

HARALSON COUNTY BOARD OF COMMISSIONERS
JANUARY 3, 2017
REGULAR MEETING MINUTES

Chairman Allen Poole called the meeting to order. Ms. Sandi Couch offered the Invocation and the board led the Pledge of Allegiance. Chairman Poole welcomed the new commissioners; District 1 Commissioner David Tarpley and District 3 Commissioner Donnie Ridley.

Chairman Poole stated that the minutes from the December meeting had been sent to the commissioners for review. He reminded everyone that there was not a December work session. He asked if there were any corrections, additions, or deletions to be made. There were none.

Commissioner Robinson motioned to approve the minutes of the December 6, 2016 meeting as written. Commissioner Bennett seconded and the motion carried 3-0. Commissioners Tarpley and Ridley abstained since they were not in office at that time.

Chairman Poole asked if there were any changes the board wished to make to the agenda. Chairman Poole stated that he wanted to add a department head report from the new Transit Director, Bruce Poteat. Commissioner Bennett motioned to approve the agenda as amended. Commissioner Donnie Ridley seconded and the motion carried unanimously.

Chairman's Report

Chairman Poole stated that the audit had been completed and submitted to the state. He reported that there was only one finding and that was separation of duties within small departments. He had County Clerk Alison Palmer elaborate. Ms. Palmer stated that there are several small departments that have to collect money. There are not enough employees in these departments to be able to completely separate all the steps. She stated this will always be a finding for small jurisdictions. The response to the state is that the duties are separated as much as possible with the small number of employees available in that department.

Chairman Poole also reported that the TAN (Tax Anticipation Note) had been repaid as required by December 31st and also was a substantially lower amount than has been drawn in quite a few years. There was only \$500,000 drawn from the loan line.

Department Head Report

Transit – Bruce Poteat – Mr. Poteat stated that this transit program provides affordable transportation for any resident of Haralson County. He has been director since May 2016. Mr. Poteat gave some statistics showing the increasing number of runs the department is making.
October 2015 - 507 runs, October 2016 – 561 runs
November 2015 - 467 runs, November 2016 – 539 runs
December 2015 - 504 runs, December 2016 – 625 runs

Mr. Poteat stated that our program provides transportation to people that have no other way to go, they are homebound. We take them to doctor's appointments, grocery stores, dialysis, etc. This service is a tremendous benefit to the people of Haralson County. Chairman Poole thanked Mr. Poteat for his report.

Public Participation on Agenda Items

None

Item #1 – Proclamation celebrating the Birthdays of Robert E. Lee and Thomas "Stonewall" Jackson

Chairman Poole read and presented the proclamation to Mr. Billy Bearden, Mr. Richard Boarts, Mr. James Tolbert, Mrs. Pam Tolbert and Mr. Kyle Clayton, who were all dressed in period clothes appropriate to that time. Mr. Bearden, Commander, thanked the board for the

Proclamation and urged everyone to come to the meetings of the Haralson Invincibles Camp 673. He stated that they loved to teach about the history of that time, not just the confederate history. Mr. Bearden quoted Robert E. Lee. After the war he said, "We failed (about the Confederate effort), but in the good providence of God, apparent failure often proves a blessing." Mr. Bearden went on to say that "we are here in America, all 50 states, we live in a great country."

Item #2 – Appoint Vice Chair

Chairman Poole motioned to appoint Commissioner Sammy Robinson as Vice Chair. Commissioner Bennett seconded and the motion carried unanimously.

Item #3 – Appoint County Attorney

Chairman Poole motioned to reappoint the current attorney, Julie Cain. Commissioner Robinson seconded. Chairman Poole asked if there is any discussion. Commissioner Tarpley stated that he did not think it was fair to the new board members to be asked to appoint these positions in their first meeting, before they have a chance as a board to discuss all these appointments that are coming up on today's agenda. He feels like it is "highly unfair and probably not in the best interest of the board to do so."

Chairman Poole stated that the it has been the history that the board has always appointed the attorney and clerk at the first meeting of the year, and "with the history of these two appointments that we are making today, I think we do have a grasp on the type of work that the county attorney as well as the clerk have performed over the years." He went on to say "that these two appointments can be brought back up at any time because they serve at the pleasure of the majority of the board and if you don't feel like they are doing their job at that particular time, we can bring it up, we can discuss it and we can call for another vote. But, at this particular time, because these people are not new to the positions, I think that it is in the best interests of the board to go ahead and call the question."

Commissioner Ridley asked if these appointments are for a year and Chairman Poole stated that it is, but clarified that at any time these individuals are not performing to their likes, you have the opportunity to bring it back for another vote. Commissioner Tarpley stated that it is the history of the board to make these appointments today, "but it does not mean we have to continue like trends, just because we've always done something." He went on to say there is nothing that says we cannot postpone these appointments.

Chairman Poole stated there was a motion and a second on the floor and asked if there was any further discussion. There was none. Chairman Poole asked that all in favor of reappointing Ms. Cain as County Clerk and then corrected to County Attorney, vote by show of hands. The motioned carried 4-1, with Commissioner Tarpley opposed.

Item #4 – Appoint County Clerk

Chairman Poole asked if there was a motion to reappoint Ms. Palmer as County Clerk. Then he went on to say, "The county clerk has served in this capacity for the past 8 years and I think she does an excellent job. I would be remiss if I didn't think that she is doing an excellent job." Commissioner Robinson motioned to reappoint Alison Palmer as County Clerk. Commissioner Ridley seconded and the motion carried 4-1, with Commissioner Tarpley opposed.

