

**HARRIS COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION**

June 16, 2015

7:00 P.M.

Commissioners Present: J. Harry Lange, Joey Loudermilk, Martha Chewning, Becky Langston, Jim Woods. Staff Present: Greg Wood, County Manager; John Taylor, County Attorney; Nancy D. McMichael, County Clerk.

1. **CALL TO ORDER.** Chairman Lange called the Regular Session to order.
2. **PLEDGE OF ALLEGIANCE.** Chairman Lange led those in attendance in the Pledge of Allegiance.
3. **MINUTES.** The motion to approve the minutes of the June 2, 2015, Regular Session was made by Commissioner Woods, seconded by Commissioner Langston, and passed with four in favor (Woods, Langston, Chewning, Lange), no opposition, and one abstention (Loudermilk, who was absent from the June 2 meeting).
4. **OLD BUSINESS**
 - A. **Financial Statement: April 2015.** Chairman Lange said that during the June 2 meeting a motion (by Commissioner Woods) and a second (by Chairman Lange) had been made but that action had been tabled pending a correction to Department 32, which had been made. Following a brief discussion, the motion to approve passed unanimously.
 - B. **Recent Work Release Issue Related to Koch Foods.** Chairman Lange said that in addition to the Sheriff, a couple of citizens had signed up to speak on this topic, but before hearing from those individuals, he asked Commissioner Chewning if she had any comments on the matter. Commissioner Chewning said that she had talked to the plant manager at Koch Foods who stated that they intended to phase out the work release program, but that it would take some time so that they would not end up being short on employees, and was very concerned about this issue.
 - (1) **Sheriff Mike Jolley.** Sheriff Jolley appeared before the Board and said that he got the same information as Commissioner Chewning; that regarding what occurred, on Saturday, May 23, Donald W. Castleberry, white male, 47 years old, serving a sentence for child molestation, theft by taking and bad checks, failed to return to the Troup Transition Center (TTC) in LaGrange from his place of authorized employment at Koch Foods in Pine Mountain Valley; that the TTC contacted the Harris County Sheriff's Office (HCSO) at 12:20 AM on Sunday, May 24, asking that a BOLO be put out on Castleberry; that the HCSO was contacted at 10:00 AM on Monday, May 25, by Koch Foods plant management about a missing employee, classified as an escapee, who had been seen, by others from the TTC working at the plant, at the back fence area with two bags of clothing and asking to talk to plant management; that once management was notified, they went to the area, Castleberry was no longer there, so they notified the HCSO; three members of the HCSO went to the plant, talked with personnel, and Castleberry's name was run through the GCIC, which showed no active warrants; that the HCSO requested the TTC put out a warrant, which is needed in order to go onto private property to search for someone, but the TTC refused to do so; that the TTC then contacted the US Marshall's office, who also requested a warrant; that plant management called TTC to request a warrant; that the TTC took out a warrant, after which several HCSO personnel with the K-9 unit searched properties behind the plant; that the US Marshall's office also sent personnel and two K-9 units to help with the search; that the HCSO searched the area until about 8:00 PM and the US Marshall's office stayed until about midnight; that the next morning, Tuesday, it was determined to notify people in the area since it was the first day of no school; that an alert went out via Code Red, which people should sign up for if they want to be notified of any emergencies. He concluded by saying that the TTC has had about 56 inmates working at the plant for 15 to 20 years, and this is the second person that has failed to return to the TTC; that the flaw is there was a sex offender working in Harris County that was not registered in the County, but because this person was still classified as being still in the system, such registration is not required until they are out of the system or on parole; that he would like to see the law changed, which can be done by State legislation. In response to a question from a citizen (name not given), Sheriff Jolley said that if a person comes onto your property, who is not classified as an escapee and you feel you are in danger, you can use any force necessary to protect yourself, the life of someone who lives with you or your property; but you don't want to shoot them in the back.

Bobby Haralson, citizen who lives on A Circle in Pine Mountain Valley, appeared before the Board and said while he is happy to hear the explanation of what happened, it should have been made known two weeks ago; and he asked how long it will take for the transition (to stop the program) at the plant. In response, Commissioner Chewning said that the plant is voluntarily stopping the program, that it is not something they are doing wrong, and there is no time limit and no requirement, it is something they want to do. Mr. Haralson said that the Sheriff should be able to make the decision as to how long the plant has to phase out the program. The Sheriff stated he will research the matter, but feels it may be up to the Board of Corrections, that he will notify the Board of Corrections, and he asked that the general public find employees to fill the positions at the plant.

