

**WHITE COUNTY BOARD OF COMMISSIONERS**

**MINUTES OF THE CALLED MEETING HELD**

**TUESDAY, AUGUST 25, 2009 @ 9:00 A.M.**

The White County Board of Commissioners met in a Called Meeting on Tuesday, August 24, 2009 at 9:00 A.M. in the Board of Commissioners Office Conference Room. Present at the meeting was Chairman Travis Turner, Commissioner Joe Campbell, Commissioner Craig Bryant, Interim County Manager Jean Welborn, Chief Financial Officer Vickie Neikirk, and County Clerk Shanda Smallwood.

Chairman Turner called the meeting to order.

A Public Hearing was held in order to receive comments on the proposed abandonment of a portion of NOK Drive. Chairman Turner explained that the County would be abandoning the portion of NOK Drive past the 1,532 feet mark of NOK Drive from Hulsey Road. This abandoned portion of the road would be taken over by the property owner Original Appalachian Artworks (OAA) and would no longer be considered at county road. The County will be paving the 1,532 feet portion and continuing to maintain said portion as a county road. Jean Welborn stated the County had complied with the requirements of O.C.G.A. by listing two (2) notices of the public hearing and abandonment in the local newspaper.

Chairman Turner opened the Public Hearing on the abandonment of a portion of NOK Drive, asking for comments in support of or in opposition to the County abandoning the specified portion of NOK Drive. With there being no comments regarding the road abandonment the public hearing was closed.

Upon a motion made by Commissioner Campbell, seconded by Commissioner Bryant the following Resolution (County Resolution Number 2009-23) abandoning the portion of NOK.

**WHITE COUNTY BOARD OF COMMISSIONERS**

**RESOLUTION NO. 2009- 23**

**A RESOLUTION**

**TO PROVIDE FOR THE ABANDONMENT OF A PORTION OF NOK DRIVE (PORTION OF COUNTY ROAD NO. 277) SO THAT SAID PORTION OF ROAD WILL CEASE TO BE A PUBLIC ROAD SUBJECT TO COUNTY MAINTENANCE; TO PROVIDE AN EFFECTIVE DATE; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING LAWS; AND FOR OTHER PURPOSES**

**WHEREAS**, The Board of Commissioners of White County is empowered under Georgia Code Annotated Section 32-7-2 (b)(1) to abandon County roads; and

**WHEREAS**, all parties having an interest in and to the properties abutting the portion of said road have been notified of the County's intentions to abandon said portion of road, subject to existing easements for public utilities; and

**WHEREAS**, a public hearing was held on August 25, 2009 pursuant to notice in the legal organ of White County; and

**WHEREAS**, the Board of Commissioners of White County has determined that it is in the public interest of the County to abandon a portion of the aforementioned road, subject to existing easements for public utilities;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of White County and it is resolved by the authority of the same as follows:

-1-

The Board of Commissioners of White County pursuant to notice and hearing has determined that **A PORTION OF NOK DRIVE (PORTION OF COUNTY ROAD NO. 277)** no longer warrants county maintenance. Therefore, the Board of Commissioners of White County hereby declares that said portion of Road as hereafter defined is hereby abandoned as to County maintenance, subject to existing easements for public utilities:

Said portion of NOK Drive is an unpaved road lying and being in Land Lot Number 190 of the 3rd Land District of White County, Georgia. The section of NOK Drive which is proposed to be abandoned for purposes of county ownership and maintenance begins at a point located 1532 feet Northerly from the intersection of the centerline of NOK Drive with the Northerly right-of-way of Hulsey Road, with said 1532 feet being measured along the centerline of the portion of said NOK Drive which is proposed to remain a County owned and maintained road; thence said portion of NOK Drive proposed to be abandoned continues from said point of beginning in a Northerly and Northwesterly direction to the end of said NOK Drive. The abandoned portion of NOK Drive is highlighted in yellow on the attached Exhibit A.

