

**MINUTES OF THE CRISP COUNTY BOARD OF COMMISSIONERS  
MEETING HELD ON OCTOBER 13, 2015**

**OPENING CEREMONIES**

Chairman Clark Henderson called the meeting to order with Commissioners Authur James Nance, Sam Farrow, and Larry Felton in attendance. Others present were County Administrator Tom Patton, County Attorney Rick Lawson, Finance Director Sherrie Leverett, and Clerk Linda Finch. Rev. Roy Gibbs 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.

**APPROVAL OF MINUTES**

**Motion was made by Mr. Felton to approve the minutes of the regular meeting held on September 8, 2015 and the called meeting held on October 6, 2015, seconded by Mr. Nance, motion carried unanimously.**

**SHERIFF'S REPORT**

Sheriff Billy Hancock reported that the sheriff's department did not get the federal grant for the body cameras that they applied for and it doesn't look like they will be getting the COPS grant for additional officers. They have gotten a \$25,000 grant from the Georgia Emergency Management Agency and also a \$10,000 grant; they still have a couple of grants out there that they are eligible for. In the warrants/civil division, deputies served 156 warrants, 148 civil papers, and 107 subpoenas; court was in session 62.5 hours, and they had 83 prisoner court transports. In the traffic division, they wrote 659 citations and 107 warnings. Twenty-five of the citations were in the city of Arabi, 5 in the city of Cordele, 9 to the Superior Court, and 619 to the Probate Court. They worked 23 accidents inside the county last month. They housed 2099 billable days for the US Marshals, 218 days for the Cordele Police Department, 24 days for Warwick Police Department, and 30 days for Monroe County Sheriff's Department. The animal control reports shows they picked up 72 animals, sent 48 to the Cordele Animal Shelter, sent 20 animals to another facility or returned to owner, and they had one animal adopted. In the E-911 report, they had 1255 calls for Crisp County Sheriff's Office, 1487 for Cordele Police Department, 466 for Emergency Medical Services, 48 for Crisp County Fire Department, and 25 for Cordele Fire Department. The detention center booked 188 inmates, released 213; they have a current jail count this morning of 189, they transported 92 prisoners for 212 hours, and the patrol division traveled 92,939 miles. He gave the finance department a check for \$105,973.50 for inmate housing.

**ADOPT RED RIBBON WEEK PROCLAMATION**

Administrator Patton read the Red Ribbon Proclamation hoping to establish an atmosphere that supports awareness, education, and on-going initiatives to prevent illegal drug use, promotes family and individual responsibilities for living healthy, drug-free lifestyles, and proclaiming October 23<sup>rd</sup> to 31<sup>st</sup>, 2015 as "Red Ribbon Week". **Motion was made by Mr. Nance to adopt the Red Ribbon Week Proclamation, seconded by Mr. Felton, motion carried.** Annie Leggett and Patricia Williams were present to represent the red ribbon campaign, and they were presented the proclamation. They invited everyone to the community kick-off being held October 23<sup>rd</sup> at Crisp County Pre-K building at 9:00 a.m.;

they are also all wearing red on October 28<sup>th</sup> to symbolize and to show our youth that we support them in their efforts to be drug free. They thanked the sheriff's office for letting the officers be a part of the planning committee.