Lu Smith, citizen who lives on B Street in Pine Mountain Valley, appeared before the Board and said that there is no monitoring of such persons, which allows them to be in the community where there are children who are out riding their bikes; that with no monitoring, the children are susceptible to those type of people. The Sheriff said that once Castleberry had paroled out, he would have been forced to register as a sex offender and wear an ankle monitor, but he was still in the system, which is the part that needs to be changed. Ms. Smith said that while she knows Code Red in on the County's web page, there is nothing to tell you what it is, and she suggested that something be posted publicly, and on the web page, so that individuals will know about it. Chairman Lange responded that the County will look into such posting.

- C. **Koch Foods Methane Burning Equipment.** Commissioner Chewning said that during her recent conversation the plant manager, she learned they are in the process of constructing the methane burning equipment, however, they are awaiting the appropriate EPD permitting to begin using the equipment.
- D. **SPLOST Update.** Commissioner Langston said that during the June 2 meeting she had made a second request for a SPLOST update and that she has talked to Paul Glick, Finance Officer, who has assured her that the report will be on the July 7 meeting.

5. **NEW BUSINESS**

- A. **Proposal Award: Airport Consultant.** Chairman Lange said that the County is required from time to time to request proposals for airport consultant; that such a recent request resulted in five proposals that were reviewed by the Airport Committee; that the Committee had recommended presentations from top three firms; and that the Board had heard from Pond & Company of Norcross, GA, Robert & Company of Atlanta, GA, and WK Dickson of Atlanta, GA, its current consultant, during the preceding Work Session. He asked for a motion regarding airport consultant. The motion to award the proposal to Pond & Company of Norcross, GA, was made by Commissioner Woods, and seconded by Commissioner Chewning. Chairman Lange, in making general comments, said that the County took over the Airport about nine years ago; that the runway has been refurbished, the lighting has been addressed, the fueling credit card system has been put in place, two T-hangars have been constructed, and an apron has been paved in preparation for corporate hangars; that work has started on the access road to the hangar area, and final paperwork is pending for the AWOS; that about 300 people were at the Airport Open House last year; that many other plans and projects are planned, to include relocating the taxiway due to FAA regulations; that pilots fly here to purchase fuel since our costs are very competitive; that the County is proud of its Airport; that the three finalists were very close in the rating; and that the decision for the consultant is not one to be taken lightly. Commissioner Loudermilk said that all three presentations were well done and professional, thanked the companies for their presentation, and said that it was a close decision. The motion to award the proposal to Pond & Company passed by a vote of three in favor (Woods, Chewning, Loudermilk) and two opposed (Lange, Langston). Chairman Lange thanked WK Dickson for everything it has done for the Airport. (Contract Document can be found in "Contracts & Agreements" file as C&A #15-14.)
- B. **Budget FY 15/16 Public Hearing II.** Chairman Lange said that this was the second public hearing for the budget. Greg Wood, County Manager, distributed a memo from Sheriff Jolley regarding his salary proposal, as well as several revised budget pages, which he then reviewed, which included the Revenues page that had to be revised since the automatic calculation didn't take place when a previous change was made, and said that the Voter Registration department salary increased due to an additional election that will be taking place, and that the question regarding the \$8,200 for EMS phones is due to the fact that paramedics have been paying for the internet because it was mainly for their own use, but that now, because reports are required to be done electronically, the County will start paying

for the internet. Chairman Lange said that a couple of other changes included that the Railroad Revenues previously indicated \$5,100 and has been changed to \$5,000; and that delinquent taxes has been increased from \$178,080 to \$190,000. With those changes, he asked for any comments from the Board. He then called the Public Hearing to order and asked if anyone wished to make a comment about any department, other than the Sheriff's office. There being none, he said there was no need to go through each department individually. He then asked if any Department Head wished to comment or question their budget, to which there were no comments. He said the next issue for discussion is the proposal by the Sheriff and asked the Sheriff for his comments.

