

## **Minutes**

### **Dodge County Board of Commissioners**

**February 18, 2013**

**Present:** Dan McCranie, Chairman  
William T. Howell, Jr., Vice-Chairman, Comm. Dist. 1  
Terry Niblett, Comm. Dist. 2  
Brian Watkins, Comm. Dist. 3  
Karen Cheek, Comm. Dist. 4

**Also Present:** John Harrington, County Attorney  
Bobby Peacock, County Manager  
Nancy Gail Rogers, County Clerk

The Dodge County Board of Commissioners met in a regular session at 6:00 p.m. on Monday, February 18, 2013, in Suite 101 of the Dodge County Courthouse Annex.

Chairman Dan McCranie called the meeting to order and announced the need to amend the agenda. He said a request from Cindy Eckles of the Dodge County News to add SPLOST/ Jail as Item D under New Business and to add Redistricting to Old Business Item D for updates from the County Attorney. Commissioner Terry Niblett made a motion to add both items. Commissioner Brian Watkins seconded the motion. All voted in favor and the additions to the agenda were made. Chairman McCranie then led the group in the Pledge of Allegiance to the American flag. Commissioner Karen Cheek gave the devotional followed by prayer by Commissioner Terry Niblett.

#### **Elected Officials and Department Heads:**

None noted as present.

#### **Approval of Minutes:**

##### A. Regular Meeting of February 4, 2013

Chairman McCranie called for any additions, corrections, or deletions to the minutes of the regular meeting held on February 4, 2013. Commissioner William Howell made a motion to approve the minutes as presented. Commissioner Terry Niblett seconded the motion. The vote was unanimous and minutes were approved.

## **Old Business:**

### **A. Recreation Department**

Chairman McCranie recognized Tom Cranford, Chairman of the Board of Directors of the Recreation Department, and asked him to elaborate on the request to pay \$3,870 for work on the gym from SPLOST funds. Mr. Cranford stated he felt ill prepared but to the best of his recollection last June the Recreation director made a request for security purposes. Treasurer Jones instructed him to get three bids if the amount was over \$500. He said if the bids were obtained they could not locate them. Commissioner Karen Cheek asked again if they did not get three bids. Tom Cranford replied he is not aware of any bids and that they cannot find three bids. He said John Jones repeatedly told them that bids were needed for expenditures over \$500 but they could not lay their hands on three bids for the project. He said the bill was from Graham & Studstill who installed the door and it was for capital improvements but if the SPLOST funds could not be used they would make other arrangements to pay the expense of \$3,870. County Manager Peacock said when the secretary brought the bill to him he was told that it started out less than a \$500 project but grew with the changes made with the door installation.

Commissioner Karen Cheek asked were change orders issued? Peacock said the work was done for security purposes. Tom Cranford stated the purpose was to have a door that would lock so the secretary would not be a sitting target during sign up and registrations when monies are collected. Commissioner Brian Watkins stated the problem was the bid policy on SPLOST dollars. Tom Cranford said they were asking for the payment to be made from SPLOST but if not they would make other arrangements to pay the bill. Commissioner Terry Niblett stated he was abstaining from discussion on recreation department matters. Commissioner Karen Cheek made a motion to not grant payment because if the board started making exceptions then other departments would expect the same. Commissioner Brian Watkins asked if the matter required a motion to take no action. County Attorney Harrington replied it was best to complete the motion and the motion would have to be made in order for official discussion. He said the request would remain until action was taken. Commissioner Brian Watkins seconded the motion for discussion. Chairman McCranie called for discussion on the matter. Commissioner Watkins stated the issue was only with the bid process and that the board had vowed not to violate the bid policy. He also said he did not believe anything inappropriate had occurred. Chairman McCranie called for a vote. Commissioners Cheek, Watkins, and Howell voted in favor of the motion to deny the payment. Commissioner Terry Niblett abstained from the vote.

