

MINUTES
MERIWETHER COUNTY BOARD OF COMMISSIONERS

November 9, 2022

6:00 P.M.

This meeting was held in person and also by Zoom due to COVID

Commissioners Present: Chairman Beth Neely-Hadley, Vice Chairman Bryan Threadgill, Commissioner Shirley Hines, Commissioner Rosla Plant, and Commissioner Alfred "Buster" McCoy

Staff Present: County Administrator Michelle Irizarry, Finance Director Bill Gregory, Doris Flournoy, Director of Special Projects Theron Gay, and Attorney Nathan Lee

Staff Absent: County Clerk Beverly Thomas, Deputy County Clerk Allyson Stephens

I. CALL TO ORDER

Chairman Beth-Neely Hadley called the meeting to order at 9:00 a.m. Chairman Neely-Hadley congratulated the new Commissioner-Elects, Adam Worsley, Emmett Collins, and Gene King. Chairman Neely-Hadley on winning their race. Chairman Neely-Hadley also congratulated Kay King who retained her seat on the School Board.

II. INVOCATION

Chairman Beth Neely-Hadley

III. PLEDGE TO THE FLAG

All

IV. ADOPT AGENDA

A motion was made by Vice Chairman Bryan Threadgill and seconded by Commissioner Plant to adopt the Agenda. All were in favor.

V. FINANCE REPORT

Finance Director, Bill Gregory, provided financial reports to the Board. Finance Director, Gregory stated that everything was still standard and there was a strong balance in the General Fund and the County should be getting the first of the tax receipts by the end of this month/first of next month. Finance Director Gregory stated he will be transferring funds from a couple of the accounts to the Georgia Treasury LGIP accounts because the interest rate is up to about 3.5% and the banks are still around 1%. Vice Chairman Threadgill asked what accounts will be transferred from. Director Gregory stated it would be from the TSPLOST to the TSPLOST LGIP being the main account. Director Gregory stated that during the month of October due to the high interest rates in the LGIP accounts the County pulled in about \$10,000.00 in interest, which was three times more than the previous 3-4 months.

VI. CITIZEN COMMENT

None

VII. MINUTES

Motion was made by Vice Chairman Threadgill and seconded Commissioner McCoy to approve the minutes of the October 25, 2022, Regular Meeting. All were in favor.

VIII. PUBLIC HEARING

None

IX. APPOINTMENTS

None

X. UNFINISHED BUSINESS

None

XI. NEW BUSINESS

Set date and notice for Meriwether County and Cities Joint 2022-2042

Comprehensive Plan Update

1. Administrator Irizarry stated that back in September the Board authorized Staff to move forward with Three Rivers Regional Commissioner for the update needed. Administrator Irizarry stated that staff has been in touch with Paul Jarrell with Three Rivers Regional Commission and recommended that the Public Hearing be set for November 22, 2022, at 6:00 p.m. A motion was made by Vice Chairman Threadgill and seconded by Commissioner Plant to set the November 22, 2022, Public Hearing. All were in favor.

Resolution for Special Called Election to set Qualifying Fees for Tax Commissioner of Meriwether County

2. Administrator Irizarry stated that the O.C.G.A. law and issue paper is located in the packet and the County Attorney can answer any legal questions the Board may have. Administrator Irizarry explained that this was to set the Special Election and set the Qualifying Fees for the vacancy in the Office of the Tax Commissioner. Commissioner Hines asked if since the Board had appointed someone and they weren't elected, is this the reason we have to have the election. Attorney Lee stated that per the statute if the unexpired term exceeds six months, then there has to be an Election, but if it was less than 6 months, they would hold the office to the end of the term. Attorney Lee stated this was pretty common and is set by statute. Commissioner Hines also asked how much it will cost the County to have the Election. Vice Chairman Threadgill stated that he feels that is irrelevant because it has to be done. Attorney Lee stated that it is standard based on the cost of an election and they are following statute. Administrator Irizarry stated that the cost of the Election will vary depending on what is on the ballot and will be the normal cost of elections. A motion was made by Vice Chairman Threadgill to approve a Resolution for a Special Called Election to set qualifying fees for the Tax Commissioner and allow the Chair to sign. This was seconded by Commissioner Plant. All were in favor.