Item #5 – Conflict of Interest policy

We have not had a conflict of Interest policy, but Chairman Poole would like to put one in place. He does have a form for the Commissioners to sign when they abstain from a vote in order to avoid any potential appearance of conflict of interest in an item. Commissioner Ridley stated that he had one that needs to be discussed. County Attorney Julie Cain stated that she has discussed the contract for gas service with Commissioner Ridley that his company currently holds. She clarified that this contract had gone out to bid and been awarded prior to him

running for office. The county is continuing under a contract that was in place prior to him coming onto the board and it can be further discussed at the work session. Also, Mr. Ridley has a couple of retail establishments in the county that the county employees use, however, there is no requirement that they use them and there is no special services or anything like that. This can all be discussed at the work session so that the county can determine if they need to prohibit that.

For the record, Chairman Poole stated that if there are any votes for use of Commissioner Ridley's businesses, he can abstain or leave the meeting, if he so choose, so that it won't show a conflict. Ms. Cain stated that Mr. Ridley had been very forthright about this before coming onto the board.

After this discussion, Chairman Poole motioned to approve the use of the form for abstaining from a vote and in the future if anyone is abstaining from a vote, they will sign one of these forms. Commissioner Robinson seconded and the motion carried unanimously.

Item #6 – Tax Commissioner Letter of Authorization

Chairman Poole asked Ms. Palmer to explain this item. She stated that this is basically a form that authorizes the Tax Commissioner to accept payments for taxes on behalf of the county governing authority. It also allows for the December interest to not be added until January to allow for processing mortgage company payments and payments received by USPS, UPS, and FedEx.

Commissioner Ridley motioned to approve the Tax Commissioner Letter of Authorization. Commissioner Robinson seconded and the motion carried unanimously.

Item #7 – Development Authority Board Appointments

Chairman Poole stated that at the end of August 2016, the BOC was given a recommended slate of members for the board of the Development Authority. Chairman Poole opened the floor for nominations from the board. Commissioner Tarpley asked that the appointments be postponed until the board has had a chance to discuss, in a work session, the people on the board and any new nominations. Chairman Poole stated that he felt like the new commissioners could have recommended someone at any time, even though they had not been sworn in. Chairman Poole stated that he would take Commissioner Tarpley's disagreement as a motion to table this item until a later time. Commissioner Bennett seconded and stated that she was seconding because she saw two names of people that did not want to be returned to the board. Karen Higgins and Commissioner Kenneth Smith. She stated that she had spoken to Kenneth Smith directly. Chairman Poole stated that he had talked to Commissioner Smith and was told by him, that he would like to remain on the Development Authority Board. Chairman Poole stated that it is possible he has changed his mind. Eric McDonald stated that Karen would like to be replaced and Donnie Boswell stated that Kenneth Smith expressed to him that he would like to remain on the board.

Chairman Poole called the vote to table the Development Authority appointments until it could be discussed at the January 18, 2017 work session. The motion carried 3-2 with Chairman Poole and Commissioner Robinson opposed.

After the vote, County Clerk, Alison Palmer asked if Eric McDonald, Development Authority Executive Director, could be asked to the work session because the slate of current and recommended appointees is not very clear. Commissioner Tarpley stated that he did not think it would be necessary because the document that controls it would make it very clear. They can, but it is not necessary. Chairman Poole asked Eric McDonald and Donnie Boswell to be at the work session, in case there are any questions. Commissioner Bennett asked Ms. Cain if this could be discussed in a work session like a personnel issue since it is discussing people to be appointed.

Public Participation on Non Agenda Items

None

Chairman Poole asked for comments from the board.

Commissioner Tarpley stated that he is thankful to be part of the board for the next 4 years. He looks forward to working with his colleagues. He said we all hold district positions but tread a fine line of taking care of their constituents as well as everyone in the county.

Commissioner Bennett stated that it is a new year and a new start and she plans to work with the board and hopes they can come to consensus and be united. The people expect them to step up and work together.

Commissioner Ridley thanked the people of Haralson County for giving him this opportunity and stated he will do his best.

Commissioner Robinson welcomed the two new members to the board, and stated that there are probably already looking for someone to replace you. Recommends "That you buckle up, hold on to your seat, pull that seat belt real tight, because you are going to be in for one hell of a ride!"

Chairman Poole gave a "shout out" to the Sheriff on the care of his new facility. He stated that the Sheriff and his staff are doing an excellent job.

Chairman Poole also gave a shout out to the fire chief and the water authority for dealing with the drought and the water flow. He also thanked the citizens for reducing consumption by 1 million gallons of water and he believes that God heard our prayers and rain is coming. He stated that the water board is working on some plans for the future. Commissioner Ridley asked for a report on water. Chairman Poole asked Chief Brian Walker to give an update.

Chief Walker stated that the water is flowing over the dam and more rain is coming, but if it stops again and does not rain good during the spring, the water level could go back down fairly quickly. He stated that the condition is critical but stable.

Commissioner Ridley also asked for a report on the progress from the meeting with the Governor. Chairman Poole stated that the county and water authority is working on prioritizing a list of possibilities for increasing our water, such as exploring the Cartersville Fault for possible well locations, expanding the Anniston connection; Cleburne County is also willing to increase their distribution to Haralson County, dredging Seabreeze Lake, etc. Chairman Poole stated that the Water Authority has appointed Dean Tanner as the new director.

Commissioner Robinson stated that he would like to thank the Sheriff for the tour of the new facility a few weeks ago. He complimented him on the condition of the new facility. He said he walked into the kitchen, and "you would have thought you were in Trump Tower, that's how clean that place was."

Sheriff Mixon thanked the board for the new facility. He said they have about settled in and appreciate their new facility.

Chairman Poole adjourned the meeting.

Submitted by Alison Palmer
County Clerk