

**BARROW COUNTY BOARD OF COMMISSIONERS  
MAY 11, 2010 - 7:00 PM**

**WELCOME**

**1. APPROVAL OF APRIL 27, MINUTES**

**2. PUBLIC COMMENTS ON AGENDA ITEM**

**3. INTERIM CHIEF JOHN SKINNER – MIKE PAGE RECOGNITION**

**4. COMMISSIONER HENDRIX - COUNCIL ON AGING BOARD APPOINTMENT-ANSEL GARRETT**

**5. COMMISSIONER WILBURN – RECREATION BOARD APPOINTMENT – LIZ MOORE**

**6. GEER & ASSOCIATES – AUDIT**

**7. EXECUTIVE SESSION – LITIGATION & PERSONNEL**

**APRIL 27, 2010**

**6:00 PM-PUBLIC HEARING-OAKGROVE LANDFILL EXPANSION**

This Public Hearing is a required step in the process to expand the landfill. Kevin Brown, of Golder & Associates, stated the landfill will run out of air space in about a year & the expansion would add another 5-10 years to the landfill. The first public hearing was held about a year ago to solicit citizen's concerns.

Ray Abernathy, whose land adjoins the landfill property, spoke to the depreciation in value to his property since the landfill moved in 1985 & Peggy Chaney stated we had enough garbage & there were other options as she had stopped sending her garbage to the landfill.

Keep Barrow Beautiful Director Shannon Young stated all residents are encouraged to reduce, recycle & compost but there is a low involvement & it's hard to encourage people to do this.

**7:00 PM-SCHEDULED MEETING**

Chairman Yearwood welcomed everyone & called meeting to order with all Commissioners in attendance.

Stood for Pledge of Allegiance to the Flag & Commissioner Berry gave the invocation.

Staff & news media: Michelle Sims, WCTV Cable, Susan Norman, Barrow Journal, Mike Alpert, Gwinnett Daily Post, County Attorney Angie Davis, Norma Jean Brown, Beverly Dunbar, Marilyn Golightly, Bob Hohe, several county employees, Emily Banks, Barrow County News & Merritt McIncon, Athens Daily Post.

**1. APPROVAL OF APRIL 13, 2010 MINUTES**

Commissioner Berry made motion to approve, Commissioner Worley seconded. Motion approved unanimously.

**2. PLANNING COMMISSION REZONES PUBLIC HEARING**

- 1. RZ-2010-001-MILDRED ANEPOHL, APPLICANT/OWNER** request a rezone of +/- 3.533 acres @1682 Union Grove Church Road (XX006-026&026A) AG to R1

Commissioner Parks made motion to approve, Commissioner Hendrix seconded. Motion carried unanimously.

- 2. RZ-2010-003-ROSA RUIZ, APPLICANT/OWNER**, request rezone of +/-6.576 acres from AG to AR & C3 @143 Hill Shop Road (XX011 003).

Commissioner Parks made motion to approve on the condition our County engineer to work with the D.O.T. to express our safety concerns on entrance approval, Commissioner Berry seconded. Motion carried unanimously.

**3. PUBLIC COMMENTS- MOVED TO AFTER ITEM #9**

**4. JOHN BECKER - FOOD BANK**

Mr. Becker stated the Food Bank of N.E. Georgia is a regional food bank & has a goal to end hunger here in N.E. Georgia. We bring in national donations in tractor trailer loads for about 500 or 600 families; have grant food & also local food stores donate. We then have to distribute it by working through a number of agencies in the community, mobile pantry program & the food kids program. Barrow County is the number one mobile food pantry outreach in our service

area distributing over 370,000 lbs. of food in the past year & has doubled distribution since 2008. Ending hunger in N.E. Georgia will take 12.6 million pounds of food every year. Barrow County is doing a great job & wants to thank Barrow County for the partnership & hopes to get more agencies to help in the future.

#### **5. KEVIN BUCKNER-RESOLUTION OF SUPPORT**

Mr. Buckner is a developer who wants to build a multifamily rental development for families pursuant to the regulations of Georgia's Office of Affordable Housing-Low Income Housing Tax Credit Program. It's not a rezone as the property has already been rezoned. A Resolution to support the development is a requirement & also a letter stating that the Board of Commissioners support of the development. DISCUSSION: Rezone (RZ-2008-022/SU-2008-022) was approved with conditions which were traffic study results must be implemented during development process, all guidelines & regulations of Highway Corridor Overlay shall be applied to development, open space does not allow any single-family residential uses & if residence is to remain it will have to be cut out in a single-family lot, sidewalks shall be installed along Haymon Morris Road at the time of development & apartment maximum shall not exceed 250 units; it can be developed in phases.

