

Minutes of Hahira Council Meetings for October, 2010

**HAHIRA CITY COUNCIL
WORK SESSION
OCTOBER 04, 2010
6:30 P.M.
COURTHOUSE**

Mayor and Council met for a Work Session October 04, 2010 at the Courthouse with Mayor Wayne Bullard presiding.

PRESENT:

Mayor Wayne Bullard, Councils: Mayor Pro Tem Adams, Ralph Clendenin, Bruce Cain, Terry Benjamin, City Manager Jonathan Sumner, Police Chief Terry Davis, Fire Chief Dwight Bennett, Director Donnie Warren.

ABSENT: City Clerk Belinda Chappell

REVIEW/CORRECTION OF MINUTES:

A.) August 30, 2010 Work Session

B.) September 02, 2010 Council Meeting

Mayor Bullard asked if there were any questions concerning the minutes. Mayor Pro Tem Adams stated she did not find any corrections that were needed in the minutes.

REVIEW OF BILLS/ BUDGET OVERAGES:

Mayor Bullard asked if there were any questions concerning the bills. There were no questions concerning the bills.

PUBLIC HEARINGS:

A.) FY 2011 Budget (City Manager)

City Manager Sumner stated to Mayor and Council that the budget had been adopted in the first stage in September and per the code it had been advertised in the Valdosta Daily Times and a copy had also been placed in the front office of City Hall for the public to view. Sumner stated the time and date of the Public Hearing had also been advertised. Sumner stated if Council chose to adopt the budget after the Public Hearing on Thursday night at the Council meeting, it would be formally adopted and that it would be the operating budget for FY2011. Sumner stated that the code stated the formal adoption of the budget needed to take place before October 30th. Sumner stated City Hall had no requests to view a copy of the preliminary budget and he had received no comments about the budget from the public. Sumner stated he would answer any questions Council may have. Councilman Cain stated he would like to find a

way to generate more revenue for the Fire Department so that additional staff could be hired to try and prevent any future fatalities in the City of Hahira.

DISCUSSIONS:

Mayor Bullard stated before Council went into the discussion section of the agenda items, that he would like to step down, due to the fact that he was employed by Allgreen Services, LLC on a commission sales basis. Mayor Bullard asked Mayor Pro Tem Adams to step up and conduct this item on the agenda. Mayor Pro Tem Adams stated she would like the City Manager to explain the definition of a conflict of interest before continuing. City Manager Sumner stated from a legal stand point, the definition of a conflict of interest was that Council members were bound by Georgia State Law in the presence of a formal Council meeting, and it was identified that if any type of benefit, financial connection, or familiar connection was an issue with an agenda item, there was a recommendation in State Law and the Ethics Ordinance that was adopted by Council, to announce the conflict of interest and take appropriate steps to make sure the item was properly recorded in the minutes and that the elected official in question did not participate in any of the discussion. Mayor Pro Tem Adams stated she would like for the City Attorney to attend the Council meeting on Thursday night.

A.) Proposed Transfer Station (Allgreen Services, LLC)

