

**MINUTES OF THE THIRD TUESDAY MEETING OF THE  
JONES COUNTY BOARD OF COMMISSIONERS**

September 21, 2010  
6:00 PM

The Third Tuesday Meeting of the Jones County Board of Commissioners was held at 6:00 p.m. September 21, 2010 in the Charlotte C. Wilson Conference Room at the Jones County Government Center.

**MEMBERS PRESENT:** Members present representing a quorum of the board was:

Preston Hawkins-Chairman  
Larry Childs - Vice-Chairman  
Chap Nelson - District Two Commissioner  
Tommy Robinson - District Three Commissioner  
Bert Liston – District Four Commissioner

County Attorney Frank Childs was not present; Attorney William Noland attended in his absence.

Chairman Hawkins exercises his voting rights in the case of a tie or to constitute a quorum of the full board. Attachments to the minutes are filed separately from the minutes in clasp envelopes labeled by meeting in the commissioner vault. An audio copy of the meeting is kept on file in the County Clerk's office.

**CALL TO ORDER:** Chairman Hawkins called the meeting to order at 6:05 p.m.

**APPROVAL OF AGENDA:**

Add the following non-agenda items:

**New Business 1:** Lease agreement for fifty 2011 E-Z-GO TXT-PDS E Golf Cars

**New Business 2:** Move the 3<sup>rd</sup> Tuesday Meeting in October to Thursday, October 21<sup>st</sup>

**Executive Session:** Personnel and Land Purchase: Mike Underwood, County Administrator

Chairman Hawkins called for a motion to approve the agenda as amended.

**Motion:** So moved by Liston, second by Nelson.

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**Vote:** Unanimously approved. (4-0)

**Invocation:** Pastor Joe Ridley, Church of the Body of Christ

**Pledge:** Pastor Joe Ridley, Church of the Body of Christ

**CONSENT AGENDA FOR  
APPROVAL OF MINUTES:**

1. Minutes: September 7, 2010
2. Minutes: September 16, 2010 Call Meeting

Ms. Brittain asked for clarification on two motions from the September 7, 2010 meeting. The first was the motion for the E911 system. The motion was to award the bid to RCE of Macon. The second motion was the recommendation to the Health Department. The motion should reflect that lots that are two acres or more would be allowed to have a well. Mike Underwood requested that the minutes from September 16, 2010 be amended to reflect we rescinded the previous motion and made a motion to give the low bid to Macon Supply and he would like for it to say for the amount of \$323,057.99.

Chairman Hawkins called for a motion as adjusted and approved.

**Motion:** So moved by Robinson, second by Liston.

**Vote:** Unanimously approved. (4-0)

**VISITORS:**

1. Darrell Earwood – Fire Station 1 – fund raiser – Hwy 49 complex  
Lt. Earwood with the fire station on Highway 49 requested that the county waive rental fees of the Highway 49 Recreation Complex for the department to have a fund raiser for the purchase of exercise equipment at Station One.

Commissioners Childs and Liston recommended waiving the fees for them and that the volunteers would be responsible for clean up afterwards.

County Clerk Leila Brittain recommended updating all rental policies to reflect that county departments do not have to rent facilities for a county departmental function. This would not include anything related to non-profit organizational events, family events, etc as discussed by the recreation director. This exemption must be for county business. The department manager in charge of the rental facility requested would be contacted to coordinate dates and any conflict of prior engagements or revenue producing events with final approval

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by the County Administrator. This would cut down on the items that have to come before the commissioners at a meeting. She had verified the legality of such a policy last week with County Attorney Frank Childs at which time he confirmed that the fire department would be considered a county department and fees could be waived for this type event. All rental policies are attached to the minutes.

**Motion:** Motion by Robinson, second by Liston that we waive the fees for this tournament for a fund raising for Fire Station One.

**Vote:** Unanimously approved. (4-0)

**Consensus of the Board:** Consensus of the Board was to have Mr. Underwood update the policies as discussed with final approval to go through the department head and the county administrator.

