

**MADISON COUNTY BOARD OF COMMISSIONERS
MINUTES
REGULAR BUSINESS MEETING
OCTOBER 5, 2009
6:30 P.M.**

MEMBERS PRESENT:

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

MEMBERS ABSENT:

None

MEDIA PRESENT:

Zach Mitchem, Madison County Journal

STAFF PRESENT

Linda Cox, County Clerk
John Scott, Recording and Video
Mike Pruett, County Attorney

Chairman Dove called the meeting to order at 6:30 p.m. and led in the Pledge of Allegiance to the American flag. Alton Rowe gave the invocation.

Item No. 1. Approval of Minutes:

On motion by Commissioner Pethel and second by Commissioner Youngblood, the Board unanimously approved the minutes of August 31, 2009, September 8, 2009 and September 28, 2009 as distributed.

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

(a) Consider Proclamation for the Rotary Club.

Chairman Dove read the Proclamation honoring the Rotary Club for constructing its 400th handicapped ramp on October 17th 2009. Several members of the Rotary Club were

present for the presentation and the Madison County Journal took photos for the story to appear in the newspaper.

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

(a) Consider inter-local agreement between Madison County B.O.C. and Danielsville Volunteer Fire Department on lease agreement for a new pump truck.

Chairman Dove recognized Mark Perry, Chief of the Danielsville Volunteer Fire Department, who gave the specifics of the pump truck and the lease agreement. Chairman Dove asked for a motion on this request. On motion by Commissioner Scogin and second by Commissioner Pethel, the Board unanimously approved to enter into the inter-local agreement between the Danielsville Volunteer Fire Department and Madison County BOC.

Chairman Dove read a letter from Pam Smith, Madison County Nurse Manager at the Health Dept. who has accepted a position at the Health District in Athens, GA as the District Women's Health Nurse Practitioner over Women's Health Services.

Chairman Dove presented a letter he received today asking for an appointee to the Regional Water Council Advisory Body Member by October 16, 2009. On motion by Commissioner Scogin and second by Commissioner Thomas, the Board unanimously approved to appoint Chairman Dove to the Regional Water Council Advisory Board.

Chairman Dove stated that in reviewing the amended Personnel Policy Resolution regarding that employees work down their vacation hours, the discussion was it would be at the end of the Chairman's term in office. However, it was notated in the policy that the Chairman's term ended in 2011 but should have been 2012. This new Amended Personnel Policy is to correct that typo, changing from 2011 to 2012. On motion by Commissioner Thomas and second by Commissioner Youngblood, the Board unanimously approved to amend the personnel policy by changing the year from 2011 to 2012.

PUBLIC HEARINGS

4. Danny Vaughn for his daughter Toni Vaughn request to rezone 8.49 ac from A2 to RR to subdivide into 2 parcels. The property is located on Map 15 Parcel 102-01 on Planter Gunnell Rd. in District 1.

Chairman Wayne Douglas stated that the P&Z Board had voted 6 to 0 to approve. Mr. Vaughn was not present for this meeting and Chairman Douglas stated that failure to appear automatically withdraws the item.

5. Tim Ray is requesting to rezone 8.34 of a 13.35 ac parcel from A1 to RR, the remaining 5 ac will stay A1. The property is located on Map 1 Parcel 38 on D Williams Rd. in District 1.

Chairman Douglas stated that the P&Z voted 6 to 0 to approve. Mr. Ray spoke in favor stating that his request was for his children to build a home in the future. On motion by Commissioner Thomas and second by Commissioner Youngblood, the Board unanimously approved this rezone.

6. Chairman Wayne Douglas with amendment to section 7.12.7.1(a) in the Zoning Ord.

7. Chairman Wayne Douglas with amendment to Section 7.12.7.2 of the Zoning Ord.

8. Chairman Wayne Douglas with amendment to Section 7.12.7.3 of the Zoning Ord.

9. Chairman Wayne Douglas with amendment to Section 7.14.4.1(d) and (e) of the Zoning Ord.

(ITEMS 6, 7, 8 AND 9 WERE GROUPED TOGETHER FOR A VOTE BY CHAIRMAN DOUGLAS)

Chairman Douglas stated that the P&Z Board voted 6 to 0 to approve the above items.

On motion by Commissioner Youngblood and second by Commissioner Bond, the Board unanimously approved Items 6, 7, 8 and 9.

Item No. 10. Chairman Wayne Douglas with amendment to Section 5.6 in the Subdivision Regs.

Item No. 11. Chairman Wayne Douglas with amendment to Section 6.0 in the Subdivision Regs.

Item No. 12. Chairman Wayne Douglas with amendment to Section 6.1 through 6.9 in the Subdivision Regs.