Approval and Execution of a MOA for County Bridge Replacement Candidate CR246/CR412/Flat Shoals over Flint River – BSN# 199-0056-0

3. Administrator Irizarry stated that this was brought to the Board approximately a year and half ago, and the Memorandum of Agreement has been received from GDOT and reviewed by Legal. Administrator Irizarry stated that Exhibit A was missing but that has been flushed out and the financial obligation required by the County is 50% of the right-of-way acquisition and it is a Tier 3 project and can be up to \$100,000.00. A motion was made by Commissioner McCoy and seconded by Commissioner Plant to approve the MOA for County Bridge Replacement Candidate CR246/CR412/Flat Shoals over Flint River – BSN# 199-0056-0 with funding from TSPLOST not to exceed \$100,000.00. All were in favor.

Approval of Meriwether County Code of Conduct

4. Administrator Irizarry stated that on October 25, 2022, the Board authorized the County Attorney to draft a Code of Conduct for local governmental grounds in Meriwether County and there is a draft in the packet. Administrator Irizarry explained that Col. Hadley from the Sheriff's Office and Attorney Lee were in attendance for questions regarding the Code of Conduct. Commissioner Hines thanked those that put together the Code of Conduct and expressed that it was well drafted. Commissioner Hines stated that the only thing she had was regarding the section that states, "taking photos and recording videos of Meriwether County employees or patrons without their permission". Commissioner Hines stated that she needed more clarity on when or where this would apply, because she knows this can happen during open meetings. Attorney Lee stated this was for facilities use and that it could be taken out as it was not a law and was for the Board's consideration. Attorney Lee stated forms were used and Attorney Hill worked with Col. Hadley to put something together that would accomplish what the Board wanted. Attorney Lee stated to let him know if things needed to be added, clarified, or removed. Commissioner Hines just wanted a clearer understanding on what was allowed regarding filming, and again stated how well drafted the document was. Attorney Lee stated that he will get direction from the Board on what needs to be included or excluded and what would like to be achieved from the document and they will work on getting it right. Chairman Neely-Hadley stated that being an elected official you kind of sign up for people taking pictures and videoing, but the employees don't. Attorney Lee did not look at it from Commissioner Hines perspective, but if the Board will give direction legal will be more than happy to revise. Legal is looking for the Board to give direction. Attorney Lee stated that this was not law and was policy for the building. Col. Hadley from the Sheriff's Office stated that he felt the document is a starting point for the County in regards with issues dealt with lately and feels there has to be a line drawn at some point in time. Col. Hadley stated he numbered his and numbers 12, 27, 28, and 29 need to be looked at by legal to ensure it meets constitutional law, because if there comes a point when law enforcement has to get involved, we want to make sure that we are correct in what we are doing. Col. Hadley stated #12- *Posting or distributing literature without permission*, #27 – *Taking photographs and/or recording videos of Meriwether County employees or patrons without their express permission*, #28 – *Possessing weapons of any kind, either concealed or in plain view, unless the person in possession of the weapon is an on-duty law enforcement officer* and #29 – *Violating other facility policies and/or guidelines*. Col. Hadley stated that on #28 that there is a requirement under O.C.G.A. for Sentry to be posted and those are things that need to be made sure are clear. He also suggested that this be looked at to include law enforcement