#### **NEW BUSINESS:**

1. Lease agreement for fifty 2011 E-Z-GO TXT-PDS E Golf Cars and approval of resolution . See attachments to the minutes.

Mr. Underwood asked for a motion to approve the resolution to go into a rental agreement with E-Z-GO. Resolution follows:

#### **RESOLUTION AND CERTIFICATE OF INCUMBENCY Lease Number 138686000**

Lessee: Jones County Board of Commissioners

Amount \$181,507.60

WHEREAS, Lessee, a body politic and corporate duly organized and existing as a political subdivision, municipal corporation or similar public entity of the State or Commonwealth ("the State") is authorized by the laws of the State to purchase, acquire and lease certain equipment and other property for the benefit of the Lessee and its inhabitants and to enter into contracts with respect thereto; and

WHEREAS, pursuant to applicable law, the governing body of the Lessee ("Governing Body") is authorized to acquire, dispose of and encumber real and personal property, including, without limitation, rights and interest in property, leases and easements necessary to the functions or operations of the Lessee.

WHEREAS, the Governing Body hereby finds and determines that the execution of one or more Lease-Purchase Agreements or lease schedules ("Leases") in the principal amount not exceeding the amount stated above for the purpose of acquiring the property ("Equipment") to be described in the Leases is appropriate and necessary to the functions and operations of the Lessee.

WHEREAS, PNCEF, LLC, dba PNC Equipment Finance ("Lessor") shall act as Lessor under said Leases.

NOW, THEREFORE, Be It Ordained by the Governing Body of the Lessee:

Section 1. Either one of the \_\_\_\_\_ OR \_\_\_\_\_ (each an "Authorized Representative") acting on behalf of the Lessee, is hereby authorized to negotiate, enter into, execute, and deliver one or more Leases in substantially the form set forth in the document presently before the Governing Body, which document is available for public inspection at the office of the Lessee. Each Authorized Representative acting on behalf of the Lessee is hereby authorized to negotiate, enter into, execute, and deliver such other documents relating to the Lease as the Authorized Representative deems necessary and appropriate. All other related contracts and agreements necessary and incidental to the Leases are hereby authorized.

Section 2. By a written instrument signed by any Authorized Representative, said Authorized Representative may designate specifically identified officers or employees of the Lessee to execute and deliver agreements and documents relating to the Leases on behalf of the Lessee.

Section 3. The aggregate original principal amount of the Leases shall not exceed the amount stated above and shall bear interest as set forth in the Leases and the Leases shall contain such options to purchase by the Lessee as set forth therein.

Section 4. The Lessee's obligations under the Leases shall be subject to annual appropriation or renewal by the Governing Body as set forth in each Lease and the Lessee's obligations under the Leases shall not constitute general obligations of the Lessee or indebtedness under the Constitution or laws of the State.

Section 5. As to each Lease, the Lessee reasonably anticipates to issue not more than \$30,000,000 of tax-exempt obligations (other than "private activity bonds" which are not "qualified 501(c)(3) bonds") during the fiscal year in which each such Lease is issued and hereby designates each Lease as a qualified tax-exempt obligation for purposes of Section 265(b) of the Internal Revenue Code of 1986, as amended.

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Section 6. This resolution shall take effect immediately upon its adoption and approval.

SIGNATURES AND TITLES OF AUTHORIZED REPRESENTATIVES : AUTHORIZED LEASE SIGNORS ONLY

<u>Jos. P. Hawkins</u>	<u>CHAIRMAN</u>	<u>Jos. P. Hawkins</u>
Name	Title	Signature
<u>Michael D. Childs</u>	<u>County Administrator</u>	<u>Michael D. Childs</u>
Name	Title	Signature

ADOPTED AND APPROVED on this September 21, 2010.

