

**REGULAR SESSION  
TIFT COUNTY BOARD OF COMMISSIONERS  
MONDAY, November 9, 2015 (6:00 P.M.)**

The scheduled Regular Session of the Tift County Board of Commissioners was called to order by Chairman Thompson on Monday, November 9, 2015, at 6:00 P.M. in the Commissioners Meeting Room in the Administrative Building. Member of the Commission present including Chairman Thompson were Vice Chairman Donnie Hester and Commissioners Greg Wood, Buck Rigdon, Stan Stalnaker and Melissa Hughes. Commissioner Robert Setters was absent.

**These minutes include the Chairman's vote because the absence of a Commissioner.**

Vice Chairman Hester gave the invocation followed by the pledge to the flag.

**Minutes:** Motion approving the minutes of October 5, 2015 Workshop Session and Executive Session; October 12, 2015 Regular Session and October 21, 2015 Called Meeting was made by Commissioner Hughes, seconded by Commissioner Wood. Motion carried unanimously.

**Public Comments:**

Julie Smith, 610 North College Avenue, Councilperson for District 4 of the City of Tifton addressed the Board on behalf of the City Council. She stated that an email came out this afternoon around 5 PM, sent to Jim Carter but was copied to Commissioners as well as City Council members and others. She read the email alluding to the fact that it is the full intention to deliver the General Leger information requested before the close of the business day on Friday, November 13, 2015, and the remainder of the requested documents in Mr. Rowell's September letter will be delivered on or before December 4, 2015. Once the documents have been reviewed the City Council believes it will be beneficial to have a meeting between two selected members of the Commission, two from the City Council as well as any necessary staff to answer any questions and address concerns relating to the financial records. If appropriate this meeting could be accomplished through the SDCC. Staff at the City is working diligently to get these documents ready for delivery. We respectfully request an extension of the deadline from November 15 through December 4<sup>th</sup> for the remainder of the documents. Commissioner Hester had a question as to why it was taking so long for the City to respond. She gave the explanation that was given to her by City Staff. She is working with Staff to get these documents. Commissioner Hughes stated that we asked for the information in April and she would like to know why we could not have received the information and Ms. Smith stated she did not have an answer. Wes Ehlers then approached the Board and stated the request from the first time was a lot longer and then reduced. The County Attorney went through the events that took place throughout the entire Open Records Request process. In September the County sent a check for the requested amount for the last documents we asked for in September and the City cashed the check but we still have no documents. Commissioner Hester then addressed Councilperson Smith and asked could she promise the Commission that the documents would be delivered on Friday. Ms. Smith and Mr. Ehlers stated that Staff has the direction to produce these documents by Friday and this has the support of the full Council and if things continue as has been stated here tonight "you have my word that it will be here on Friday". Commissioner Rigdon stated that he believes they deserve the opportunity to try and produce the documents as stated by Friday given the fact that these two Council people appeared before the Board with their word.

**PUBLIC HEARING:**

**A. TC-ZA-15-01 Rezoning Request for New River Baptist Church for one acre located at 35 Old Brookfield Road from AG (Agriculture) to RR-1 (Residential):** Carl Fortson gave the Staff report. This rezoning has been reviewed by the Planning and Zoning Commission and it has been determined that it is in compliance with the Standards for the Exercise of Zoning Powers and Staff recommends approval.

The County Attorney opened the Public Hearing and call attention to the Standards for the Exercise of Zoning Powers posted as well as the Conflict clause. He asked the Board if anyone has reason to declare a Conflict at this time. There was no conflict of Interest declared.

Ricky Justice spoke on behalf of the rezoning request for New River Baptist Church and asks the

Board consideration of the request.

There was no opposition and the County Attorney closed the Public Hearing.

Motion was made by Commissioner Stalnaker to approve TC-ZA-15-01 Rezoning request for New River Baptist Church, seconded by Commissioner Hughes. Motion carried unanimously.