Sheriff Jolley said that he supports each Constitutional Officer and Department Heads in trying to assist their employees in obtaining a living wage; that the proposal he submitted, is an effort to bring the inequitable salaries to the front; that what he is requesting for the sworn law enforcement officers should be the start of a salary scale adjustment across the board from all County employees; that it's to do the right thing for all County employees; that his proposal would increase his salary line item \$248,011.06 for all sworn officers, however with the Commissioners' proposed 2.5% across the board increase, the cost would reduce to \$197,636.93; that he has proposed the new scale would start January 2016 and therefore would end up costing \$98,818.46 for the six months (January through June); that his current financial statement ending May 31, 2015, shows he will have an estimated \$326,512 remaining in Department 10 due to a savings in four lines (salaries, payroll tax, gas, and wrecker service); that with that the proposal would result in no 2016 increase or in 2017 if the saved funds are carried over for salaries, but an increase would be necessary in 2018; and that he is requesting the proposal be accepted not only for his deputies but as a starting point for all County employees, which are the County's greatest asset, and if we can't keep good employees we can't keep the good name of Harris County.

Chairman Lange said that the Board does want to do something, but the issue is how to do it. He then asked if anyone wished to make comments.

Randy Robertson, vice-president of the Georgia Fraternal Order of Police, appeared before the Board and said that he has been in law enforcement for 30 of his 53 years; that he and the other law enforcement personnel in the room understand what law enforcement is about and the sacrifices that go on day in and day out; that law enforcement get up every day to face what is on the street and put themselves at risk; that citizens want three things - good roads, trash pickup, and mainly good law enforcement; that no one goes into law enforcement for the salary and benefits play a big role; that he was shocked to see that a deputy with family insurance coverage clears \$329 a week if they have the minimum health and choose not to have dental, life or vision insurance; that in reviewing the Sheriff's proposal, in four years, it would put the starting pay around \$32,000, but that is still behind the "eight ball"; that the Sheriff's office should be the envy of the surrounding counties and be able to attract trained officers from those counties; and that the Board can show they support the Sheriff's office by not only passing the Sheriff's proposal as a start to build good benefits and good salaries to keep the employees in Harris County.

Lynn Sanders, citizen, appeared before the Board and said that when she got her concealed carry permit at the Sheriff's Office, the deputy who helped her had served in Iraq and knew what he was doing, and that when they commented that they were glad to have him in Harris County, he responded that while he liked it here, he really isn't paid enough and will have to go somewhere else. She also said that she sees the presence of the deputies everywhere, which gives people a good feeling to know they are there; and that they deal with big and little things and need to be paid for it.

There being no further comments from those in attendance, Chairman Lange closed the Public Hearing.

C. Adoption of FY 15/16 Budget (General Funds, Small Funds, Airport, Solid Waste, Water Works).

(1) Motion & Vote on Sheriff's Proposal. Commissioner Langston said that as a Commissioner she has said on more than one occasion that most County employees salaries are way too low. She then made the motion to accept the Sheriff's proposal to begin January 1, 2016, and to have a salary survey performed by or before December 31, 2015. She said that the County has the best public safety services in the region and she wants to see them stay that way. In response to a question from Chairman Lange, John Taylor, County Attorney, said that this motion, if passed, will in turn amend the budget by that amount. Commissioner Loudermilk seconded the motion for discussion purposes

and said that he, as Juvenile Court Judge, works directly with the Sheriff's office, particularly with juvenile issues, and will recuse himself from voting. He also said that the Sheriff's personnel are professional regarding juvenile delinquent issues; that officers have been called out to the home of a 14-year-old juvenile several times in the past year; and that one of the deputies volunteered to be a mentor for this particular juvenile.

Commission Chewning said she has great respect for the Sheriff's office and all law enforcement; that she likes the idea of having a salary survey study completed; that her concern is with the longevity increases in addition to the across the board increases because deputies would essentially receive increases double what other employees would receive; that she likes the idea of longevity increases, but until she learns more but cannot support the longevity increases at this stage.