Mayor Pro Tem Adams stated to Mayor and Council that she was unclear on the definition of a transfer station and needed to fully understand the meaning. Mr. J.C. Gillenwater, the Manager of Allgreen Services, LLC in the Valdosta area, stated that a transfer station was a site that was built for transferring construction material or anything non-hazardous to an appropriate landfill site that was certified to take waste such as the materials stated above. Gillenwater stated it was an efficiently, cost effectively way to move waste from one site location to another. Councilman Clendenin stated he was concerned with an item on the proposal that Council was presented from Allgreen Services. Clendenin stated that when Council visited a site of Allgreens, there was an underground tank that held fluids from the waste at the transfer station. Clendenin stated he was concerned if a tank would be at the site in Hahira. Gillenwater stated that was an option for Council to consider. Clendenin stated he was concerned with the waste water being dumped back into the City sewer system and how many gallons per month were estimated to be dumped. Gillenwater stated the tank would be a 1000 gallon tank and it should not need to be dumped no more than once per year. Clendenin asked Gillenwater if Allgreen Services would be paying the sewage fee to pump into the sewer system. Gillenwater responded that the City would be paid for dumping the waste water from the tank into the sewer system. Councilman Cain stated he was concerned with the site location and the building they would be using for the site, if they would be installing restrooms for the building. Gillenwater stated Allgreen would have to install restrooms and would bear all costs to get the site location up to code and fully operational and there would be no cost to the City of Hahira. The question of Allgreen tying into the City sewer or County sewer would be an option to be considered and discussed by Council as well as Allgreen Services, LLC. Councilman Cain stated he was concerned if Allgreen had their engineers check the site to make sure it would be stable enough to hold a foundation for the transfer station. Gillenwater stated all of the required tests would be performed before any construction took place. Mayor Pro Tem Adams had questions concerning the long term lease of the property. Adams stated that Council was told by the City Attorney that only a one year lease could be contracted. Gillenwater stated that was true but the lease could be made to where it would automatically renew each year. Councilman Benjamin stated the lease renewal would have to be voted on each year by Council on whether it would be renewed or not. Gillenwater stated they would talk with Allgreen's attorney to get the questions cleared up regarding the lease. Mayor Pro Tem Adams stated she was concerned with how much garbage from other cities would be collected from and brought to the transfer station in Hahira. Gillenwater stated at that time they were currently servicing the City of Nashville and Alapaha, and would be adding on the City of Hahira, which would be three cities, but they were working to acquire

more cities to service. Gillenwater stated it would be around 1200 tons a month of garbage. Mayor Pro Tem Adams stated she was concerned with some of the complaints from other cities where Allgreen has a transfer station, if any. Gillenwater stated there were neighborhoods adjacent to the station in Milledgeville, and that he has heard no complaints from any residents regarding smell from the station, and that he would be glad to take Council to visit the station in Milledgeville if they wished to do so. Councilman Clendenin stated he did not feel that Council should vote on this item until the issue of how Allgreen was going to dispose of the sewer from the site was resolved, Council agreed, and stated there would be more discussion on Thursday night at the Council meeting.

B.) Surplus Real Estate (City Manager)

City Manager Sumner stated to Mayor and Council that he had in Council's packets the information that he had printed off of the Valor, GIS website and that it was not from the tax assessor's office regarding the property. Sumner stated the value that the tax assessor's office had placed on the property was \$3,333 dollars. Sumner stated with Council's permission, the property could be put on govdeals.com as well as advertised in the Valdosta Daily Times to explain what govdeals.com is and how to get to the property through that website. Councilman Clendenin stated he was concerned if the \$3,333 was the taxable value. City Manager Sumner stated he would think the property was at least worth around \$10,000 dollars. Mayor Pro Tem Adams stated she had researched this on the Lowndes County Assessors website and in December of 2001, the City of Hahira purchased the land for \$6,000 dollars. Mayor Pro Tem Adams stated she thought the City should have the land appraised to see the actual value of the land. Sumner stated he would have to do some research to see if the land was purchased with Federal funds and if so it may have to be utilized underneath the County CHIP program. Sumner stated he would have the information ready for Council at the Thursday night Council meeting.

DEPARTMENT REQUESTS:

A.) Employee Christmas Party(City Manager)

City Manager Sumner stated to Mayor and Council that the primary purpose of this agenda item was to get approval to have the employee Christmas Party again this year and also to secure the date of the party. Sumner stated the date to consider was December 7th, 2010. Sumner stated the party had been confirmed with Mr. D.K. Hollis and had his approval to use the Hollis Farm for the party, as the City did last year.

Mayor Bullard stated a Proclamation for Rugh and Karen Boggs would be read on Thursday night at the Council meeting.

There being no further business to discuss, the meeting adjourned at 7:30 P.M.