**CONSENT AGENDA:**

**C. Motion authorizing the purchase of a Ford 150 truck for Animal Control from Griffin Ford in the amount of \$29,148**

**D. Motion authorizing the purchase of Portable/Mobile Radios for Public Safety in the amount of \$180,000**

**D. Motion authorizing the Chairman to endorse the renewal Rental Lease Agreement with Tifton Judicial Shelter**

**E. Motion authorizing the Chairman to endorse the renewal Rental Lease Agreement with Tifton Judicial Shelter**

**F. Motion to adopt the Resolution to submit the grant application for Tift Lift for FY 2017**

**G. Motion to surplus 8 vehicles and place them on GovDeals.com**

**H. Motion authorizing the Chairman to endorse the USDA Lease Amendment thru December 31, 2016**

Motion was made by Commissioner Hughes to approve the Consent Agenda as read by the County Manager seconded by Commissioner Wood. Motion carried unanimously.

**REGULAR AGENDA:**

**B. Request for Annexation from the City of Tifton to annex 2805 Circle Drive:** The City has requested to waive the mandatory requirement concerning annexations for the 30 day time period. Motion was made by Commissioner Wood authorizing a letter be sent to the City of Tifton that the Board of Commissioners waive the mandatory required 30 day waiting period for annexations, seconded by Commissioner Hughes. Motion carried unanimously.

**County Manager's Comments:** None

**Commissioners Comments:**

**Executive Session:**

Motion to go into Executive Session for Legal with the right to return to Regular Session was made by Commissioner Rigdon, seconded by Commissioner Stalnaker. Motion carried unanimously.

Motion to close Executive Session and return to Regular Session was made by Commissioner Hughes, seconded by Commissioner Stalnaker. Motion carried unanimously.

**REGULAR SESSION:**

The following motion was made by Commissioner Rigdon seconded by Commissioner Hughes:

Motion to refrain from filing an open records law suit against the City of Tifton based on the following terms which were delivered to the Tift County Board of Commissioners by Councilpersons Wes Ehlers and Julie Smith:

1. The City of Tifton will deliver the general ledgers requested by the Tift County Board of

Commissioners in its Attorney's letter of September 24, 2015, by Friday 5:00 PM, on November 13, 2015; and

2. By 5:00 PM, on December 4, 2015, the City of Tifton will deliver the balance of the requested documents outlined in the aforementioned September letter.

In the event all responsive general ledgers are not delivered by the City of Tifton's promised deadline, the County Attorney is directed to take any and all legal action necessary or provided by law to obtain said documents, including but not limited to filing suit and making a formal complaint or complaints with the Attorney General of Georgia.

Likewise, if the City meets the first deadline, but fails to produce the second set of documents by 5:00 PM, on December 4, 2015, the County Attorney is directed to take any and all legal action necessary or provided by law to obtain said documents, including but not limited to filing suit and make a formal complaint or complaints with the Attorney General of Georgia.

It shall be understood that if there is 100% compliance by the City of Tifton on these terms, Tift County in no respect waives its rights to thereafter file suit or make a complaint or complaints to the Attorney General of Georgia, for any past, present or future conduct as related to all Open Record Requests sought by Tift County.

The motion carried unanimously.

Motion to adjourn was made by Commissioner Hughes, seconded by Commissioner Stalnaker. Motion carried unanimously.

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Chairman Grady Thompson, District 7

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Vice Chairman Donnie Hester, District 1

\_\_\_\_\_  
Commissioner Melissa Hughes, District 2

\_\_\_\_\_  
absent  
Commissioner Robert Setters, District 3

\_\_\_\_\_  
Commissioner Stan Stalnaker, Dist. 4

\_\_\_\_\_  
Commissioner F. W. (Buck) Rigdon, District 5

\_\_\_\_\_  
Commissioner Greg Wood, District 6

Attest: \_\_\_\_\_  
Glynda Hemby, County Clerk  
11/09/2015