Chairman Lange said that he has talked to two entities about conducting salary surveys; that one indicated that a compensation study would run about \$20,000 plus \$4,500 expenses and could be done within three to four months, or a compensation & job description study would run approximately \$36,000 plus \$4,500 expenses and take five months; that the other gave lower quotes from the low \$20,000 to mid \$30,000, depending on what the County wanted, but they could not start until late summer or fall and would take five to seven months, which would fall outside the time frame. He said that he is also concerned about the pay levels for all County employees; that everyone has worked hard in controlling their expenses, but sometimes there are needs to be addressed, and employee pay is one of those needs; that County employees are underpaid and do not get what they would working in the private sector; that it is the consensus of the Commissioners that salaries have to be addressed and try to do something for the employees; that such a survey may result in a big financial hit for the County and could result in a millage rate increase; that the only change in the County's portion of the millage rate has been to reduce it; that currently it is actually less than it was in 1993; that while no one likes an increase (in millage), it would be justified in this case; that he would like to have an unbiased firm perform the salary survey, even though the County can look at numbers on the Department of Labor, the Georgia DCA, but neither show the qualification for other counties or the requirements; that he believes such a survey is needed to look at salary structures; that the Sheriff's longevity proposal would result in an overall 50% increase just for being employed a certain amount of time, because in addition to receiving the normal increase that other employees get his officers would receive longevity increases, which is a great inequity; that pay grades and pay scales need to be looked at and he would really like to look at it all; that there are no Sheriff's departments in the State of Georgia that have longevity as well as cost of living increases; that the Sheriff has tried to make his proposal feasible, but some things are not included, such as increased benefits that go along with increased salaries; and that after such a survey, looking at the entire picture, the Board can consider all employees.

Commissioner Langston said that the Board could make this work; that she has reservation about using taxpayer money to pay an outside entity to come in and tell us what we already know, which is the salaries are low; and that if no other counties in Georgia are doing this, she would rather be a leader than a follower.

Chairman Lange said that while employees are underpaid, the extent of same is not known; and that while he has concerns, he is not saying nothing needs to be done, because it does.

Commissioner Woods thanked the Sheriff for his proposal; said that the Sheriff's arguments are sound, though he failed to include Troup County in his comparison; that the estimated costs for implementing the proposal do not include FICA, Medicare and retirement, which is about another 8%; that the compromise proposal to implement an almost 10% raise in 2016 by using the projected \$100,000 savings on fuel and other items in 2016, is an accounting slight of hand, which would eventually result in a 16% increase in property tax; that it provides a completely different pay scale for one department than is used by any other county in Georgia with unknown consequences; that the Board needs to equitably realign pay grades and base raises on same; and that it was only recently that he realized that past salary increases did not affect the starting wages, which is the cause of the current situation.

There being no further comments, Chairman Lange called for a vote on the motion to approve the Sheriff's proposal as presented and to have a salary survey performed by December 31, 2015. The motion failed by a vote of one in favor (Langston), three opposed (Chewning, Lange, Woods), and one abstention (Loudermilk).

