

**HEARD COUNTY BOARD OF COMMISSIONERS MEETING
JULY 25, 2013 – 6:30 P.M.**

The Heard County Board of Commissioners held a Commissioners Meeting on July 25, 2013 at 6:30 p.m. in the courtroom of the Heard County Courthouse. In attendance at the meeting were Chairman Lee Boone, District 1 Commissioner Larry Hooks, District 2 Commissioner Jacob Cammon, District 3 Commissioner Gwen Caldwell, District 5 Commissioner Sandi Allen, and County Attorney Jerry Ann Conner. District 4 Commissioner Frank Crook was absent due to illness. Chairman Boone called the meeting to order and welcomed everyone present. Mr. Bryan Owensby gave the invocation.

Agenda Item # 3 – Approval of Minutes - On motion (Allen) and second (Hooks), the Board unanimously approved the minutes from June 27, 2013 as presented.

Agenda Item # 4 – Amend Agenda – Chairman Boone asked for an amendment to New Business to include item – b – Discuss SPLOST Road Contracts and item – c – Discuss Forest Management. He also asked for an amendment to Old Business to include item - c – Discuss Memorandum of Understanding Regarding Yates Lane. On motion (Caldwell) and second (Cammon), the Board unanimously approved these amendments.

Agenda Item # 5 – New Business – a. Discuss District Attorney’s 2013-2014 Budget – Chairman Boone explained that in February he and other members of the district attorney’s circuit met with the district attorney in a meeting in Coweta County to discuss their 2013-2014 fiscal year budget. He stated that he felt he was well informed about the district attorney’s office at this time. He stated that in May he and the Board of Commissioners held a work session and he presented the district attorney’s budget at this time. He stated they submitted a budget proposal showing Heard County’s contribution to their budget to be \$197,667.00 which was almost \$26,000.00 less than the previous year. He stated that this was submitted with the

understanding that they may have to ask for an increase in the Heard County budget if the larger counties, Carroll, Coweta and Troup did not approve the percentage increase in their budgets. Chairman Boone stated the entire proposed Heard County budget was advertised in the legal organ newspaper as required by law. During the advertisement time period, Ms. Linda Tipton from the district attorney's office called and stated to him that the larger counties did not approve their percentage increases and that the Heard County budget would need to be increased to \$232,021.00. Chairman Boone stated he explained to Ms. Tipton that it was too late to submit a new budget and that the district attorney would need to come before the Board to ask for a budget amendment after the budget was adopted by the Board of Commissioners. He stated that he had no further correspondence with the district attorney's office regarding this until he received a letter dated July 1, 2013 stating that the district attorney would be decreasing services in Heard County and would no longer be prosecuting cases in the Probate Court of Heard County effective August 1, 2013, and also in the juvenile court effective January 1, 2014. He explained this created a budgetary issue, and that the County may have to consider hiring someone to handle the cases in Probate Court. District Attorney, Mr. Pete Skandalakis stated to the Board that he simply does not have enough personnel to cover the Coweta Judicial Circuit, which includes Coweta, Carroll, Troup, Heard and Meriwether counties. He explained that he asked the larger counties for an increase and because they did not agree to more financial support, he was asking Heard County to increase his budget to \$232,021.00. He stated that there is a possibility that the State of Georgia will approve more assistant district attorneys (ADA) for this circuit at a later date. He stated he would be asking the Board for a letter of support to send to the State of Georgia in September. He also stated that the law will be changing in January of 2014 regarding how juvenile court cases are

handled. This will require more resources from the district attorney's office. He stated that if Heard County does approve the budget increase he is asking for, that Assistant District Attorney, Sara Japour could possibly be in Heard County three days per week. As of now, he has her scheduled to be in Heard County only once a week and in Meriwether County the remainder of the time. He stated he simply does not have enough personnel in the district attorney's office at this time to guarantee a full time ADA for Heard County. Sheriff Ross Henry spoke on behalf of the district attorney's office stating that the district attorney's office is critical to his department and does affect his office drastically. He stated that the Heard County Sheriff's Office is much more efficient with a full time ADA in Heard County. Clerk of Court, Bryan Owensby spoke on behalf of the district attorney's office stating that his office is not backlogged now since Heard County has a full time ADA. He stated he would like to see Heard County maintain a full time ADA if at all possible. After further discussion, on motion (Allen) and second (Cammon), the Board unanimously approved Mr. Skandalakis's request to increase the FY 2013-2014 from \$197,667.00 to the requested amount of \$232,021.00.

b. Discuss SPLOST Road Contracts – Public Works Director, Darold Wiggins stated he received bids today on the paving projects for Bevis Road; from Franklin City Limits to Hwy. 219 and Pea Ridge Road; from Georgia Highway 100 to end of pavement. The bids were as follows:

Bevis Road	-	Gallagher Asphalt Corporation	-	\$387,140.00
Pea Ridge Road	-	Hubbard Construction Company	-	\$202,200.00

Mr. Wiggins recommended accepting both bids. On motion (Allen) and second (Hooks), the Board unanimously approved these bids in the amount of \$589,340.00 to be paid from SPLOST III.

c. Discuss Forest Management – Chairman Boone stated that the County owns several tracts of property that has large timber. He stated that this timber does need to be harvested. He asked the Board if they would like for him to proceed on identifying these properties and taking bids on harvesting the timber. All were in agreement. Chairman Boone stated he will advertise and solicit bids and present them to the Board.

Agenda Item # 6 – Old Business – a. Approve Bids for New Motor Grader – Mr. Darold Wiggins, Public Works Director – Mr. Wiggins stated after looking at two motor graders; one from John Deere and one from Caterpillar, he would like to recommend purchasing a new motor grader from Caterpillar for \$121,000.00. He stated that Caterpillar has a better resale value and increased their warranty to a 5 year warranty. He also stated that Caterpillar has agreed to give the County \$90,000.00 on trade for their current motor grader. On motion (Caldwell) and second (Allen), the Board unanimously approved this request.

b. Discuss Campsites and Camping Ordinance - County Attorney, Jerry Ann Conner stated that in the last meeting the Campsite and Camping Ordinance was discussed and the Board asked her and Codes Enforcement Officer Robert Nelms to look into the property in question on Joe Stephens Road. She stated that after viewing the property discussed; she determined that this property is in compliance with the current ordinance and there is no action to take on this matter.

c. Discuss Memorandum of Understanding Regarding Yates Lane – Chairman Boone stated he recently received an email from Carroll County's county attorney, regarding the paving of Yates Lane. The email stated that Heard County and Carroll County discussed paving Yates Lane in 2011 but the memorandum of understanding between the two counties was never executed. County Attorney, Jerry Ann Conner did review the memorandum of

understanding and made some revisions to the agreement. Public Works Director, Darold Wiggins stated that the price for the paving of Yates Lane in Heard County is a reasonable price. He stated that he would be verifying the quantities with Carroll County listed in the document. On motion (Caldwell) and second (Hooks), the Board unanimously approved the paving of Yates Lane at the cost of \$105,880.00 to be paid from SPLOST IV.

Agenda Item # 7 – Public Comments – None.

Agenda Item # 8 – Executive Session – None.

There being no further business, on motion (Caldwell) and second (Allen), the Board unanimously voted to adjourn.

Affidavit for approved minutes for July 25, 2013

Patty A. Giles
County Clerk

Lee Boone
Chairman

Date: 8-22-13