### **PUBLIC HEARING – HOMEQUIP, LLC TO REZONE PARCEL OF PROPERTY FROM RS1 & RS2 TO RR**

Chairman Clark Henderson advised that the public hearing is for a request from Homequip, LLC to rezone a parcel of property (34 acres) from RS1 and RS2 (Single Family Residential) to RR (Rural Residential) for the purpose of operating a Borrow Pit. Property located at 762 Coney Road South. He opened the public hearing. Connie Youngblood, Planning Director, advised that the borrow pit has been in operation since around 1992, and she thinks it has been under the assumption that this parcel was grandfathered in. She could not find that it was ever approved as a special use permit, so what Homequip needs now to stay in conformance is to rezone the property back to rural residential, what it was before we had the major rezoning in 2000. This hearing is to get public comments concerning the rezoning, the decision cannot be made until next month, and at that time, if the decision is to approve the rezoning, then we will have the public hearing to operate the borrow pit. At that meeting, if you approve the borrow pit, then you can put conditions of what can or cannot continue to be done on the property. She stated that the original 13 acre parcel was approved in 1999. They do have a surface mine permit from the state, and according to the state, they were then supposed to make sure they were in compliance with county regulations, they just didn't go that far. In 2005, the state amended the permit to include an additional 8.42 acres, and in 2015, the state amended the permit again to allow an additional 8.41 acres. She advised that it looks like the pit area is about 175 feet to the nearest property line. The subdivision behind the pit was developed in 1999, and there are several homes in this area. Commissioner Nance asked if the property owners were notified of this rezoning, and Mrs. Youngblood advised that she sent out about 35 letters, a sign was posted on the property, and it ran in the Cordele Dispatch. She advised that commissioners have the option to approve the borrow pit as planned as approved by the state or they have the option to tell them a buffer needs to be behind the subdivision and they will have to stop digging at a certain point, and you can add other conditions at that time. We are just doing a public hearing today to rezone it back to rural residential, and a rezoning change takes two months. Also, they will have to reclaim the shoulders that have to be brought back to a three to one, but he does have until the project is finished to reclaim the shoulders. Also there have been some questions about Mr. Folsom bringing in dirt, and the state does allow that because he can use that dirt to reclaim his property. Commissioner Nance commented that this is a unique situation as this was done back in time before we had some zoning regulations, we have made some changes now, and we are going to have to try to deal with this and not penalize anyone in the process and try to come up with a solution where everybody can be satisfied. Mrs. Youngblood stated that she did not know the borrow pit was there until recently when she got her first complaints from subdivision property owners. The state only requires a 25 foot buffer, Homequip shows on the plans they are going to use a 40 foot buffer, and this is where they have the liberty to increase the buffer, etc. Rann Folsom, owner of Homequip, advised that they will have a 40 foot vertical buffer, and they will have another 70 feet horizontal buffer on the side with the subdivision behind it, so it is 110 feet that will be planted in pine trees or whatever kind of trees they need. He developed the subdivision himself, and they did not know the zoning had been changed. Mrs. Youngblood advised that the county doesn't have to notify each property owner when they have a major rezoning change, we did have several public hearings and it was advertised in the newspaper. Mr. Folsom advised that they have spent a lot of money getting the pit checked out for artifacts, contaminated dirt, drainage in the lake, soil permeability, and other things. He has met with EPD six times in the last six months; everything is in compliance, and he thinks 110 feet is a fair buffer,