Mayor, Wayne Bullard

City Clerk, Belinda Chappell

**HAHIRA CITY COUNCIL
COUNCIL MEETING
OCTOBER 07, 2010
7:30 P.M.
COURTHOUSE**

Mayor and Council met for a Council Meeting October 07, 2010 at the Courthouse with Mayor Wayne Bullard presiding.

PRESENT:

Mayor Wayne Bullard, Councils: Mayor Pro Tem Adams, Terry Benjamin, Ralph Clendenin, Bruce Cain, City Manager Jonathan Sumner, Police Chief Terry Davis, Fire Chief Dwight Bennett, Director Donnie Warren, City Clerk Belinda Chappell.

CALL TO ORDER: Mayor Wayne Bullard

ESTABLISH QUORUM: Mayor Wayne Bullard

PLEDGE OF ALLEGIANCE: Mayor Wayne Bullard

INVOCATION: Mayor Wayne Bullard

Mayor Bullard read a list of requests that Councilman Clendenin had presented and asked that each Department Head abide by these requests by providing Council with a weekly report of the tasks that took place during the week. Mayor Pro Tem Adams stated she would also like to be notified of the sale of any surplus vehicles, as well as, when the commodities would be given out at the Courthouse. Councilman Clendenin thanked the Mayor for recognizing the issues so promptly.

REVIEW/CORRECTION OF MINUTES:

A.) August 30, 2010 Work Session

B.) September 02, 2010 Council Meeting

Mayor Bullard asked if there were any questions concerning the minutes. There were no questions concerning the minutes. Mayor Bullard asked for a motion. Councilman Cain made a motion, seconded by Mayor Pro Tem Adams, vote was unanimous.

REVIEW OF BILLS/ BUDGET OVERAGES:

Mayor Bullard asked if there were any questions concerning the bills. There were no questions concerning the bills. Mayor Bullard asked for a motion. Councilman Clendenin made a motion, seconded by Mayor Pro Tem Adams, vote was unanimous.

PUBLIC HEARINGS:

A.) FY2011 Budget (City Manager)

City Manager Sumner stated to Mayor and Council the budget had been advertised per the requirements of the City of Hahira code. Sumner stated there had been a series of three workshops held to modify the budget and take input on the budget. Sumner stated the department heads had been working on the budget since May of 2010, and Council was presented with a copy in July. Sumner stated the budget had remained largely unchanged since it was presented to Council in July. Sumner stated an invitation was included in the advertisement for any input from the public, as well as, a copy was placed in the front office at City Hall for the public to view. Sumner stated there had been no comments regarding the budget from the public. Sumner stated he would entertain any questions Council may have. Councilman Clendenin stated he was concerned if there had been any changes in the budget since it was presented to Council in July. Sumner responded there had been no changes. Mayor Pro Tem Adams stated she would like to appreciate the department heads, employees, and the staff for staying within the budget and doing an excellent job. Mayor Bullard asked if there was anyone wishing to speak against the budget. There was no one wishing to speak against. Mayor Bullard asked if there was anyone wishing to speak in favor of. There was no one wishing to speak in favor. Mayor Bullard asked for a motion to accept the FY2011 budget. Councilman Clendenin made a motion, seconded by Councilman Cain, vote was unanimous.

CITIZENS TO BE HEARD:

Mr. Wilmon Stanley residing at 308 S. Washington Street addressed Mayor and Council with praise for the Public Works Department for doing a great job on beautifying the City, and thanked all the department heads and staff for continuing to do a great job.

Mr. Michael Bryant residing in Hahira addressed Mayor and Council with his commendations for the Fire Department and Police Department on trying to save the Ratliff's during the tragic fire. Mr. Bryant also asked Mayor and Council to think hard and discuss in depth before agreeing to vote on the transfer station.