- (2) Motion and Vote to Make Grade Changes to Deputies, Corporals and Sergeants. Commissioner Woods made the motion to make changes to the following pay grades and apply it to the respective officers: deputies change from Grade 26 to 30 with the starting wage increasing from \$13.64 to \$15.14; corporals change from Grade 28 to 31 with an increase from \$13.91 to \$15.44; and sergeants change from Grade 30 to 32 with an increase from \$14.97 to \$15.77 starting July 1. He said that while this is not completely fair and equitable, it will correct the greatest problem of retention within the Sheriff's office and will not be budget buster. Following discussion, there was no second to the motion. Commissioner Langston said that she would hesitate to vote on something for which she has nothing to show how it will work out. The motion died for lack of a second.
- (3) Motion and Vote to Adopt Budget. Chairman Lange made the motion to adopt the budget as presented and to have a salary survey completed close to December 31, 2015, and once conducted, the Board review the results to include pay scale, pay grades, and job descriptions, and amend the budget, if necessary. John Taylor, County Attorney, said that the Board would be better off to vote on approving the Budget with no strings attached, and come back with another motion regarding the salary survey. With that, Chairman Lange amended his motion to adopt the budget as presented with the few changes that were made since the last Public Hearing. Commissioner Woods seconded the motion. Commissioner Chewing asked if a separate motion is needed for the 2.5% across the board increases. Therefore, Chairman Lange amended his motion to adopt the budget plus a 2.5% across the board increase, which is to be taken from fund balance, for all applicable employees. Commissioner Woods amended his second and asked that a 2.5% increase also be added to all starting salary grades. Following a brief discussion, Chairman Lange said that he would not include that in his motion. The motion passed with a vote four in favor (Lange, Woods, Chewing, Langston), no opposition, and one in support (Loudermilk) but abstaining from voting for Sheriff's Office, Court Services, Superior Court, and District Attorney (due to his association with same as a Juvenile Court Judge).
- (4) Motion and Vote for Salary Survey. Chairman Lange made the motion to have a salary survey, to include job descriptions, pay rates, pay grades and starting salaries of applicable employees, completed by December 31, 2015, and immediately thereafter, the Board is to review the results and determine adjustments to pay grades, starting salaries and any adjustments to existing salaries. Commissioner Chewing seconded the motion. Commissioner Langston said that she is opposed to using taxpayers money to pay for the salary survey because there are a lot of sources from which we can obtain the information. Chairman Lange said that he may be able to get the cost of the survey donated, to which Commissioner Langston said she was in favor. Commissioner Chewing said that such a survey will be well worth the cost even if County funds are used. Chairman Lange said that the survey would include forms being completed, interviews with employees to ascertain the actual work of employees. There being no further comments, the motion passed with four in favor (Lange, Chewing, Langston, Woods), no opposition, and one in support (Loudermilk) but abstaining from voting for Sheriff's Office, Court Services, Superior Court, and District Attorney (due to his association with same as a Juvenile Court Judge). Chairman Lange said he will contact the person who indicated they would contribute funds for the survey.

Chairman Lange thanked the Sheriff for his proposal and the effort he made, and that if the survey results in higher costs that what the Sheriff proposed, so be it since something needs to be done, and that steps need to be taken to avoid being in this same position in the future.

- D. On-Site Sewage Management Systems Ordinance. John Taylor, County Attorney, said that he has reviewed the ordinance, which will replace the ordinance adopted January 1985; that Section 7-68 should be changed so that the enforcement will be either the County Environmental Health Specialist or the County Code Enforcement Officer rather than jointly. Commissioner Chewing suggested that in Section 7-71 the County Planning Commission should be deleted, to which Mr. Taylor agreed since the Planning Commission is only a recommending body. The motion to approve the ordinance with the changes in Section 7-68 and 7-71 was made by Commissioner Loudermilk, seconded by Commissioner Woods, and passed unanimously.
- E. Wellness Grant Application. Chairman Lange said that this is an annual application with no money spent by the County and he asked for a motion to approve same. The motion to approve the grant application was made by Commissioner Chewing and seconded by Commissioner Loudermilk. As discussion, Commissioner Woods asked for details as to how

the money from the last grant was used, to which Nancy McMichael, County Clerk, replied that a wellness fair was conducted in addition to starting a walking program. The motion passed unanimously.

- F. **TIA Splost.** Chairman Lange advised the Board that notification was received from the environmental firm that has been contracted by GDOT to prepare the environmental documents necessary to add the passing lanes on Georgia Highway 219, which starts in Muscogee County at Luther Lane Bridge to Manton Drive, then from Mulberry Creek Bridge to Old River Road, and then from Mulberry Creek Bridge to Happy Hollow Road. Copies of the notification will be provided to the Board.