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After the effective date of this Resolution, the above-described portion of NOK Drive will no longer be a County public road and will no longer be eligible for or subject to County maintenance. The owner of the property encompassing the portion of the abandoned road will retain ownership and provide maintenance on said portion of NOK Drive.

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This abandonment procedure is conducted pursuant to authority granted to the Board of Commissioners of White County pursuant to the Constitution and laws of Georgia, including but not limited to, O.C.G.A. Section 32-7-1, et seq.

-4-

If any section, subsection, sentence, clause, phrase, or any portion of this Resolution be declared invalid or unconstitutional by any Court of competent jurisdiction, or if the provisions of any part of this Resolution as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Resolution not so held to be invalid, or the application of this Resolution to other circumstances not so held to be invalid. It is hereby declared separable and divisible parts, and it does hereby adopt any and all parts hereof as may not be held invalid for any reason.

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All Resolutions, or Ordinances, or parts thereof, in conflict with the terms of this Resolution are hereby repealed; but it is hereby provided that any resolution, Ordinance, or law, which may be applicable hereby and aid in carrying out and making effective the intent, purpose and provision

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hereof, which shall be liberally construed to be in favor of White County, is hereby adopted as a part hereof.

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The effective date of this Resolution shall be August 25, 2009.

THIS RESOLUTION IS HEREBY ADOPTED this 25th day August, 2009.

**WHITE COUNTY BOARD OF COMMISSIONERS**

s/Travis C. Turner

Travis C. Turner, Chairman

s/Joe R. Campbell

Joe R. Campbell, Post 1

s/Craig Bryant

Craig Bryant, Post 2

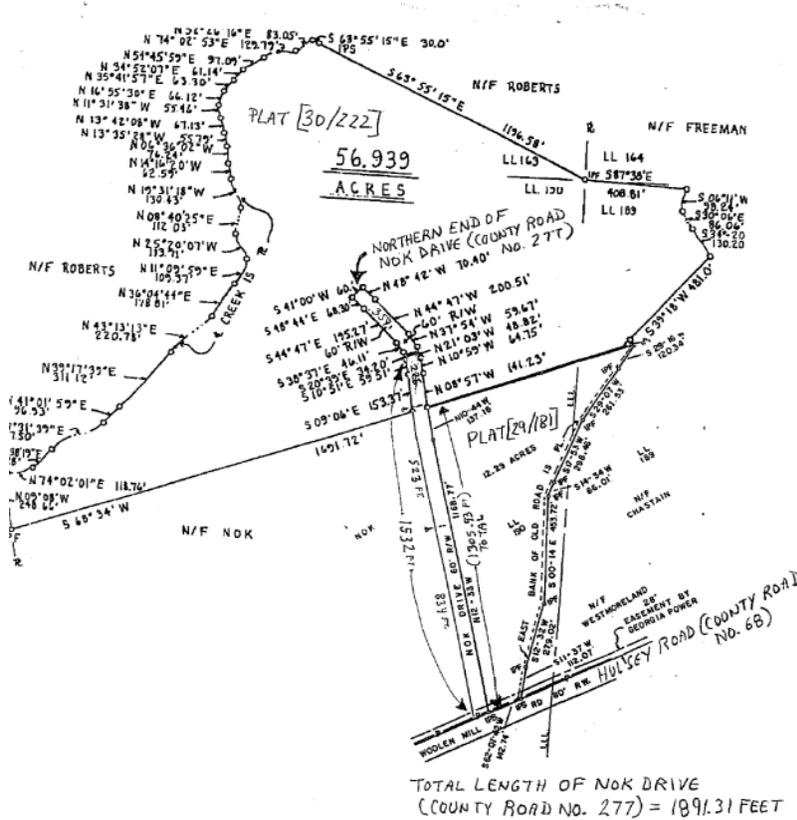
ATTEST:

s/Shanda Smallwood

Shanda Smallwood

County Clerk

**EXHIBIT A**



-End of Resolution-

Jean Welborn presented the Board of Commissioners with an agreement which had been approved by both Original Appalachian Artworks (OAA) and Xavier Roberts regarding the

improvements to be made to the County portion of NOK Drive as well as the abandonment of the remainder of NOK Drive. Commissioner Bryant asked if this agreement satisfied the court order from 1991, requiring the County to make improvements to NOK Drive. Ms. Welborn stated this agreement does satisfy all obligations imposed or allegedly imposed by the 1991 court order.