Item No. 13. Chairman Wayne Douglas with amendment to Section 6.2(12)(e) in the Subdivision Regs.

Item No. 14. Chairman Wayne Douglas with amendment to Section 6.6 in the Subdivision Regs.

Item No. 15. Chairman Wayne Douglas with amendment to Section 11.0 through 11.3 in the Subdivision Regs.

(ITEMS 10, 11, 12, 13, 14 AND 15 WERE GROUPED TOGETHER FOR A

VOTE BY CHAIRMAN DOUGLAS)

Chairman Douglas stated that the P&Z voted 6 to 0 to approve the above items.

On motion by Commissioner Bond and second by Commissioner Youngblood, the Board unanimously approved the changes in the above items.

Item No. 16. Statements and Remarks from Citizens on agenda items.

Scott Williamson spoke against the County Noise Ordinance.

OLD BUSINESS:

Item No. 17. Consider taking bids on Moon Guess Bridge. (Chairman Dove)

Chairman Dove stated that the DOT has found the bridge unsafe and this is a school bus route. The DOT recommends a 96 inch pipe, however, the County Engineer has inspected the site and recommends a 106 inch pipe. Chairman Dove asked the BOC to consider taking written price quotes on the bridge which probably will be over \$10,000 in order to expedite the process in anticipation of bad weather.

On motion by Commissioner Pethel and second by Commissioner Youngblood, the Board unanimously approved to take written price quotes for Moon Guess Bridge and bring those quotes back to the BOC.

Item No. 18. Consider HIPPA Law Policy changes. (Mike Pruett)

County Attorney, Mike Pruett, explained the changes regarding the HIPPA law and the second part which is the Red Flag Ordinance. On motion by Commissioner Bond and second by Commissioner Youngblood the Board unanimously approved the HIPPA Law Policy changes.

On motion by Commissioner Bond and second by Commissioner Scogin, the Board unanimously approved the Red Flag Ordinance.

Item No. 19. Consider bid for Records Management Contract for Sheriff's Dept. (Sheriff Thomas)

On motion by Commissioner Scogin and second by Commissioner Bond, the Board unanimously approved to issue a letter of termination with Paragon and enter into a new contract with Synergistic Software, Inc.

Item No. 20. Consider budget amendment from 2008 administration for Sheriff's Department. (Sheriff Thomas)

This item was withdrawn by Sheriff Thomas.

Item No. 21. Consider moving Beth Harmon to a 75% employee. (Donna Sisk)

On motion by Commissioner Youngblood and second by Commissioner Bond, the Board unanimously approved moving Beth Harmon to a 75% employee and doing a budget amendment in the amount of \$14,977 from Code Enforcement into the Contingency Fund.

Item No. 22. Consider adopting Spratlin Pond Rd. (Commissioner Youngblood)

On motion by Commissioner Youngblood and second by Commissioner Bond, the Board unanimously approved to adopt the following roads in the subdivisions: Forest Court; Spratlin Pond Dr. and Overlook Dr.

Item No. 23. Consider amending County Noise Ordinance. (Commissioner Bond)

Several Commissioners stated they had received many phone calls from citizens opposing this ordinance for various reasons. The Board discussed the ordinance along with the county attorney. On motion by Commissioner Bond to accept the changes in the ordinance and second by Commissioner Scogin, the Board denied amending the County Noise Ordinance by a vote of four (4) NO votes to one (1) YES vote by Commissioner Bond.

Item No. 24. Consider appointment to Planning and Zoning Board for District 1 for next term. (Commissioner Thomas)

Commissioner Thomas stated that Wayne Douglas' term will expire at the end of this year and he recommends reappointment of Mr. Douglas for another four (4) year term. On motion by Commissioner Thomas and second by Commissioner Pethel, the Board unanimously approved Wayne Douglas for a four (4) year term to the Planning and Zoning Board for District 1.

Item No. 25. Consider Purchasing Policy Change. (Chairman Dove)

On motion by Commissioner Bond and second by Commissioner Scogin, the Board unanimously approved the Purchasing Policy Change.

Chairman Dove gave an update on road maintenance since the last meeting. The Board submitted requests for road maintenance in their districts.

NEW BUSINESS:

None.

Item No. 26. Urgent Matters.

Commissioner Scogin requested that he be allowed to consult with the county attorney on the Noise Ordinance and hopefully be able to come up with something that would benefit all citizens. There were no objections from the Board regarding his request.

Item No. 27. Statements and Remarks from Citizens.

None.

Item No. 28. Executive Session to discuss land acquisition, personnel matters and/or potential litigation (if needed).

There was no motion to go into Executive Session.

Item 17. Adjourn.

On motion by Commissioner Scogin and second by Commissioner Youngblood, the Board adjourned at 8:15 pm.