who are active and retired and in good standing with POST, not be excluded or others that are permitted based on what the statutes require. He stated this is because it is a force multiplier if you have somebody else that is law enforcement to be here to assist, even if you do have a Sentry posted in that set of circumstances. He also suggested that #29-*Violating other facility policies and/or guidelines* would have to be posted and he doesn't feel you can blanket that without it being posted with the other policies and procedures. Col. Hadley suggested more research on those items and stated he would help fill in any blanks. Col. Hadley stated that employees' rights don't stop when somebody else thinks their rights begin and he feels that at some point in time there will be court tests and he wants to make sure it results in good case law and not bad. Col. Hadley stated that the Code of Conduct would have to be posted. Commissioner Hines asked what type of posting would need to be made? Outside the building or on Facebook? Col. Hadley felt it needed to be in the facility. Col. Hadley stated that if there are questions then they can refer to the posting. Col. Hadley stated there is no reason for employees to have to argue with people about something related to it and they are not required to, and his personal belief is once that person or persons has finished their County business and the business aspect is taken care of there is no more responsibility of the employee or the County to allow for the disruption of the organization and employees be subjected to hostility. Col. Hadley reiterated that he doesn't feel that employees rights end because somebody else's thinks theirs begins and these are things that need to be looked at by Legal. Attorney Lee stated legal needs guidance from the Board of Commissioners. Chairman Neely-Hadley asked if the violator refuses to leave after being directed to do so, it states staff or law enforcement may seek to charge violator. Attorney Lee stated that what envisioned is State Law if it is like loitering, law enforcement could charge, if it is an Ordinance violation, Code Enforcement or law enforcement could charge the violator. Attorney Lee stated that staff would mean code enforcement. Chairman Neely-Hadley stated she was making sure that staff was law enforcement and code enforcement and not the employee staff. Attorney Lee stated that this was a good point and would clarify that in the Code of Conduct. Commissioner Hines asked if this would become our ordinance and was advised by Col. Hadley that it would go back to administrative, but if there is violation of law that would be your code enforcement, and since they can't enforce the state code, it would fall back on law enforcement. Col. Hadley stated that if staff feels there is a violation, they have a right to go to a judicial officer to seek a warrant for misdemeanor violation. Col. Hadley stated that code enforcement wouldn't apply on their end unless it is made part of the County Ordinance. A motion was made by Vice Chairman Threadgill to table the Code of Conduct and bring it back in two weeks at the November 22, 2022, meeting. This was seconded by Commissioner McCoy. All were in favor.

Approval of Clinical Rotation Agreement with Upson Regional for Meriwether County Fire/Rescue EMS Academy

5. Administrator Irizarry stated that Meriwether County Fire and Rescue is a growing department and in the last couple of years they have established a training program for firefighters as well as EMTs. Because of this, according to Administrator Irizarry there are clinical hours that are needed that some may not be able to fulfill in the places that they go, with one specialty being pediatrics. Administrator Irizarry stated this is a clinical rotation agreement with Upson Regional Medical Center and has been reviewed by legal and staff recommends approval. Administrator Irizarry stated that

Interim Fire Chief Danny Stephens was in attendance for any questions. Commissioner Hines questioned the date on the contract being September 22nd. Administrator Irizarry stated this has been in process for a while and will make sure the date is changed. Administrator Irizarry also stated that this may be expanded to other facilities as well. Vice Chairman Threadgill asked if there was a cost. Administrator Irizarry stated there is no cost. Interim Fire Chief Danny Stephens stated that this is an agreement to make sure we cover HIPPA with our employees as well as cover them with a liability insurance. He also stated that there are students in the program that are not employees of Meriwether County as per the State, those classes have to be opened up and anyone that wants to can sign in, but with that with their paperwork it states that they must obtain their own insurance coverage before they can perform these rotations on Meriwether County ambulances as well as in ER settings. Chief Stephens stated that we can cover many on our ambulances, such as EMT basic class, but when we start getting into the advanced program is where we need more specialties, such as pediatrics. Commissioner Hines asked if there was an opportunity to expand to other hospitals. Chief Stephens stated there would be and that they have already spoken with West Georgia as well as Warm Springs Medical Center and stated that there should be more agreements to come before the Board in the future. Vice Chairman Threadgill asked if Fire/Rescue did their own in-house BLS and ACLS. Chief Stephens stated they do. A motion was made by Vice Chairman Threadgill and seconded by Commissioner Hines to approve the Clinical Rotation agreement with Upson Regional for Meriwether County Fire/Rescue EMS Academy. All were in favor.

