

**MINUTES OF THE CRISP COUNTY BOARD OF COMMISSIONERS
MEETING HELD ON SEPTEMBER 8, 2015**

OPENING CEREMONIES

Chairman Clark Henderson called the meeting to order at 9:00 a.m., with Commissioners A. James Nance, Wallace Mathis, Sammie N. Farrow, Jr. and Larry Felton in attendance. Others presents were County Administrator Tom Patton, County Attorney Rick Lawson, Finance Director Sherrie Leverett, and Clerk Linda Finch. Commissioner Nance gave the invocation, and Administrator Patton led the audience in the pledge of allegiance to the Flag of the United States of America. Chairman Henderson welcomed all in attendance, and introduced the new Industrial Development Director, Grant Buckley.

APPROVAL OF MINUTES

Motion was made by Mr. Felton to approve the minutes of the regular meeting held on August 11, 2015, and the called meeting held on August 21, 2015, seconded by Mr. Nance, motion carried unanimously.

SHERIFF'S REPORT

Sheriff Hancock reported that the sheriff's office served 175 warrants, 198 civil papers, 141 subpoenas, and had 84 prisoner court transports in August. In the traffic division, they wrote 409 citations and 84 warnings including 29 citations in the City of Arabi, 10 in the City of Cordele, 22 for Superior Court, and 348 for the Probate Court; they worked 19 accidents. For inmate housing, they billed U.S. Marshals 2465 total days, Bureau of Prisons 1 day, Cordele PD 419 days, Warwick PD 23 days, and Monroe County SO 31 days. In the 911 report, Crisp County SO had 1325 service call and 540 traffic stops, Cordele PD had 1552 service calls and 58 traffic stops, EMS had 503 calls, Crisp County Fire Rescue had 50 calls, and Cordele Fire Department had 30 calls. In the detention center, they booked 221 inmates; they released 227, and had 84 transports. In the animal division, they picked up 42 animals, sent 38 animals to the Cordele Animal Shelter, and had 53 animal assistance calls. He presented a check to the county for \$108,915.50 for inmate housing last month.

PUBLIC HEARING – REQUEST FROM AGRI-AFC TO REZONE PROPERTY FROM HC TO I

Chairman Henderson stated that we have a public hearing for Agri-AFC to rezone a parcel of property (13.290 acres) from HC (Heavy Commercial) to I (Industrial) for the purpose of a Chemical and Allied Products Facility. Property located at 1608 West 24th Avenue. This is only the public hearing; the decision will not be made at this meeting. Mrs. Youngblood, Planning Director, reported that this is the public hearing for a rezoning, and when we have a rezoning request, it takes two meetings, we will have the public hearing this meeting, and you will make the decision at the next meeting. Chairman Henderson opened the public hearing. Mrs. Youngblood advised that Agri-AFC currently has a storage warehouse/retail sales on the property, and they want to build a blending facility plant; once they start blending chemicals it puts them into an industrial zone district. Chairman Henderson stated that they advised that due to the fact that they are taking one product and making it into another product they will need to change the zoning from HC to I; they will store farm supply fertilizer accompanied with blending capabilities and a rail spur to receive incoming raw materials, which will complement their