DISCUSSIONS

A.) Proposed Transfer Station (Allgreen Services, LLC)

Mayor Bullard stated he would step down as Mayor, due to the fact that he was employed by Allgreen Services and let Mayor Pro Tem Adams conduct this item on the agenda. Mayor Pro Tem Adams stated she would like for the City Attorney Rob Plumb to explain the meaning of a conflict of interest before the discussion on the Transfer Station. City Attorney Plumb stated the definition of a conflict of interest in this matter was defined as any elected official acting in a matter of which he has a conflict of interest, which means a financial interest either to him personally or to his family or a business he may own or is employed by. Plumb stated the City of Hahira had an ethics ordinance that adopted that definition of a conflict of interest. Plumb stated the ordinance stated that the elected official would avoid participating in any discussion or vote where a conflict of interest was in question. Mayor Pro Tem Adams stated she was concerned with after the elected official had been recused, what would happen in the future if this item came up for additional discussion. City Attorney Plumb stated the discussion would continue and the official with the conflict of interest could not participate in any other discussion or votes regarding the item in the future. Mayor Pro Tem Adams stated she would also like for the definition of a transfer station to be explained by the City Manager. The City Manager deferred this explanation over to Will Sullivan, with Allgreen Services. Mr. Sullivan stated that a transfer station was a site that was built for transferring construction material or anything non-hazardous to an appropriate landfill site that was certified to take waste such as the materials stated above. Gillenwater stated it was an efficiently, cost effectively way to move waste from one site location to another. Sullivan stated he would answer any questions Council may have. Councilman Clendenin stated he was concerned if Allgreen handled any hazardous waste material. Sullivan stated they did not handle any hazardous waste. City Attorney Plumb asked Sullivan what permanent structures would be built on the property. Sullivan responded that they would be building a 125 X 125 foot concrete slab with a metal building approximately 35 feet high at the highest point. Sullivan stated a baling system would be installed and a conveyor system that would take the materials and dump them into the baling system. Sullivan stated the materials were baled, stored, and then shipped out by tractor trailer. Sullivan stated the company would also provide jobs to the community. Councilman Cain stated he was concerned if the soil had been tested at the site and if they had received the results of the testing. Sullivan stated all the tests would be performed if Council agreed to move forward with the transfer station. Sullivan stated they were not prepared to spend the money on the project if Council did not agree to move forward. Councilman Cain stated he was concerned with what type of agreement the County would want from the City to tap into the sewer line at the site. Sullivan stated

that would have to be an agreement between the County and the City, but there was also the option of having a septic tank installed at the site for the lechey. Mayor Pro Tem Adams stated the land in discussion was owned by the City but located in the County. Mayor Pro Tem Adams asked if there were any other questions. City Attorney Plumb stated he was concerned with what type of term Allgreen was requesting on the lease. Sullivan stated they would like a long term lease and at the end of the lease, the City would own the improvements to the property. Councilman Cain stated to Sullivan that the City could not give a long term lease. Sullivan stated he would like for their attorney to speak with the City's attorney regarding the lease agreement. Sullivan stated the transfer station would be beneficial for the City by making the City money, as well as, saving the City money. Councilman Cain agreed that the transfer station would be beneficial to the City of Hahira. City Manager Sumner stated the site would be open free of charge to the citizens of Hahira and also would be open three days a week instead of only on Saturdays, as it is now. Mayor Pro Tem Adams stated on Monday night, Allgreen stated there were three other cities that they would be delivering garbage from to the site. Adams asked if that was correct. Sullivan stated they service the City of Alapaha, and would be adding on the City of Hahira if agreed upon. Sullivan stated the City of Hahira would be receiving fifty cent per ton that was brought into the site. Sullivan stated that would average around \$600 dollars per month to Hahira. Councilman Clendenin stated he was concerned with what the investment would cost Allgreen to build the site for the transfer station. Sullivan stated it would cost Allgreen from \$300,000 to \$500,000 dollars. Mayor Pro Tem Adams asked if there were any other questions. Mayor Pro Tem Adams stated the only two concerns she had were the odor and the conflict of interest. City Attorney Plumb stated his questions were about the long term lease, and he stated he would research this and get back to Council. Mayor Pro Tem Adams asked for a motion. Councilman Clendenin made a motion for a proposed preliminary contract to include all the investigations from Allgreen for the lease of the transfer station, seconded by Councilman Cain, vote was unanimous.