Upon a motion made by Commissioner Campbell, seconded by Commissioner Bryant the agreement with OAA and Xavier Roberts regarding NOK Drive was unanimously approved.

Chairman Turner stated on behalf of the Board of Commissioners he wanted to express his appreciation to OAA and Xavier Roberts in working towards an agreement to end the long outstanding obligations to White County regarding NOK Drive.

David Murphy, Director of EMA/E911 presented the Board of Commissioners with the annual FEMA Emergency Management Performance Grant for the 2009 – 2010 fiscal year. Mr. Murphy stated the total grant award for this fiscal year would be \$5,983.20 – with a local match of \$5,983.20, which was included in the County's 2009-2010 budget. Chairman Turner stated the supporting documentation of the grant package was very complimentary of White County EMA; he expressed the Board's appreciation to Mr. Murphy and his staff for their hard work.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Campbell the acceptance of the annual FEMA Emergency Management Performance Grant for the 2009-2010 in the amount of \$5,983.20 was unanimously approved with the local match of \$5,983.20.

Matt Bidwell, of MSI Benefits Group, presented the Employee Benefits Review for the plan year beginning October 1, 2009. He stated White County had been insured through the ACCG / Blue Cross Blue Shield program since 2006 and had a good experience with this insurer during this time. Mr. Bidwell reviewed the current enrollment and cost of the Blue Cross Blue Shield Medical Plan and presented the renewal information which included a 6.16% increase on the current medical premiums. Mr. Bidwell presented his recommendation for the upcoming plan year, which would result in no increase on the medical renewal. This recommendation included remaining insured with Blue Cross Blue Shield and no adjustment to employee premiums, however modifying to medical plan to add an \$100 in-patient hospital co-pay, increasing the emergency room co-pay from \$100 to \$150, and increasing the generic drug co-pay from \$10 to \$15.

Mr. Bidwell stated the County's claims had run very well – with a 62% loss ratio – and he would not have expected a group with this loss ratio to be given a rate increase, however as a result of the pooling effect of the ACCG medical insurance program, we were given the 6.16% increase. He further explained his only ability to negotiate with Blue Cross Blue Shield on the ACCG groups was through benefit plan changes, which he was presenting today. Mr. Bidwell also presented information showing that White County is paying a considerable amount less per month on claims per member, as well as total cost per member per month, than surrounding counties also insured in the ACCG program. Mr. Bidwell stated these calculations also played a role in the determination of the renewal rate for White County, as ACCG wanted to get White County more in balance with the other insured counties.

Mr. Bidwell further detailed the comparative quotes he had received for White County's Group Medical Coverage – including quotes from United Healthcare and CIGNA, however he received declination letters from Humana and Aetna. Based on the renewal provided by Blue Cross Blue Shield and the comparative quotes received, Mr. Bidwell recommended that White County accept the renewal option with the plan modifications.

Further, Mr. Bidwell offered recommendations for the employee dental and vision coverage. The current dental insurer, Guardian, had issued a 19% increase on White County's renewal. Mr. Bidwell recommended White County change the dental insurer from Guardian to Blue Cross Blue Shield, which offered a 12% increase on the current dental rates. Mr. Bidwell also recommended that White County change vision carriers from Guardian to Blue Cross Blue Shield, which provided lower rates and better vision coverage. Mr. Bidwell also assured the Blue Cross Blue Shield dental coverage would not include any penalties or non-coverage for pre-existing conditions.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Campbell there was a unanimous vote to approve the medical renewal option with Blue Cross Blue Shield which contained the addition of a \$100 in-patient co-pay, an increase in the emergency room co-pay from \$100 to \$150, and the increase in the generic prescription drug co-pay from \$10 to \$15; as well as the approval to accept the dental and vision coverage options provided by Blue Cross Blue Shield. These employee benefit changes will be effective October 1, 2009 through June 30, 2010.