existing chemical warehouse distribution operation and allow for new growth opportunities. He ask if anyone wanted to speak in favor of the zoning request. Mark O'Donnell, Director of Business Development, Agri-AFC, reported that their newly proposed building facility will provide agricultural commodities, and the reason they are having to go to an industrial code is because of adding a blending plant; they are not chemical manufacturing. They are not making chemicals but they have fallen into that code, and there will be no agricultural products that will be on this facility premises which are subject to an EPA risk management plan. The products they are dealing with are common products that are used day in and day out in the agricultural world, and they will not be using Ammonium Nitrate. The proposed property layout includes a new building, a rail spur, and state of art equipment, which has been laid out to meet or exceed all EPA requirements. All of the agricultural products will be contained under roof with concrete floor. He stated that they are environmentally conscious, and the new building has been designed to help isolate all potential contaminants from soil and water. They are also safety conscious and are dedicated to being in compliance with all state and federal regulations. Chairman Henderson asked if anyone wanted to speak in opposition of the request. Carolyn Hemby stated that she lives in this area; she thinks the report is wonderful but she would like to get environmental protection services in to see if this facility would be safe for the residents in the area. Mr. O'Donnell read a letter from the Crisp County Fire/Rescue advising that the chemicals given on the MSDS sheets were common fertilizer mixtures and pose no significant health hazard by themselves; however CCFR would reserve any further comment on future chemicals and the storage of them. He said Agri-AFC does not plan on using any other products but products that are used day in and day out, and they are not manufacturing; they are blending common fertilizer products. Jimmy Mumphery, representing his mother and family who own property in this area, advised that his concern is from changing from HC to Industrial, which pretty much allows a whole lot different use, and at that point they could almost become a small Helena Chemical. Also, there is a concern of the smell and the property values plus Southwestern Elementary School is in that area; he would ask that the Board consider all these things in making this zoning change. Mike White, manager of Agri-AFC in Arabi, stated that as far as the land values, that would be hard to state one way or the other, but what they are doing and the products that they are using are completely safe, safety concerns will not be there. Mr. Mumphery advised that the City of Arabi does not have any regulations, and we don't want to surround our community with industrial zoning, which has happened to a certain degree. Mr. O'Donnell stated he gets their concerns but they didn't want to go industrial, 80% of what they do and are going to do is heavy commercial, and the blending they will be doing is common throughout the United States. Commissioner Felton wanted to know why the plant can't go out in the Industrial Park, plus he has had several calls concerning the plant and their safety concerns. Commissioner Mathis stated that this is unique because it has the rail line, and the blending is very common and not a chemical reaction process. Mr. O'Donnell stated that the building will be 100% covered; they spent a good bit of money to make sure the facility was not an eyesore, and the fertilizer will be contained in one square area. Mr. Mumphery stated that the same rail spur goes on the east side of the county, and his main concern is his mother and her health and odor, and changing the zoning opens up for so many other things. Ms. Hemby advised that she would feel safer if a state expert would say that this is not going to harm the residents of this community now or in the future. Roger, safety and compliance officer with Agri-AFC, stated that they will be more than glad to share with them the material safety data sheets, and the local extension office will be glad to talk to them about this as well. When you go to a local store to buy fertilizer for your garden, and if you couldn't get that bag you would have to buy each of the products in that bag and try to figure out how much to mix, and this is the same thing they are doing for the farmer. Commissioner Nance stated that he can see both sides, obviously we want to attract industry and create jobs for our economic base, and at the same time we have to balance the public concern and interest so there is concern here and we

want to make sure that the people that own property in the area are satisfied. He is not an expert in this, he believes what these guys are saying, but if we can try to address the concerns of the property owners at a higher level, it would make him more at ease to move forward with the project. Commissioner Mathis asked if they could go to the Arabi plant, and see how it is run, and Mr. White said that would be fine. Mr. O'Donnell stated that the blending equipment that they are putting in at this site is not the typical mixer; it is a continuous blend, run by a computer, and with the exact amount going into the truck. Mrs. Youngblood stated that in rezoning you have the liberty to put in conditions, and when you open up industrial, you do open a lot more of industry and manufacturing. The county could do affidavits twice a year and they could certify, and a representative can go to the facility and make sure they are doing what they say they are doing. Grant Buckley, IDC Director, advised that from what he has heard, it sounds consistent with the area, the jobs, the investment, and one thing he has not heard and probably should be pointed out is that there is no heat or cooking in this blending process; that may be important and the site is not huge in industrial terms and that limits the scope of the operation. Mrs. Youngblood advised that industrial zoning was her interpretation of the zoning when they told her what they were going to do, and she gave them the option of going to the Zoning Board of Appeals to challenge her interpretation, she spoke with a consultant, and like he said they are transforming a raw material to a new product and that is considered manufacturing. Herbert Gladdin stated that it sounds like all the gentlemen want to do is manufacturer the product, and it sounds like changing the code is not their objective, and what they want to do is just barely crossing the line on the industrial code; isn't there an opportunity to compromise this. We do need business in this county, and Mrs. Youngblood has already addressed a variance to the commercial code to allow them to do their business without going to the heavier code or go to the heavier code with limitations on it. Mrs. Youngblood stated that once they start blending, they go into a different category for manufacturing; we don't have the authority in the code to do a variance on light manufacturing. A citizen advised that she lives in that neighborhood, and she is still concerned about her health and property value, and that is a concern for all in that neighborhood. Commissioner Felton agreed with Mr. Nance that we need to get someone else to come in and make sure it is safe, we need to make sure our people are safe; we do need jobs. Mrs. Youngblood asked the Commissioners where do we need to go from here and are they supposed to provide additional information between now and the next meeting. Chairman Henderson advised that Agri was going to get some additional information, and if you could discuss with them the approval with certain restrictions and see if we can't move forward or at least address the concerns of the people here. Commissioner Mathis advised that if anyone has any concerns, get their phone number to Mike or he can give them his so he can take them to Arabi to look at a smaller version of what they do. Chairman Henderson asked for any more comments, there was none; he then closed the public hearing.