Chairman Neely-Hadley stated that it is always the negative things that get the attention and we do not always hear the good things. Chairman Neely-Hadley read a note from a citizen regarding a fire on August 8, 2022, at 5358 Keith Road in Hogansville: *"Our neighbor, Michelle Cannon, was the first to arrive and not scheduled to work that day. We are sorry we have no other names. We want to express our deep gratitude and appreciation for your rapid response and terrific job. Everyone went above and beyond and even loaded a freezer onto my stepson-in-law's truck so we could save the contents. Please pass along our thanks and gratitude to your firefighters and EMS personnel. Nothing I can put on this paper can convey our appreciation for everyone involved, but please know we are so thankful for all of you. Blessings to all of you and your families."* Chairman Neely-Hadley congratulated all of Fire/Rescue and stated it is always nice when people take the time to give positive feedback.

Bid award for surplus property Parcel ID# 164-004-001 and authorization for the execution of a Quit Claim Deed

6. Administrator Irizarry stated that this was declared surplus on December 28, 2021, and was recently advertised with starting bids no lower than \$650.00. Administrator Irizarry stated that there was one bid received in the amount of \$707.00. A motion was made to approve and award the bid for surplus property Parcel ID# 164-004-001 in the amount of \$707.00 by Vice Chairman Threadgill and seconded by Commissioner McCoy. All were in favor.

Discussion of Meriwether County paying for Utilities at Manchester Fire

7. Administrator Irizarry stated that in the Boards packet there is information on an issue paper regarding this issue. She stated that in the past Meriwether County has been paying for the utilities at the City of Manchester and the payments date back to the early

2000s. Administrator Irizarry stated information was provided by the City of Manchester and is included in the packet. Administrator Irizarry asked for an executed copy of the contract from the City of Manchester and received an email from Ms. Fowler at City of Manchester yesterday, November 8th, 2022, stating that the information sent is what was found, and she was not the keeper of records in 1999 and she was not sure how it was filed. Ms. Fowler's email stated the County should have a copy of the Intergovernmental Agreement from 1999 and if it is located, she wanted a copy for the city records.

Administrator Irizarry stated that we as a county have not located an executed agreement or an agreement at all. Administrator Irizarry stated there was some contention back then regarding the Service Delivery Strategy and the information in the Board's packet relates back to the 2008 Service Delivery Strategy and since then there has been two updates in 2018 and 2021. In the SDS it shows that Manchester does offer a higher level of service and how they fund it. She stated it does not include any funding from the County.

Administrator Irizarry stated there was a memorandum from 1999 that was handed to the Board members. She stated again that no executed contract has been located. Chairman Neely-Hadley stated that she had the opportunity to speak with the Mayor and City Manager in Manchester and explained this was done before Meriwether County had a paid Fire Department and this was being paid in gist for them to cover a radius of 2 miles outside of their city limits. Chairman Neely-Hadley stated there really isn't a need any more for that because we do have a paid fire department and any of our departments could be to those areas just as quick if not quicker than the station in Manchester.

Chairman Neely-Hadley stated that none of them were on the Board and things have changed and she doesn't see the need to continue to do this. Vice Chairman Threadgill stated that as the representative for Manchester he also was in the meeting with the Mayor and City Manager and he doesn't feel the County should continue any further payments on this because as stated by Chairman Neely-Hadley it was for a reason that was needed back then, but the reason is no longer valid at this point in time. Vice Chairman Threadgill stated he doesn't feel we should continue paying for this and indicated as a Commissioner all are guilty of not paying attention to the invoice when signing checks and need to be more aware. Commissioner Hines stated that she went back researched the minutes and started in 1998 and read to the end of 1999 and this was discussed in the minutes on December 19, 1999 but does not indicate a vote or clarification. Commissioner Hines stated that there are times as Commissioner when decisions are made with the information at hand and you can't undo what has been done, but as a Board they have a fiduciary responsibility to be good stewards of taxpayer's money. Commissioner Hines encouraged this Board and future Boards to address policies. Commissioner Hines felt there needed to be something put in place for more checks and balances. Commissioner Hines stated that she did read about the situation with the pastures, and it was voted on, but there was no amount. Commissioner Hines asked when this invoice was received. Finance Director Bill Gregory stated the invoice was received on October 3, 2022 and was paid on October 10th, 2022. Commissioner Hines concern was having more checks and balances on how things are going and due diligence. Chairman Neely-Hadley stated another thing that is in the contract as this was set for 20 years and would have expired 2-3 years ago and it does say that if there is nothing from either party it automatically renews. Vice Chairman Threadgill asked if we needed to give a 12-month notice before discontinuing the payments, because it was