Section 7. I, the undersigned Secretary/Clerk identified below, does hereby certify that I am the duly elected or appointed and acting Secretary/Clerk of the above Lessee, a political subdivision duly organized and existing under the laws of the State where Lessee is located, that I have the title stated below, and that, as of the date hereof, the individuals named below are the duly elected or appointed officers of the Lessee holding the offices set forth opposite their respective names. The undersigned Secretary/Clerk of the above-named Lessee hereby certifies and attests that the undersigned has access to the official records of the Governing Body of the Lessee, that the foregoing resolutions were duly adopted by said Governing Body of the Lessee at a meeting of said Governing Body and that such resolutions have not been amended or altered and are in full force and effect on the date stated below.

LESSEE: Jones County Board of Commissioners

Leila Brittain [SEAL]  
Signature of Secretary/Clerk of Lessee

Print Name: Leila Brittain  
Official Title: Clerk of the Board  
Date: 9/21/2010

**Motion:** So moved by Robinson, second by Childs.

**Vote:** Unanimously approved. (4-0)

2. Move the third Tuesday meeting in October to Thursday, October 21, 2010.

Chairman Hawkins called for a motion.

**Motion:** So moved by Childs, second by Liston.

**Vote:** Unanimously approved. (4-0)

**OLD BUSINESS**

1. Occupational tax ordinance amendment – 2<sup>nd</sup> reading and adoption. The amended ordinance is attached to the minutes.

Chairman Hawkins called for a motion.

**Motion:** So moved by Robinson, second by Liston.

**Vote:** Unanimously approved. (4-0)

2. Water Ordinance – 2<sup>nd</sup> reading and adoption. The amended ordinance is attached to the minutes.

Chairman Hawkins called for a motion.

**Motion:** So moved by Liston, second by Childs.

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**Vote:** Unanimously approved. (4-0)

3. Frank Childs - recommendation of 2 acres to update policy at the Health Department – from 9-7-2010 No action taken.

**DEPARTMENT HEADS:** (Action items only)

**John Lowe:** Public Works Director John Lowe discussed spray treatment on the roads by the chemical company we use from Athens. He estimated the costs to be between \$3,500 and \$4,000 for approximately 30 miles of roads.

Chairman Hawkins entertained a motion to give John permission to do spray treatments on approximately 30 miles.

**Motion:** Motion by Childs, second by Nelson.

**Vote:** Unanimously approved. (4-0)

**CITIZEN COMMENTS** (3 minutes - signed in):

Terrie Denson discussed the Occupational Tax Ordinance with the Board.

**Consensus of the board:** Consensus of the Board was to have a work session on Occupational Tax on October 21, 2010 at 5:00 p.m.

**COMMISSIONERS COMMENTS:** No action taken.

**CITIZEN COMMENTS** (1 minute - not signed in): There were none.

**ADJOURNMENT:** The meeting adjourned at 7:07 p.m. to go into Executive Session.

**Motion:** Motion by Liston, second by Robinson to adjourn into Executive Session for Land Purchase and Personnel.

**Vote:** Unanimously approved. (4-0)

**RECONVENE:** The meeting reconvened at 7:41 p.m.

**Motion:** Motion by Liston, second by Robinson to reconvene open session.

**Vote:** Unanimously approved. (4-0)

**Consensus of the Board:** Consensus of the Board was to continue Citizen Comments at the end of the meeting allowing one minute to each speaker.

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**ADJOURNMENT:** The meeting adjourned at 7:45 p.m.

**Motion:** Motion by Liston, second by Nelson to adjourn.

**Vote:** Unanimously approved. (4-0)

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**MINUTES APPROVED**

Jones County Board of Commissioners:

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Preston Hawkins, Chairman

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Larry Childs, Vice-Chairman, District 1

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Chap Nelson, District 2 Commissioner

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Tommy Robinson, District 3 Commissioner

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Bert Liston, District 4 Commissioner

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Leila Brittain, Clerk of the Board