Commissioner Worley made motion to approve with the condition that is not to exceed 80 units & adhere to all rezoning condition requirements placed on the property, Commissioner Parks seconded. Motion carried unanimously.

#### **6. CHAIRMAN YEARWOOD**

##### **(1) EMPLOYEE'S APPOINTEE TO ETHICS BOARD**

Commissioner Worley made motion to appoint James Scott to the Ethics Board, Commissioner Berry seconded. Motion carried unanimously.

##### **(2) PROCLAMATION-NATIONAL DAY OF PRAYER**

Commissioner Berry made motion to approve, Commissioner Elder seconded. Motion carried unanimously.

#### **7. HR DIRECTOR NORMA JEAN BROWN**

##### **(1) RECLASSIFICATION JOB CHANGE FOR PRE-TRIAL DIVERSION COORDINATOR**

Request to reclassify the Pre-trial Diversion Coordinator to Specialty Courts Director. This position will move of the District Attorney's office into the Superior Judges office & funds will be transferred. This position is funded completely by a grant & will be held by Sammy Hale. The grant went into effect on January 1, 2010 & we will retroactive the pay back to then. It changes the salary from Pay 14 of \$33,553 to Pay Grade 22 of \$54,216. DISCUSSION: Three year grant; Mr. Hale will still do the Pre-Trail Diversion also.

Commissioner Berry made motion to accept as presented with the retro pay, Commissioner Hendrix seconded.

DISTRICT 1-NO	DISTRICT 2-YES	DISTRICT 3-YES
DISTRICT 4-YES	DISTRICT 5-YES	DISTRICT 6-YES

##### **(2) SUPERVISOR OF PLANNING JOB DESCRIPTION**

At the request of Commissioner Worley, liaison for the Planning Dept., Rebecca Whiddon has been acting Supervisor for Planning Dept. She was a Job Grade 18 & the new job description was sent to the Archer Company & came back as a Job Grade 23. This is a reclassification & she's above minimum of a Pay Grade 23 & request that we give her a 5% increase as we have done in the past for others from \$50,361 to \$52,879.05.

Commissioner Worley made motion to approve, Commissioner Berry seconded.  
DISTRICT 1-NO                      DISTRICT 2-YES                      DISTRICT 3-YES  
DISTRICT 4-YES                      DISTRICT 5-YES                      DISTRICT 6-YES

8. SHERIFF SMITH-MEMORANDUM OF UNDERSTANDING WITH AUBURN

Major Katsegianes presented a MOU for the City of Auburn to adopt as a back up plan should the need arise for prisoners to be housed at our Detention Center. At the present time all municipal prisoners are housed at Gwinnett County.

Commissioner Parks made motion to approve as presented & authorize Chairman to sign, Commissioner Berry seconded. Motion carried unanimously.

9. TRACY BEMENT & JUDGE MINGLEDORFF-PIEDMONT CIRCUIT DRUG COURT

This is to create a drug & mental health court in the Piedmont Circuit that will serve drug/alcohol addicted offenders & those with mental illness. The program will divert eligible participants out of the traditional court process into appropriate treatment. This grant is retroactive to January 2010 & is 100% reimbursable. All budget amendments are for January 1<sup>st</sup> thru September 31, 2010.

CJCC GRANT -\$342,954.00	NADCP Grant - \$ 3,200
DATE FUND - \$ 25,244	PARTICIPANT REVENUES \$15,000

Commissioner Hendrix made motion to amend budget for \$94,167.00, Commissioner Worley seconded.

DISTRICT 1-RECUSAL	DISTRICT 2-YES	DISTRICT 3-YES
DISTRICT 4-YES	DISTRICT 5-YES	DISTRICT 6-YES

Commissioner Berry made motion to approve Tressa Tucker, Clinical Psychologist, contract, Commissioner Parks seconded.