6. **COUNTY MANAGER**

- A. **Front Door Initiative.** Greg Wood, County Manager, said that the information provided is in regard to applying for help in attracting things like the film industry and having a better presence on the internet, at no cost to the County. In response to a question from Commissioner Loudermilk, Mr. Wood said that RCDI stands for Rural Community Development Initiative. Following a brief discussion, the motion to approve making application was made by Commissioner Langston, seconded by Commissioner Woods, and passed unanimously.
- B. **Addition to Vehicle Take-Home List: Vehicle Maintenance On-Call.** Greg Wood, County Manager, said that Vehicle Maintenance does not have an on-call person; that there have been some situations where vehicles are being driven rather than stopping and calling someone to look at the vehicle and that recently an engine was significantly damaged because someone tried to drive it in rather than stop; and that two personnel of Vehicle Maintenance will respond to after hours call, with the County being split north and south. Following discussion, the motion to approve adding two take home vehicles for Vehicle Maintenance personnel to the take-home list was made by Chairman Lange, seconded by Commissioner Woods, and passed unanimously.
- C. **Scott Rigsby Event.** Greg Wood, County Manager, said that Wheels of Fire has not taken place for a couple of years; that on August 22 and 23, an event will take place using the Wheels of Fire route with Para-Olympic type activities with hand bikes and other events; that this is a two day event with an estimated 300 people in attendance; and that as with Wheels of Fire, it will benefit the Volunteer Fire Departments.
- D. **Liability Coverage.** Chairman Lange said today the County received its insurance package from ACCG and included was an inquiry as to whether the County would like to increase its liability from \$1,000,000 to \$5,000,000 for an additional cost of \$2,605. Following discussion, the motion to approve the increase was made by Commissioner Loudermilk, seconded by Commissioner Langston, and passed unanimously. [Note: The inquiry contained a misprint in that the County actually has \$4,000,000 in liability and an addition \$1,000,000 would cost \$2,605; upon polling the Board, consensus was to not increase to \$5,000,000.]

7. **COUNTY ATTORNEY**

- A. **Agreement: DOC Prison Inmate Capacity Increase.** John Taylor, County Attorney, said that the Board adopted an agreement regarding inmate capacity in April for 125 inmates; that this agreement will increase the capacity to 150 inmates; that the rate of reimbursement from the State remains at \$20 per inmate per day; and that a paragraph indicating that this document will supersede the previous agreement should be inserted. Alex Haden, Prison Warden, responded to questions from the Board to include there is room at the prison for the additional 25 inmates, however more bunks and lockers will be needed; and that the increase will help provide more labor for the County's needs. The motion to approve this agreement was made by Commissioner Langston, seconded by Commissioner Woods, and passed unanimously. (Document can be found in "Contracts & Agreements" file as C&A #15-13.)
- B. **Ante Litem Notice: Accident.** John Taylor, County Attorney, said that the County had received an Ante Litem notice concerning an accident that occurred on September 23, 2014, when the mirror of a County vehicle driven by a deputy hit the mirror of a motorcycle driven by a private citizen; that there were no injuries, very minor damage to the mirrors, and a GSP report was made; and that the person who was on the motorcycle is asking for \$500,000. Mr. Taylor recommended that the Board deny the Ante Litem Notice and said that he would notify the County's carrier regarding same. The motion to deny the Ante Litem Notice was made by Commissioner Langston, seconded by Commissioner Woods, and passed unanimously.

8. **REQUEST FOR EXECUTIVE SESSION.** Greg Wood, County Manager, requested an Executive Session for the purpose of discussing real estate acquisition and personnel matters.
9. **RECESS FOR EXECUTIVE SESSION.** The motion to go into Executive Session for the purpose of discussing real estate acquisition and personnel matters was made at 9:05 PM by Chairman Lange, seconded by Commissioner Chewning, and passed unanimously.
10. **RESUME REGULAR SESSION.** The motion to go back into Regular Session was made at 9:20 PM by Commissioner Langston, seconded by Commissioner Chewning, and passed unanimously.
11. **OTHER**
 - A. **Vehicle Maintenance Personnel.** Chairman Lange said that with the retirement of an employee, the Shop Foreman would like to move Bennie Elliott, Jr., into that slot at the same salary of \$14.51 (effective July 1). The motion to approve was made by Chairman Lange, seconded by Commissioner Chewning, and passed unanimously.
 - B. **Washington Road: Purchase of Right of Way.** The motion to approve the purchase of property from Henry Crye, Jr., to provide for a 60' right-of-way on Washington Road at the cost of \$8,150 and, using dirt from cutting the right-of-way on Crye's property, put no less than six (6) inches of dirt on the portions of the road bed that will not be included in the new right-of-way, was made by Chairman Lange, seconded by Commissioner Chewning, and passed unanimously.
 - C. **Aircraft at Airport.** There was discussion exploring options for tax abatement for high-end aircraft at the Harris County Airport, with no action taken.
12. **ADJOURNMENT.** There being no further business to discuss, the motion to adjourn was made by Commissioner Chewning, seconded by Commissioner Loudermilk, and passed unanimously.

J. Harry Lange, Chairman

Attest:

Nancy D. McMichael, County Clerk