clarified in the SDS in 1999, but the contract wasn't executed. Attorney Nathan Lee stated he would look into that. Attorney Lee stated if the contract is not signed, but both parties act, it is in place, but he would look into it and let the Board know. Commissioner Hines asked if we were paying for our county-maintained facilities. Administrator Irizarry stated that we are paying for utilities, and it is listed that we must do so in the Service Delivery Strategy and because Manchester offers a higher level of service to their citizens and they must pay for those services. Commissioner Hines inquired on the water bill from Manchester, stating she could understand electric and cable. Vice Chairman Threadgill stated he wondered the same and questioned if the city facilities pay the City for water. Vice Chairman Threadgill was told they had not in the past, but are beginning to do so now. A motion was put on the table by Vice Chairman Threadgill not to pay any further invoices until we find out from the County attorney the stipulations needed to cancel the agreement. This motion as seconded by Commissioner McCoy. All were in favor.

XII. REPORT FROM COUNTY ADMINISTRATOR

Administrator Irizarry reminded everyone that today at 2:00 p.m. is the the River Cove Landing Dedication Ceremony and ribbon cutting. Administrator Irizarry stated that paving was complete on Luthersville Road, and the shoulder work and striping is still outstanding, but paving is finished. Administrator Irizarry stated the Board of Education approved radios this week and they were the same radios the County approved. Administrator Irizarry stated that Thanksgiving lunch will be on Friday, November 18, 2022, for County employees and a schedule will be sent out to everyone and asked the Board to assist with serving.

XIII. REPORT FROM COUNTY COMMISSIONERS

Commissioner Hines – congratulated all those that ran for office and won their races. Commissioner Hines stated that she had been on the Board for eight years and it has been an interesting ride. Commissioner Hines stated the role and duties of a County Commissioner are numerous and it varies, and county government is complex. Commissioner Hines stated there are certain things that commissioners have responsibility of, and one is fiduciary, and another is policy making. Commissioner Hines stated as a fiduciary she thinks that it is important that this Board and any other Boards stay objective, unselfish, responsible, honest, and trustworthy in the efficiency of the work that they do. Commissioner Hines stated the people in Meriwether County expect their leaders to have a certain amount of trust and thinks as they move forward that is one thing that needs to be looked at through our policies and procedures. Commissioner Hines stated that it has been an interesting and rewarding path for her to be an elected official and feels there is still a lot of work to be done. Commissioner Hines stated it is important to be good stewards and fiduciary good stewards in how taxpayers' money is spent should always be kept in mind.

Commissioner Plant – Commissioner Plant congratulated Kay King on her re-election to the School Board and stated she is looking forward to working with her. Commissioner Plant also stated she was looking forward to working with the three newly elected

gentleman. Commissioner Plant offered help any way she can and looks forward to working with the new Commissioner-Elects and thanked them for their willingness to serve.

Chairman Neely-Hadley – Chairman Neely-Hadley offered her congratulations to the Commissioner-Elects and thanked them for their willingness to serve. Chairman Neely-Hadley stated that it is a thankless job a lot of the time and you will reward yourself when you know you are serving the citizens. Chairman Neely-Hadley stated that she is finishing her 13th year and by far the majority of her conversations and interactions with her constituents has been 99% positive even not always agreeing but working together for the good of the County. Chairman Neely-Hadley had the opportunity to attend the ACCG regional meeting last week with Commissioner Plant, Administrator Irizarry, and Commissioner-Elect Worsley. She stated the newly elected commissioner training will be held the end of November through December 2nd will be valuable and will offer opportunity to make friendships and contacts with other newly elected officials. Chairman Neely-Hadley reminded everyone that Candlelight weekends in Warm Springs will start on November 18th and will run through Christmas Eve. She encouraged all to shop local and support our local merchants and stated that there will be a Breakfast with Santa on December 3, 2022, that is free, but they will need people to make reservations. Chairman Neely-Hadley again encouraged everyone to support the local merchants and expressed that Warm Springs is the tourism hub of Meriwether County.