plus it will be a long time before they get that far. They want to rezone it back to the original zoning of rural residential. Mrs. Youngblood asked if the buffer that is there now will stay there, and Mr. Folsom advised the 40 foot buffer will stay and then they will have a 70 foot horizontal buffer that will be replanted. He advised that he doesn't have to reclaim it when it is finished but as he goes, so he has already reclaimed the north slope and the last few days they have worked on the south slope. He stated that there is no contamination in this pit. Chairman Henderson asked if anyone would like to speak opposing the rezoning. Roy Gibbs, resident of the subdivision on the west side of the pit, advised that a related business entity at one point sold all of the properties to the residents related to the entity that is developing the borrow pit. He thinks as a homeowner there seems to be a conflict in this and his residential site, and he believes that there is sufficient reason to deny this request for rezoning and expansion of the borrow pit and asked commissioners to consider the following points; 1) the pit operator, while having a state permit, never asked for or received permission to operate a pit as required by law; 2) since the first pit has been operating illegally it does not make sense to rezone and expand something which previous commissioners had not approved; 3) the area was rezoned to RS2 in 2000 for the purpose of developing a residential subdivision, and many people purchased homes in the area with the understanding that the adjoining properties would also be single family dwellings; 4) the property values are already depressed and if this pit is allowed, property values will only drop even more; 5) it is his understanding that if this request is approved, the acreage for the pit will not have a change in tax valuation, therefore Crisp County will not have an increase in revenue from the low amount of tax being paid for the property now as posted on the Tax Assessors page on the county website; 6) since an approval would not benefit the county, would hurt the other property owners, and would only benefit the operator of the pit, he thinks it is in the best interest of the majority concerned to deny the expansion of the pit; 7) he is afraid of health, safety, and nuisance issues; 8) there are questions about the safety of contaminated materials in the dirt being brought into the pit; 9) there is excessive noise coming from the pit all during the day; and 10) frequently there are individuals in the pit taking target practice. He stated that his greatest concern is what is coming into the pit. He also stated he would like a 200 foot undisturbed barrier to protect the residents on Cedar Slough Court, as it will take a long time for a tree barrier to grow. Sharon Hallford, resident of Cedar Slough Court, stated that over the last year she has had so many health problems from parasites coming from the borrow pit, and she can no longer have any family gatherings at her house because of the parasites. She has been so sick this last year. Her house is on less than an acre, her house shakes when they are working, the house is cracked, and the bugs are coming into her house; she doesn't think the pit is up to codes. Had they known this was going to happen, they would not have bought this home. Johnny Hallford stated that he hopes the commissioners will come look at the pit site from a residential home as it is a whole different picture looking at the pit from their home. They both advised that Rann Folsom promised them that he was closing the pit up. Charles Jones, resident of Cedar Slough Court, stated that he knew the borrow pit was there when he bought the property but he didn't expect it to come further west, property values are already down, and if they allow this to come farther west he thinks it is going to depress those values even more. Nancy Gibbs stated that she is at home during the day, and especially on the weekends, they hear a lot of shooting, and they had a window shot out in their bedroom. Her biggest concern is that the pit is not closed when it is not being used; they called a deputy out, and he said they couldn't tell people they can't shoot back there; she is a little fearful. Betty Johnson, resident at the corner of North Cedar Creek and Cedar Creek Slough, stated that her biggest concern for her property is the buffer, at even 100 feet you can still see the pit, and also the property values going down; any consideration they could give the property owners would be appreciated. Chairman Henderson asked Mr. Folsom if he could put up some "No Trespassing" signs up after hours. Mr. Folsom stated that he

doesn't shoot, and he would be glad to do that as he has no idea who it could be. There were no further comments, so Chairman Henderson closed the public hearing.

### **PUBLIC HEARING – SHANE NAPIER SPECIAL USE PERMIT**

Chairman Henderson advised that we have a public hearing request from Shane Napier (with the property owner's authorization) for a Special Use Permit to locate a Deer Processing Facility in an RR (Rural Residential) zone district. Property located at 2716 Hwy 41 South. He opened the public hearing. Mr. Napier advised that he wants to open a deer processing business that operates from September until February, seven days a week. The hours of operation will be from 8:00 a.m. to 9:00 p.m. The carcasses and remains will all be refrigerated until they are picked up. He advised that all of the run-off water will go into a septic tank; also they will have drains in every room that drains to the septic tank, that way they will be able to eliminate the odor that everyone associates with the processing of a deer. He advised that nothing will be left outside. He stated that they have met with the Department of Transportation about the right of ways and parking for the business, and they advised that they have no problems with their flow and parking. Chairman Henderson asked if anyone would like to speak for or against the request. Herbert Gladin stated that the commissioners need to consider this request as the county needs all the business we can get. Mrs. Youngblood read the ten standards the commissioners have to consider when approving a Special Use Permit. Chairman Henderson closed the public hearing. **Motion was made by Mr. Nance to grant the Special Use Permit with the following conditions; 1) no deer remains shall be left outside the building after processing; 2) deer carcasses shall be disposed of in a timely manner as regulated per the State guidelines, and 3) vehicles shall not be parked in the State ROW or in any way that blocks visibility of the traveling public, seconded by Mr. Felton, motion carried unanimously.**

### **APPROVE CONTRACT BETWEEN BOARD OF ELECTIONS AND REGISTRATIONS AND BOARD OF EDUCATION**

Jerome Outlaw, on behalf of the Board of Elections and Registrations, asked the commissioners to enter into a special election contract with the Crisp County Board of Education when needed. He said it would only be used for a special election, and there would be no other changes. Administrator Patton stated that on special elections where an election is held just for the Board of Education, the school board would be paying the whole bill. Attorney Lawson advised that this contract might not be enforceable and stated that he would like to change the wording. **Motion was made by Mr. Nance to approve the Contract Between Board of Elections and Registrations of Crisp County and Board of Education of Crisp County subject to Attorney Lawson's approval and giving Patti Smith, Chairman of the Board of Elections and Registrations, authority to sign the contract, seconded by Mr. Felton, motion carried unanimously.**