APPROVE 2016 CRISP COUNTY EMPLOYEE HOLIDAY SCHEDULE

Administrator Patton reported that we have to complete our Holiday Schedule for the next year before the end of the year so the court system can schedule their dates around our holidays. **Motion was made by Mr. Nance to approve the 2016 Crisp County Employee Holiday Schedule, seconded by Mr. Farrow, motion carried unanimously.**

APPROVE CONTRACT BETWEEN CRISP COUNTY AIRPORT AND ROBERT AND COMPANY

Administrator Patton reported that this is a renewal of contract with our Engineer of record for the Cordele-Crisp County Airport. RFQ's were solicited, and he recommends approval of the contract with

Robert and Company. Commissioner Nance asked Attorney Lawson if he had reviewed the contract and was satisfied with it, and Mr. Lawson replied yes. **Motion was made by Mr. Nance to approve the contract between Crisp County Airport and Robert and Company and authorize the chairman to sign the paperwork, seconded by Mr. Felton, motion carried unanimously.**

APPROVE RESOLUTION TO REAFFIRM E911 FEES FOR LANDLINE, WIRELESS, AND VoIP TELECOMMUNICATIONS

Mrs. Leverett reported that this is annual action requiring reaffirmation of the E911 fees by the Board of Commissioners, and there is no change. The monthly fees attached to the monthly phone bills to the residents of Crisp County remain at \$1.50 for landline, wireless, and Voice over Internet Protocol (VoIP) telecommunications. **Motion was made by Mr. Nance to approve the Resolution Reaffirming the Necessity of Enhanced 911 Charges of Landline, Wireless and Voice over Internet Protocol (VoIP) Telecommunication Connections within Crisp County, Georgia and authorizing the chairman to sign the resolution, seconded by Mr. Farrow, motion carried unanimously.**

APPROVE RESOLUTION TO REAFFIRM E911 FEES FOR PREPAID WIRELESS TELECOMMUNICATIONS

Mrs. Leverett reported that this is annual action requiring reaffirmation of the E911 fees by the Board of Commissioners and also no change in rates. The monthly fees attached to the prepaid wireless phones remain at .75 for prepaid wireless. **Motion was made by Mr. Nance to approve the Resolution Reaffirming the Necessity of Enhanced 911 Charges of Prepaid Wireless Telecommunication Connections within Crisp County, Georgia and authorizing the chairman to sign the resolution, seconded by Mr. Farrow, motion carried unanimously.**

TABLED RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A BANK ACCOUNT FOR THE CRISP COUNTY DRUG COURT

By common consent, Commissioners tabled the Resolution Authorizing the Establishment of a Bank Account for the Crisp County Drug Court.

FINANCIAL REPORT

Mrs. Leverett reported that the first page of the financial report includes the report of revenues and expenditures for the County's General and three major Special Revenue Funds; combined these funds are reporting YTD revenues received of \$1.4 million and YTD expenditures at \$2.7 million leaving an 8% net shortfall after the first 60 days of this fiscal year which is actually up \$148,980 over 8/31/14. With \$113,545 in YTD revenues and \$113,589 in YTD expenses, the Water Fund is basically breaking even after the first two months of the new fiscal year. It is running short of where it was at 8/31/14 by just over \$5,000. Water consumption billed for the month was 6.3 million gallons compared to 8/14's 7.6 million gallons. The USDA Bonds principal balance has dropped almost \$40,000 in the last 12 months, down to \$1,472,787. In the Landfill Fund, we have accrued YTD revenues of \$261,547 and YTD expenses of \$ 204,286 leaving this fund with a net income of \$57,260 which is up slightly over last year by \$4,159. The total tonnage received for the month of August of 3,690.22 is down about 230 tons from August of 2014. Approximately 47% of that was received from Advanced under their commercial contract, 16% under the city's residential contract and 9% under the county's curbside contract. The principal balance on the GEFA loans has dropped