Vice Chairman Threadgill – Congratulated each and every one of the newly elected Commissioners and Kay King on her reelection to the School Board. Vice Chairman Threadgill stated he is looking forward to working with each of you. Vice Chairman Threadgill stated that the training that Chairman Neely-Hadley mentioned will be valuable and to take notes and make friendships and he is willing to help and work with each of the new Board members.

Commissioner McCoy – congratulated all of those that won their offices. Commissioner McCoy encouraged those that could to come out to the River Cove Landing Dedication and Ribbon Cutting Ceremony at 2:00 p.m. as this was a joint venture between Meriwether County and the State and we are proud of the landing. Commissioner McCoy stated that this Friday, November 11th is Veterans Day and there will be a ceremony at Post 186 at 11:00 a.m. Commissioner McCoy stated that there will also be a ceremony at Unity Elementary for Veterans Day at 1:00 p.m. Commissioner McCoy stated that it had been an emotional rollercoaster for him as he attended his last Lake Meriwether Advisory Board meeting and he is proud of all the work done there and feels Lake Meriwether is one of the hidden treasures in Meriwether County. Commissioner McCoy stated the Board did present him with a plaque and he was very touched and appreciated them for doing that.

XIV. REPORT FROM COUNTY ATTORNEY

Attorney Lee had nothing to report. Administrator Irizarry stated there was a need for Executive Session to discuss Personnel and Litigation.

Administrator Irizarry did advise the Board that the work being done on the drainage system at the Court House has had an emergency problem that had to be approved because all the drains had been lined and there was a lot of construction debris at the end of the drain line. Administrator Irizarry stated the company had to go in under the slab and will have to redo the bathroom as well. She stated she just received word that the work will cost an additional \$13,000.00 and a change order will be presented to the Board at the next meeting. Commissioner Hines asked if there had been any further communication regarding Coleman Creek Circle. Special Projects Director, Theron Gay stated he did hear back from our GDOT Board Member, Mr. Dennis McEntyre and explained to him the importance of the Board's priority being Luthersville Road and he has prepared a packet and will be getting that back to him this week as we have been a little short-staffed. Mr. Gay stated that he will be getting back in touch with Mr. McEntyre this week and also has to speak with him about things going on at the Industrial Park. Chairman Neely-Hadley stated that Mr. McEntyre is eager to get the information. Commissioner Hines wanted to know if we had received a dollar amount. Chairman Neely-Hadley stated it was over \$500,000.00. Commissioner Plant asked if we would have a LMIG list at the next meeting. Mr. Gay stated that we should have that, we just need to put it all together to see how many estimated miles we can include. Commissioner Hines stated that Mr. Cawthorne had put together a list of all the roads and conditions of roads and some of them were rated 3 and 4. Commissioner Hines asked Mr. Gay if that has been looked at again to see if the road conditions had worsened. Mr. Gay stated that Mr. Cawthorne is continuously looking at that and was just out yesterday. Mr. Gay explained that some of the roads that we think are in really bad shape, that we may not have the funds for at this time, we have talked about a safety overlay for a few years until we can get the funding to repair. Commissioner Hines stated that she also sent Administrator Irizarry a program that offers federal funding to help with roads and wanted that forwarded to the Board. Administrator Irizarry stated she had passed on the information and was working on it.

XV. EXECUTIVE SESSION

A motion was made to go into Executive Session at 9:53 a.m. to discuss Litigation and Personnel by Vice Chairman Threadgill. This was seconded by Commissioner Plant. All were in favor. A motion was made by Vice Chairman Threadgill and seconded by Commissioner Plant to go out of Executive Session at 10:17 a.m. All were in favor. A motion was made to approve a request for employee leave by Vice Chairman Threadgill and seconded by Commissioner McCoy. All were in favor.

XVI. FUTURE MEETINGS & NOTICES

Future Meetings and Notices were announced.

XVII. ADJOURNMENT

With no other business to discuss, motion was made by Vice Chairman Threadgill and seconded by Commissioner Plant to adjourn at 10:19 a.m. All were in favor.

Approved by: Majority Vote of the Board of Commissioners

Attest: Allyson L Stephens, Deputy Clerk

Date: November 22, 2022

