

MONDAY

MAY 9, 2005

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The Board of DeKalb County Commissioners met in the Commissioners Court in the Court House in regular session, Monday at 8:30A.M. (EST) .

PRESENT

William C. Ort
Connie R. Miles
Don Kaufman

ABSENT

MATTER OF COMPREHENSIVE MASTER PLAN

Sally Rowe and Brad Stump reported that the steering committee for the new master plan has met with all of the cities and towns to discuss the minimum standards for five main areas of concern. Storm water standards, aviation, street and road standards, well head protection and flood plain ordinances are the main concerns for this portion of the plan involving ETJ. Standards should be such that the code for construction can be in compliance for both municipalities and the county without being excessively stringent. This should allow for changes in technology over time and a good balance of standard management of these issues. Examples of this might be a requirement to capture the rainfall from a 100-year storm event and release it at a two-year storm rate for drainage or for the construction of streets and roads to mutually accepted minimum standards for width and pavement cross-section to satisfy both city and county demands for use. Other standards, which could be considered, but would not be as important as the main issues are lighting, signs, sidewalks, and landscaping issues.

The steering committee would like members to be appointed to a committee to determine these standards. There would be no official requirements, but input from the highway department, the airport manager, surveyor, an independent engineer, and a member of MRBC would be helpful.

There is also a concern for development of two new housing additions being proposed for areas too near the ends of the proposed crosswind runway at the airport. These developments could cause problems with the airport as a safety issue and compatible land use.

MATTER OF MINUTES

A motion by Don Kaufman to approve the minutes of April 15 was seconded by Connie Miles and carried.

MATTER OF SPECIAL CLAIMS

A motion by Don Kaufman to approve special claims was seconded by Connie Miles and carried.

MATTER OF SHERIFF 'S EMPLOYEE

Sheriff Dennis reported that he has rehired Baron Kennedy who left employment at the jail eleven months ago to work as a manager for S & S Oil Company. The sheriff wishes to reinstate Mr. Kennedy at 100% of the pay instead of 90% as required for new employees.

A motion by Don Kaufman to approve the 100% pay was seconded by Connie Miles and carried. Mr. Kennedy must still fulfill the 90-day requirement for other benefits.

The sheriff also reported that Captain Ron Livergood will retire in June.

MATTER OF COURTHOUSE WINDOWS

The county attorney discussed his concerns with the contract for the courthouse windows. Attorney McCanna would like some minor changes to the standard form contract and there is no liability to the architect, but payment is not made until there is approval of the architect. Mr. McCanna feels that this issue should bear more responsibility.

MATTER OF COMMON WAGE COMMITTEE

A motion by Connie Miles to approve the reappointment of members Don Smith, Janet Hege and John Harris to the common wage committee for the proposed airport apron expansion project was seconded by Don Kaufman and carried.

The project will require bond council and the aviation board believes that Baker and Daniels and Hilliard Lyons will work well together. The commissioners agreed that this was acceptable for this project which will connect the taxiway to the expansion.

Commissioner Ort stated that he would be in favor of using CEDIT monies for some aviation projects if FAA reimbursement is possible, but Brad Stump feels timing might be an issue.

MATTER OF HIGHWAY - COMPLAINT

The commissioners listened to complaints from Tony Frost of County Road 20. Mr. Frost had spoken to the commissioners in June of 2004 regarding the highway department's use of a trimming device within the road right of way on his property. Mr. Frost stated that he had visited the highway department to voice complaints, and was told that the supervisor was not available. He then spoke with another highway employee whom he stated was verbally abusive. Mr. Frost took exception to the fact that he had received no response from his complaints in 2004, and also mentioned that he felt the county was not abiding by the state guidelines for maintenance of the rights of way.

Supervisor Patton stated that the ditches must be cleared and that the trees from the right of way in front of his home were obstructing the view of traffic on the road. Attorney McCanna also stated that the county does follow the state guideline as it relates to the county. Mr. Frost stated that he would take the issue to his own attorney. The commissioners explained that they had visited his property, but would do so again during the lunch hour and that he would receive a statement of their findings. Attorney McCanna asked Mr. Frost to state what he was asking from the commissioners. Mr. Frost is determined to know that the highway employee has been reprimanded for his act of verbal abuse. He also wished to know if he can anticipate that this manner of trimming will be used again, and if so, what his responsibilities are as a landowner. Mr. Frost feels the use of the brush buggy for trimming along the highway is "horrid", and his anger is now more a matter of principle. He would like to know if the county will get guidelines

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to respond to this request and establish a manner of appeal or response. Commissioner Ort apologized to Mr. Frost for failing to respond to his first complaint.

A motion by Don Kaufman to sign the letter of commitment for the state grant of \$792,000 for the County Road 11A was seconded by Connie Miles and carried. This corresponds to FA-3 application #0500017 for use of federal aid through the state.

MATTER OF SURETY BONDS

A motion by Don Kaufman to approve and sign \$5,000 surety bonds for Probation officer Tim McAlhany, and court reporters Sharon J. Weller and Connie Jo Kelham was seconded by Connie Miles and carried.

MATTER OF PAYROLL

A motion by Connie Miles to approve payroll claims for the period ending May 5th was seconded by Don Kaufman and carried.

MATTER OF COURTHOUSE WINDOWS

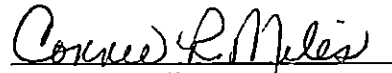
Attorney McCanna has spoken with Ed Welling who has agreed to adjustments in the contract for the courthouse windows. Attorney McCanna will return the contract to the commissioners on Thursday. A motion by Connie Miles to sign the contract with Grinsfelder Architects and Hamilton Hunter Builders for the courthouse window project on Thursday May 12th following the drainage board meeting was seconded by Don Kaufman and carried.

MATTER OF ADJOURNMENT

As there was no further business to come before the commissioners the meeting was adjourned.



William C. Ort

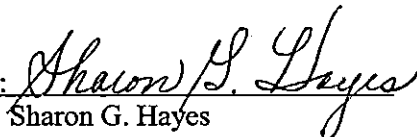


Connie R. Miles



Don Kaufman

ATTEST:


Sharon G. Hayes