B.) Surplus Real Estate (City Manager)

City Manager stated to Mayor and Council he had placed a call to DCA, and they were in the process of investigating the property. Sumner stated the property may have been purchased with Federal funds, so there were some other steps that were needing to take place before continuing. Sumner asked Mayor and Council if this agenda item could be postponed until the next meeting in November. Mayor Bullard asked for a motion to postpone the Surplus of the Real Estate. Mayor Pro Tem Adams made a motion, seconded by Councilman Clendenin, vote was unanimous.

DEPARTMENT REQUEST:

A.) Employee Christmas Party (City Manager)

City Manager Sumner stated to Mayor and Council the costs of the Christmas Party for the employee's would be around \$800 dollars and that it was a budgeted expense. Sumner stated he wanted to get a formal date for the party from Mayor and Council, so the caterers could be notified as well as confirm the date with Mr. Hollis, who had already given his approval for the City to have the Christmas party at his farm. Sumner stated the date he would recommend was December 7th, 2010, and asked if Council had any concerns or other obligations on that date. Council had none. Mayor Bullard asked for a motion to have the party on December 7th 2010. Councilman Cain made a motion, seconded by Councilman Benjamin, vote was unanimous.

Proclamation- Recognition of Rugh and Karen Boggs

Mayor Bullard read the proclamation for Rugh and Karen Boggs.

REPORTS:

Mayor Pro Tem Adams stated she would like to thank the citizens for attending the meeting. Adams praised Emily Newkirk for the 911 Tribute and the Motorin on Main Event. Adams stated the City Events could not be made possible without the Public Works department. Adams thanked the Mayor, Council and City Manager for their hard work. Adams thanked the Police and Fire Department heads for all the hard work they continue to do.

Councilman Benjamin thanked the citizens for attending the meeting, thanked all the department heads for doing a great job. Benjamin stated Council needed to look at ways to increase the revenue to be able to give the departments what they needed to do a successful job. Benjamin thanked his fellow Mayor and Council, and the City Manager for a job well done.

Councilman Cain thanked the department heads for continuing to do a great job. Cain thanked the Public Works department for their hard work on getting the City ready for the upcoming events. Cain thanked Chief Davis and Chief Bennett for their hard work they continue to do for the City and stated his condolences went out to the Ratliff family. Cain thanked the City Clerk, City Manager and his fellow Councilmember's and Mayor for their hard work.

Councilman Clendenin thanked Chief Bennett and Chief Davis for their hard work on trying to save the Ratliff family. Clendenin thanked the Mayor for stepping up to the plate and working to resolve the issues he had. Clendenin thanked everyone for attending the meeting.

City Manager Sumner thanked Mayor and Council for the opportunity to serve and the department heads for the continued great work they do, as well as, all the City employee's for their dedication. Sumner thanked everyone for attending the meeting.

Mayor Bullard thanked everyone for attending the meeting. Mayor thanked all the department heads and staff for their continued hard work. Mayor thanked the Council, City Clerk and City Manager for their hard work.

EXECUTIVE SESSION:

Mayor Bullard asked for a motion to come out of the regular meeting and enter into executive session for the purpose of discussing legal matters. Councilman Benjamin made a motion, seconded by Councilman Clendenin, vote was unanimous. Mayor Bullard asked for a motion to come out of executive session and enter back into the regular meeting authorizing the Mayor to sign the affidavit saying the only thing discussed was legal matters. Councilman Benjamin made a motion, seconded by Councilman Cain, vote was unanimous.

Mayor Bullard asked for a motion to adjourn. Councilman Cain made a motion, seconded by Councilman Benjamin, vote was unanimous.

There being no further business to discuss, the meeting adjourned at 9:30 P.M.

Mayor, Wayne Bullard

City Clerk, Belinda Chappell

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