\$442,627 since August of 2014 and is currently at \$3.9 million. In the Cash Report, the General Fund and special revenue funds combined ended the month with \$6.7 million, the proprietary funds with \$2.6 million, and the SPLOST funds at just over \$8 million bringing our County wide total to \$17.4 million which is up, just over \$2.0 million from 8/31/14. As of August 31, 2015, we have spent \$17.8 million on projects associated with the 2000 SPLOST Issue and \$20.7 million on projects approved under the 2005 SPLOST Issue. Distribution no. 43 of the 2011 SPLOST Issue in the amount of \$349,265 is down just over 4% from August of 2014. It brings issue to date collections to \$14.2 million but drops our monthly average down to over \$1,700 short of what is going to be needed to meet the revised budget. To date, we have expended \$13.9 million. We spent \$734,508 in Special Local Option Sales Tax dollars during the month, and projects benefiting were County Roads, County EMS, County Fire, County E911, County Public Works, County Recreation, the CCSO, the Darton College Project and the Cities of Cordele and Arabi. This month's distribution of the Local Option Sales Tax Distributions in the amount of \$167,634 is also down 4% from this same period last year. In the CDBG Revolving Loan Fund, we currently have seven loans with a total outstanding balance of \$1,578,006. The last report included is the revenue by fund and expenditures by department report which shows the expended percentage of appropriations for each individual department and the total for each fund. Expenditures should be below 17%. As of this report, overall, the General and Special Revenue Funds combined are at 17%, the Water Fund is at 18%, and the Landfill Fund at 15%.

ADMINISTRATOR'S REPORT

Administrator Patton reported that 1) he attended several events and meetings last month; 2) he reviewed RFQ's for engineering services for Crisp-Crisp County Airport; 3) they continue to discuss delinquent accounts with Advanced Disposal. The number hovers around 800 consistently, about 10% of all accounts; they are continuing to look at possible solutions to this problem; 4) they had roundtable meetings with the new IDA Director to bring him up to speed on prospects and issues; 5) he met with IDA and our grant writer to discuss grants and RLF's for a prospect and also discussed EIP for Synergy Group; 6) ACCG's 2015 Legislative Leadership Conference will be October 7-9 at Jekyll Island/Glynn County; 7) he attended meetings to further discuss reorganization of IDA/IDC; 8) he attended ACCG DB pension Board of Trustees meeting in Atlanta. Our investments are still exceeding our benchmarks and continue to outperform other state pension funds; 9) he met with the Sheriff to discuss upcoming communication needs; and 10) ACCG 8th District Fall Meeting will be held on October 26th in Stewart County at the Florence Marina State Park.

GO INTO EXECUTIVE SESSION

Motion was made by Mr. Nance to go into Executive Session to discuss personnel, seconded by Mr. Farrow with all Commissioners agreeing to go into Executive Session.

COME OUT OF EXECUTIVE SESSION

Motion was made by Mr. Nance to come out of Executive Session, seconded by Mr. Farrow with all Commissioners agreeing to come out of Executive Session.

DISCUSS HOTEL/MOTEL TAX

Administrator Patton reported that in 2011 they voted to increase the Hotel/Motel Tax but there was never a resolution to do that, so he thinks we need to ratify an amendment to the ordinance.

Attorney Lawson advised that he has looked at this and because the vote was taken we are okay, so the authority to take the 5% is fine. All he is working on now is getting the ordinance revised so we will replace the ordinance we have now with the new ordinance; there is no need to go back and re-authorize or ratify the amendment to the ordinance.

APPROVE CONTRACT WITH TRAYLOR BUSINESS SERVICE

Administrator Patton reported that the Tax Assessor's office brought up the renewal contract with Traylor Business Service for the upcoming year. They are the vendor for the personal property verification program, and the Board of Assessors request that the Board of Commissioners approve and sign the contract. It is for \$30,000, and it is in the budget. **Motion was made by Mr. Nance to approve the renewal contract with Traylor Business Service for \$30,000 for period July 1, 2015 through June 30, 2016 and authorizing Chairman Henderson to sign the contract, seconded by Mr. Felton, motion carried unanimously.**

ADJOURNMENT

Motion was made by Mr. Nance to adjourn the meeting at 11:15 a.m., seconded by Mr. Farrow, motion carried unanimously.

Clark Henderson, Chairman

Tom Patton, Administrator