### **B. Sound System**

Commissioner Terry Niblett stated he had been researching the sound system matter that had been discussed about five months ago and tabled by the board. He said he thought the board should revisit this matter and had determined that the board could not work with the old bids. He had made a list of specifications for the room and asked the board members to look over it for

any additions or changes. He made a motion to rebid the project. Commissioner Brian Watkins seconded the motion. The vote was unanimous to approve the motion.

#### C. Codifying Update

County Attorney Harrington stated he had talked with the Superior Court Judge, who is also chairman of the Law Library Committee, and the funds available would allow the board to go with either of the two bids received. He said the codifying would make it easier to research and the process is moving and no action is necessary. There will be no cost to the county and will be paid from the existing Law Library fund that consists of fees and fines paid to the Clerk of Court. Cindy Eckles of the Dodge County News asked if it would continue to update if there was a new policy or modification. County Attorney Harrington replied it would update for two years and minor changes could be made with an appendix. It would be available on paper and PDF for website publication but they cannot guarantee website compatibility.

#### D. Redistricting

Chairman McCranie asked County Attorney Harrington to report on redistricting. Attorney Harrington stated as a result of the census the districts were out of sync. He said he had questions that needed to be answered for the company that draws the maps for the legislature. He said he had sent the street addresses of the commissioners and they could request not to disenfranchise any sitting member of the board. He said there is a prison located in District 2 currently served by Terry Niblett. The prison population is counted in the census but being felons they are no longer allowed to vote. He said in his opinion it is inappropriate to dilute voting strength in any one district by those who are not paying taxes or voting. Commissioner Brian Watkins made a motion to remove non voters seconded by Commissioner Terry Niblett. The vote was unanimous. Attorney Harrington asked if it was the desire of the board not to disenfranchise any sitting member of the board and the response was yes. He said he will submit the maps with number of participants to the Voting Rights Commission. He said it must be approved by Atlanta and Washington and would need to be in place before the next election.

#### **New Business:**

##### A. Approval of Accounts Payable

Chairman McCranie asked if there were any questions from the printed list furnished to them. Commissioner Terry Niblett asked about the three entries for inmate medical totaling \$5,000. County Manager Peacock replied that a prisoner was being transported to Bleckley County and even though he was handcuffed he used a ball point pen to inflict injury to himself. The deputy who was transporting the prisoner had no choice but to take him to the Dodge County Hospital emergency room where he was treated and admitted to the hospital for surgery. Commissioner Karen Cheek asked if check number 11942 to Cherokee Culvert Company in the amount of \$7,459 was for maintenance or a new project. Peacock replied it was materials for the road

department. Commissioner Terry Niblett asked if the check on page two to Office Depot for \$3,970 was for more than one office and if the offices were pooling supplies. Peacock answered it was various supplies for multiple offices but each office ordered their individual supplies and bills were combined for payment. Commissioner Brian Watkins asked if a draw had been made on the line of credit and Peacock responded no. Commissioner Terry Niblett made a motion to approve the accounts payable list seconded by Commissioner William Howell. The vote was unanimous in favor of the motion.

#### B. Concerned Citizens Group

Mr. John Battle, representing the Concerned Citizens Group, requested the procedures and policies that govern the public grounds that allow groups or organizations to erect statues. He referenced the devotional given by Commissioner Karen Cheek of District Four at the first meeting in January 2013 stating they are to serve all people and God is our keeper. He asked the board to serve all groups and allow them to honor men and women who served in the civil war known as the Buffalo Soldiers with an object or memorial. Chairman McCranie thanked him for his presentation.

#### C. 5311 Transit Application

County Manager Peacock stated board approval was required by the federal government to apply for a transit grant. This process is done annually. Commissioner William Howell made a motion to grant approval for the application seconded by Commissioner Terry Niblett. All voted in favor and the vote was unanimous.