DISTRICT 1-RECUSAL	DISTRICT 2-YES	DISTRICT 3-YES
DISTRICT 4-YES	DISTRICT 5-YES	DISTRICT 6-YES

Commissioner Worley made motion to accept grant of \$342,954.00, Commissioner Berry seconded.

DISTRICT 1-RECUSAL	DISTRICT 2-YES	DISTRICT 3-YES
DISTRICT 4-YES	DISTRICT 5-YES	DISTRICT 6-YES

Commissioner Berry made motion to approve budget amendment of \$43,444, Commissioner Parks seconded.

DISTRICT 1-RECUSAL	DISTRICT 2-YES	DISTRICT 3-YES
DISTRICT 4-YES	DISTRICT 5-YES	DISTRICT 6-YES

PUBLIC COMMENTS ON AGENDA ITEMS

Chairman Yearwood made some comments then turned the meeting over to Chairman Pro-Tem Ben Hendrix & left the meeting.

Frank Clark, Attorney Bill Healan & Teeny Hang commented on Charter changes & the County Manager position. COMMENTS: You have a Chairman that does the job & does it well; Charter has been around a long time & a charter change should be put before the voters of Barrow County; you have foolishly spent money; urge to be very cautious in considering a County Manager; Chairman carries out the policy set by the board; a lot of responsibility has been cast on County Attorney Ms. Davis & it's not fair to her; less information flowing to the citizens then before; very little is getting done & we need to get all seven of you on the same page & we don't need a County Manager to further burden the county with money we don't have to spend.

**10. COMMISSIONER HENDRIX**

**(1) DISCUSSION & POSSIBLE ACTION REGARDING COUNTY MANAGER POSITION**

**(2) DISCUSSION & POSSIBLE ACTION REGARDING THE COUNTY CHARTER**

Commissioner Hendrix stated tonight I was prepared to pursue a change to the Charter & to creation of a position for County Manager. The primary reason was my concern that this County needs a trained, educated & experienced professional to guide this County, supervise the departments & support this Board & our initiatives. I am aware of a threat of a veto & even litigation if I go forward with these agenda items. I'm not afraid of that; I do not want to see this County torn apart. Therefore, in the spirit of compromise & cooperation, most of all in the best interest of the County I'm willing to postpone consideration of the Charter & a County Manager & allow the next two weeks for the development of a County Administrator type position. This position would report to the Board & the Chairman. The person in that position would supervise the department directors.

Commissioner Hendrix made a motion for the County Attorney to work & prepare a job description with full duties & salary range for the board's consideration at the next scheduled meeting, Commissioner Parks seconded. DISCUSSION: Chairman can't do it by himself & this board also needs the help; half of decisions made last year has already been reversed; the people looking at the four of us think we have a vendetta against the Chairman but that's not the case; we were elected to serve under this charter & none of us ran on a platform to change the charter; we don't need a County Manager; give the people the right to change the charter, not us.

DISTRICT 1-NO  
DISTRICT 4-YES

DISTRICT 2-NO  
DISTRICT 5-YES

DISTRICT 3-YES  
DISTRICT 6-YES

With no further business, Commissioner Wilburn made motion to adjourn, Commissioner Berry seconded. Motion carried unanimously. Meeting adjourned at 8:45 PM

**Michelle Sims**

**From:** ben hendrix [benhendrix@windstream.net]

**Sent:** Saturday, May 01, 2010 9:51 PM

**To:** Michelle Sims

**Cc:** Larry Joe. Wilburn; evae@windstream.net; Steve Worley; Danny Yearwood; Isaiah Berry; Billy Parks; Angela Davis

**Subject:** Board Appointment

Dear Michelle:

Please place me on the agenda for the next scheduled BOC meeting with the following topic:

1. Appointment of new representative from District 6 to serve on the Barrow County Council on Aging.

As you know Mr. Paul Frevele submitted a letter of resignation on 20 April, 2010, citing health issues and other conflicts.

Thanks,

Ben Hendrix

*I would like to recommend Liz Moore as my appointment for the District 1 representative for the Leisure Service Board. Ms. Moore has recently retired as Director of the Senior Citizen Group for the County after 32 years of faithful service to Barrow County and its Citizens. She put half her life in this job, and made it one of the best in the state. She is still interested in service to Barrow County and its citizens. I wish we had more employees with the desire to serve as Liz has demonstrated.*