Jean Welborn presented the land donation of 0.23 acres from Jere Westmoreland to the White County Senior Center, with the land being adjacent to the White County Senior Center and for use by the White County Senior Center.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Campbell there was a unanimous vote to officially accept the donation of the 0.23 acres from Jere Westmoreland to the White County Senior Center.

Sheriff Neal Walden stated that one of the Sheriff's Office vehicles had been involved in multiple vehicle accident caused by a drunk driver. He indicated the vehicle was a 2003 model and had over 200,000 miles. He estimated that the insurance company would give approximately \$2,000 for the vehicle and he was asking the Board of Commissioners to provide funds for the purchase of a replacement vehicle, since capital expenditures had been eliminated from the 2009-2010 budget. Sheriff Walden stated he had the equipment to outfit a new vehicle and would not need to make expenditure for additional equipment. The Board of Commissioners were in agreement for Sheriff Walden to obtain estimates for the cost of a new vehicle and to bring those quotes to the Board of Commissioners at a later date.

Sheriff Walden expressed his appreciation to the Board of Commissioners for the improved lighting the main courtroom.

Doug Dockery, Director of Public Works, presented an extended maintenance agreement with Fuel Master Systems in the amount of \$2,189.51. Mr. Dockery indicated this agreement would extend the warranty coverage on the County fuel system located at the Road Department. This coverage would include parts and support labor for all Fuel Master components, as well as free upgrades as needed. He also indicated that the Road Department would be reviewing past repair claims in order to determine if a retroactive claim could be filed under this agreement.

Upon a motion made by Commissioner Campbell, seconded by Commissioner Bryant the Extended Maintenance Agreement with Fuel Master Systems in the amount of \$2,189.51 was unanimously approved.

Jean Welborn presented a renewal for the maintenance licensing agreement with ESRI on behalf of the White County GIS Office. The cost of this renewal agreement was \$10,070.96.

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Upon a motion made by Commissioner Campbell, seconded by Commissioner Bryant the GIS software licensing renewal agreement with ESRI in the amount of \$10,070.96 was unanimously approved.

Mr. Corey Hulsey and a fellow agent, from Liberty National Insurance requested time to present the products which Liberty National Insurance markets.

Chairman Turner requested that Liberty National make the presentation of their products at the next Work Session on August 31, 2009 at 4:30.

Matt Bidwell cautioned the Board of Commissioners regarding offering insurance policies through multiple vendors and the possibility that this will cause confusion, increase administrative work, caused duplication of products offered and sales pressure to employees. He further explained that MSI enrollment representatives do not sale products; however explain coverage available and guided employees in their elections. He stated that a good philosophy, as an employer, is to only offer those programs which will make you more attractive to employees and provide an incentive for employees to remain employed with you. He indicated that MSI could not include Liberty National in their enrollment material, since they did not legally represent Liberty National.

Upon a motion made by Commissioner Campbell, seconded by Commissioner Bryant there was a unanimous vote to enter into executive session for the purpose of discussing personnel issues (see the following closed meeting affidavit).

Upon a motion made by Commissioner Bryant, seconded by Commissioner Campbell there was a unanimous vote to exit the executive session.

Chairman Turner stated no decision had been made during the executive session and upon a motion made by Commissioner Bryant, seconded by Commissioner Campbell there was a unanimous vote to adjourn the called meeting of Tuesday, August 25, 2009.

The minutes of the August 25, 2009 Called Meeting as hereby approved as stated this the 14th day of September, 2009.

#### WHITE COUNTY BOARD OF COMMISSIONERS

s/Travis C. Turner

Travis C. Turner, Chairman

s/Joe Campbell

Joe Campbell, Post 1

s/Craig Bryant

Craig Bryant, Post 2

s/Shanda Smallwood

Shanda Smallwood, County Clerk