### **ADOPT RESOLUTION TO ESTABLISH A SECOND BOARD OF EQUALIZATION**

Administrator Patton advised that state law provides for selections of an additional County Board of Equalization by the Grand Jury in counties having more than 10,000 parcels of real property; counties are supposed to adopt the resolution every year. We have had a second board for many years, we just have not been adopting the resolution every year. **Motion was made by Mr. Nance to adopt the Resolution to Establish a Second Board of Elections, seconded by Mr. Farrow, motion carried unanimously.**

**ADOPT RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A BANK ACCOUNT FOR CRISP COUNTY  
SHERIFF'S OFFICE**

Mrs. Leverett reported that the sheriff is requesting authorization to open a county bank account for his newly established Youth Initiative Program. The account will receive revenue from fund raisers, such as the recent wrestling match event and monies will be used in support of local school youth activities. **Motion was made by Mr. Felton to adopt the Resolution Authorizing the Establishment of a Bank Account for Crisp County Sheriff's Office, seconded by Mr. Nance, motion carried unanimously.**

**APPROVAL OF GDOT APPLICATION FOR FY 2017 RURAL PUBLIC TRANSPORTATION PROGRAM**

Mrs. Leverett reported that this is routine yearly action. This is the GDOT 5311 fiscal year 2017 authorizing grant application in support of our local public transportation program. **Motion was made by Mr. Nance to approve the Georgia Department of Transportation application for the 5311 Transit FY 2017 and authorize the chairman to sign the paperwork, seconded by Mr. Felton, motion carried unanimously.**

**APPROVAL OF GDOT 5311 TRANSIT 2016 OPERATING CONTRACT**

Mrs. Leverett reported that this is the GDOT 5311 Transit operating contract for 2016, they approved filing of the application last year and it is now ready for approval. The project contains 50% federal funds in the amount of \$232,748, and there is a 50% local match which will be paid for by our Third Party Operator. **Motion was made by Mr. Nance to approve the Georgia Department of Transportation 5311 Transit 2016 Operating Contract and authorize the chairman to sign the necessary paperwork, seconded by Mr. Felton, motion carried unanimously.**

**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 \$2.4 million and YTD expenditures at \$3.9 million leaving a 9% net shortfall after the first 90 days of fiscal year 2016. The ad valorem tax bills have been mailed. We should begin to see collections on some of that revenue by the next reporting period. With \$173,886 in YTD revenues and \$149,282 in YTD expenses, the Water Fund ended the quarter with a current net profit of \$24,170. Water consumption billed for the month was 8.1 million gallons compared to September, 2014's 7.2 million gallons. The USDA Bonds principal balance is current at \$1.4 million. In the Landfill Fund, accrued YTD revenues of \$493,036 and YTD expenses of \$312,389 leaves this fund with a net income at 9/30/15 of \$180,647. The total tonnage received for the month of September of 6960.88 is up considerably over last year but attributable to a one time specific project and customer. Of the total tonnage received, 26% was received from Advanced under their commercial contract, 8% under the city's residential contract and 4% under the county's curbside contract. The principal balance on the GEFA loans is current at \$3.8 million. In the Cash Report, General and Special Revenue funds combined ended the month with \$6.6 million, the proprietary funds with \$2.7 million, and the SPLOST funds at just over \$7.8 million bringing our County wide total to \$17.2 million which is up, just over \$2.0 million from 9/30/14. As of September 30, 2015, we have now spent just over \$18 million on projects associated with the 2000 SPLOST Issue and \$20.7 million on projects approved under the 2005 Issue. Distribution no. 44 of the 2011 SPLOST Issue in the amount of \$306,018 is down just over 5% from

