage for all damages.

Chairman Dove stated the county's next SPLOST will be in 2014 and would like to have community input. He would like the Board to seek input from their districts as to what the citizens want.

The Regional Commission estimates the population for Madison County will reach 30,000 in the year 2025.

Chairman Dove recognized Commissioner Escoe whom he had talked with regarding the position at the Transfer Station. Commissioner Escoe stated that the Board had received the figures they needed and wants to move forward.

On motion by Commissioner Escoe and second by Commissioner Bond to move the part-time employee to full-time status opened the matter for discussion.

Commissioner Pethel stated that he had the opportunity to go to the Transfer Station and observe the employee working without her knowledge. She was driving a fork lift, putting tires in a trailer and unloaded a computer off a truck and hand carried it in. It would be extremely hard to replace her and I do not think two (2) part-time employees could do what she is doing. She is really an asset. There was no further discussion from the Board.

On Commissioner Escoe's motion and second by Commissioner Bond, the Board unanimously approved full-time status for the employee.

Chairman Dove asked for the Board's and community's input regarding Mr. Williams who stays in the park.

Item No. 4. Hearings and Actions on Rezone Matters, Special Use Permits, Etc.: (Linda Fortson and Wayne Douglas)

1. Mildred Baker is requesting to rezone 3 ac. of her 31 ac. property to subdivide two existing homes with 1.5 ac. each. The property is located on Map 43 Parcel 108 on Hwy 29 in District 5.

Chairman Douglas explained the rezone and stated that P&Z voted six (6) to zero (0) to approve.

The applicant spoke in favor of the rezone. No one spoke in opposition.

On motion by Commissioner Escoe and second by Commissioner Pethel, the Board unanimously approved the rezone.

2. Michael Walker for Brenda, Melvin and Jacquelyn Clark. He is requesting a Use Variance for an adult specialized assisted living facility. The property is located on Map 47 Parcel 73-U on Lem Edwards Rd. in District 3.

Chairman Douglas stated that Mr. Walker chose to withdraw this request.

3. Chairman Wayne Douglas with amendments to the zoning ordinance.

Chairman Douglas explained the amendments and P&Z voted six (6) to zero (0) to approve.

On motion by Commissioner Pethel and second by Commissioner Bond, the Board Board unanimously approved the amendments.

Item No. 5. Statements and Remarks from Citizens on agenda items.

There were none.

Item No. 6. Consent Agenda.

None.

OLD BUSINESS:

Item No. 7. Consider Ordinance for Beer and Wine license. (Mike Pruett)

Mr. Pruett presented the updated ordinance to the Board.

On motion by Commissioner Escoe and second by Commissioner Bond, the Board unanimously approved the Beer and Wine ordinance.

NEW BUSINESS:

Item No. 8. Consider funding to refurbish the deteriorating record books in the Probate Office. (Judge Cross)

Judge Cross stated there are approximately 112 books dating back the 1850's that are in dire need to be refurbished. He presented one of the books to the Board for their review. Judge Cross had inquired with several companies for the refurbish and estimates that the cost would be approximately \$200.00 per book. He would like to refurbish a couple per year.

The Board asked Judge Cross to get some figures for the cost and bring back to the Board.

Item No. 9. Consider renewing the contracts for the public defender and prosecuting attorney for Probate Court. (Judge Cross)

Judge Cross presented the Probate Court's Disbursements by Fund Recap for January 1, 2012 thru December 31, 2012. The recap shows Prosecutor/Defense fees collected were \$21,045. This figure does not include the amounts assessed. Judge Cross requests the Board to renew the contracts with an increase to \$500.00 per month for the public defender and the prosecuting attorney.

Warren Caswell, Public Defender, spoke regarding the work load and feels they have earned the increase.

Judge Harry Rice, Magistrate Judge, stated that they will assist the Magistrate Court also.

On motion by Commissioner Bond and second by Commissioner Thomas, the Board unanimously approved to renew the contracts for the Public Defender and Prosecuting Attorney to include an increase from \$300.00 to \$500.00 per month.

Item No. 10. Consider Policy for Accounts Payable and Purchasing Documents for Payment. (Chairman Dove)

Chairman Dove stated that he had given all department heads a copy of the policy.

On motion by Commissioner Youngblood and second by Commissioner Pethel, the Board unanimously approved to accept the Policy.

Item No. 11. Consider Ordinance for amusement machines. (Commissioner Escoe)

Mike Pruett, county attorney, per Commissioner Escoe three (3) typo errors in the ordinance which will be corrected. Commissioner Youngblood asked if there would be a time frame for store owners to comply. Chairman Dove stated there is normally a sixty (60) day period for compliance.

On motion by Commissioner Escoe and second by Commissioner Bond, the Board unanimously adopted the ordinance.

The clerk was instructed to prepare a cover letter and mail to anyone with these machines which would include those with Beer and Wine license.

Item No. 12. Consider changes to Executive Session to conform with new State law. (Mike Pruett)

Mr. Pruett presented the new State law requirements regarding executive session and the Board discussed several issues at length.

On motion by Commissioner Bond and second by Commissioner Youngblood to take minutes and sign the minutes in executive session, opened the motion for further discussion.

After further discussion, Commissioner Bond amended his motion and stated to take minutes in executive session and approve those minutes in open session. This motion failed for lack of a second. The Board discussed at length on what to do.

On substitute motion by Commissioner Escoe and second by Commissioner Youngblood, for the county attorney to appoint someone to take minutes in executive session, the Board to review the minutes and then approve said minutes in open session, the Board unanimously approved the motion.

Chairman Dove stated that the other issue is the affidavit for executive session.

On motion by Commissioner Escoe and second by Commissioner Youngblood, the Board unanimously approved that each member attending executive session will sign the affidavit.

Item No. 13. Roads Update.

Chairman Dove took requests from the Board for maintenance on roads in their districts. The Board was given a report of the work performed by the Road Department from January 2, 2013 through February 8, 2013.

Chairman Dove stated there are several areas that need small paving and/or patching jobs that will require an asphalt crew. He suggests the Board request bids on a package of roads.

The Board discussed the cost involved including the funds in LMIG and cash reserves.

On motion by Commissioner Youngblood and second by Commissioner Escoe, the Board unanimously approved to request bids for all roads using LMIG funds and the remaining balance from cash reserves.

Item No. 14. Urgent Matters.

None.

Item No. 15. Statements and Remarks from Citizens.

There were none.

Item No. 16. Executive Session to discuss land acquisition, personnel matters and/or potential litigation (if needed).

No need for executive session.

Item No. 17. Adjourn.

On motion by Commissioner Pethel and second by Commissioner Youngblood, the Board unanimously agreed to adjourn at 8:20 pm.