#### D. Cindy Eckles SPLOST/ Jail

Cindy Eckles stated she was representing the Dodge County News. She said she had requested through the Open Records Act an update and itemization on the 2003 & 2008 SPLOST expenditures and balances. Her first question was if the revenue for the two SPLOST's was in separate accounts? County Manager Peacock replied there were separate accounts for both. She then distributed copies to the board members with her calculations showing that the 2003 SPLOST had received \$9.5 million in revenue but that \$10.2 million had been spent. Peacock replied that the 2003 SPLOST generated more than \$9.5 million and if all municipalities agree you could continue to receive and generate income after the projected amount had been collected. Eckles then made a request to see documentation because she had called the State of Georgia and was told their records indicate the school board received \$9.9 million and the county should have received the same. She then asked if general fund monies were used to pay Chester from the 2003 SPLOST and Peacock replied that was correct.

She then asked if \$3.5 million of the \$5.5 million allocated to the jail from the 2008 SPLOST had been paid and if the contractor had been paid in full. County Manager Peacock replied yes. She then passed out copies of the report published in the Dodge County News on December 18,

2011 and noted that the law requires an annual printing of the project standing. She said there was a vast difference in the monthly statement and the amount last reported in the newspaper. She said she would like a monthly statement showing 2008 SPLOST revenue for 2012. She commented that she was told by the state that the school board pays an administrative fee to the county to process the checks. Peacock responded that the county did not receive any fees and the school board revenue did not come to the county. Chairman McCranie said there was a Department of Revenue website when you could find the revenue amounts for all Georgia counties. Eckles then asked if the SPLOST monies had been used to pay any General Fund bills. Peacock replied not since he had been employed as county manager. Eckles then asked the county attorney how she could find out if any were paid before January 2012 and he said through a properly formatted Open Records request. He said the records were also contained in the audit records of the county done by an independent auditor. Then there was discussion as to when the 2008 SPLOST revenue began and would end. Peacock stated that the 2008 SPLOST was voted on in 2007 but the county didn't start receiving revenue until October 2008 and was scheduled to receive revenue until September 2014. He said original projections were for \$14.4 million but the actual amount produced would be closer to \$13 million. Eckles then asked if the commissioners were going to ask for the 1% SPLOST revenue to continue. County Attorney Harrington asked if she was asking the commissioners independently because it has not been discussed. Commissioner William Howell said yes or a big mileage increase would be needed. Commissioner Brian Watkins said the board should be looking into it. Commissioner Terry Niblett said programs would have to be cut without the revenue generated by the SPLOST. Eckles asked that annual report be printed in the newspaper for 2012 to comply with the law. County Manager Peacock agreed. Commissioner Brian Watkins added that the jail contractor was paid in full but borrowed funds from the bonds were used as payment and the loan for those funds was being repaid with SPLOST revenue. County Attorney Harrington added that the SPLOST money could be supplemented with monies from the General Fund.

### **Commissioner Reports:**

Commissioner Terry Niblett said he had studied the expense with renting the portable toilet at the transfer station and felt like a septic tank could be installed to offset the \$85.00 monthly rental charge. He said he would make a presentation at the next meeting.

Chairman McCranie said Mr. Sanders of Farm Bureau had told him that Pulaski County has lowered its fire rates by combining fire departments. He said he would like to address the board and see if Dodge County could do the same. All members agreed to hear the proposal.

### **County Manager Report:**

Commissioner Terry Niblett asked the county manager if he had been able to get the amount requested by Charles Dennis on the inmate housing expense. He responded that since July 2011 a total of \$86,157 had been spent to board prisoners. Commissioner Niblett reiterated that no draw had been made on the line of credit and the county manager said that was correct.

### **Public Comments:**

William Steele asked questions about the PA system and the incident with the inmate medical expense.

Faye Jessup asked if the equipment to be purchase for the sound system would record the meetings. She said minutes of the board meeting where approval was given to the Recreation Department to paint the floor omitted that the well was deleted from the request. She also commented on the recent appointment by the commissioners to the recreation board.

Junior Bellflower asked if there had been any answer to the letter to the representative about non-partisan elections. The county attorney responded that he had talked with him and he said he prefers a petition and he is talking to legislative counsel.

### **Adjourn:**

Commissioner William Howell made a motion to adjourn. Commissioner Terry Niblett seconded the motion. The vote was unanimously in favor of adjournment.