September, 2014. It brings the issue to date collections to \$14.5 million but drops our monthly average down to over \$2,300 short of what is needed to meet the revised budget. To date, we have expended \$14.5 million. We spent \$487,568 in Special Local Option Sales Tax dollars during the month of September. Projects benefiting were Crisp County Roads, County EMS, County Buildings, County Recreation, the CCSO, the Darton College Project and the Cities of Cordele and Arabi. For the Local Option Sales Tax Distributions, this month's distribution of \$146,875 is also down 5% from this same period last year. Next is the CDBG Revolving Loan Fund monthly report. We currently have seven loans with a total outstanding balance of \$1,572,229. The last report is the revenue by fund and expenditures by department report. The summary report shows the expended percentage of appropriations for each department and the total for each fund. Expenditures should be below 25%. As of this report, both the General and Special Revenue Funds Combined and the Water Fund were at 24%, and the Landfill Fund finished the month at 23%.

### **ADJUST RATES FOR RECREATION DEPARTMENT PROGRAMS**

Eric Bozeman, Recreation Department Director, reported that our recreation department program fees are higher than most of the surrounding counties; he received the fees from seventeen counties in our district, and we were the second highest. Hopefully if we lower our fees the number of kids participating will go up. He also stated that they still give out scholarships to those in need with the help of Family Connections, and they also have sponsorships that help with the cost of the overall programs. Mrs. Leverett reported that the recreation department fees that they take in are between \$120,000 and \$130,000 a year, and the recreation department budget is \$876,000. Mr. Felton asked Mr. Bozeman if he thought the county had a need for another gym, and Mr. Bozeman stated that if we expand our numbers or adding other age groups we are limited and we always need facilities if we could fund them and operate them. He advised that they have talked with the school system about using some of their facilities. Mr. Felton stated that he has talked with Scott Forehand about having some of the school gyms open during the summer months. Chairman Henderson thanked Mr. Bozeman for the job he is doing at the recreation department. Mr. Bozeman stated that Serve One is a church collaborative, and on October 24<sup>th</sup> they are going to have a cleanup and spruce up of all the parks and anyone that wants to come can come and volunteer. Also, their projection numbers of over 450 teams they have brought to Crisp County this year is the highest number since 2008. He advised that the first three weekends in December the Georgia Parks and Recreation State Championship football will be here at the high school stadium; it will be a first for us and a first any other agency in the state to have all three divisions in one town. Also they were able to secure a USSSA state softball tournament that will be here next summer. **Motion was made by Mr. Nance to approve the proposed fee schedule, seconded by Mr. Felton, motion carried unanimously.** Chairman Henderson stated that we understand that we will have to make a budget adjustment to handle these fee adjustments, and we will address that at a later meeting.

### **ADMINISTRATOR'S REPORT**

Administrator Patton reported that 1) he attended several meetings and events last month; 2) they had a school board workshop regarding the Ag Barn; 3) the IDA has had about five active prospects this last month and a lot of active pieces to go with them, EIP, One Georgia grants, etc.; 4) he met with David Dent to discuss delinquent accounts and ways to resolve. We are above the threshold of 3500 customers so rates can't be increased, but if we fall below that number they can increase rates; 5) he met with the IDA Director to discuss incentives for one of the prospects; and 6) he attended the ACCG

Convention in Jekyll Island and was briefed on the upcoming legislative session and proposed county platform to address county issues. Platform was adopted by Commissioners.

**GO INTO EXECUTIVE SESSION**

**Motion was made by Mr. Nance to go into Executive Session to discuss litigation and personnel, seconded by Mr. Farrow, motion carried 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. Felton, motion carried with all commissioners agreeing to come out of Executive Session.**

**REVOKE VIP SPA LICENSE**

Mrs. Leverett reported that they have not had any correspondence from the VIP Spa regarding the temporary revocation of their business license so she would recommend that the county make a permanent revocation of this license based on the same reasons. **Motion was made by Mr. Nance to revoke the VIP Spa license, seconded by Mr. Felton, motion carried unanimously.**

**ADJOURNMENT**

**Motion was made by Mr. Nance to adjourn the meeting at 12:29 p.m., seconded by Mr. Farrow, motion carried unanimously.**

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Clark Henderson, Chairman

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Tom Patton, Administrator