



Miller County Government

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Board of Commissioners



REGULAR SESSION MEETING

11/14/2022, 6:00 P.M., County Government Complex

MINUTES

Present: Chairman Kreg Freeman, Vice Chairman Ladon Calhoun, Commissioner Edwards, Commissioner Worsley, Commissioner Nixon. Others Present: Faye Whittaker, Austin Lambert, Douglas Cofty, Andy Moore, Jeff Cox, Earl and Martha Cox, Jimmy Holt, Angela Hagan, Dylan Johnson, Jacey Cox, Luke Cook, Leroy Bush, Tammy Grimsley, Carol Williams

Chairman Freeman calls the meeting to order. Regular session 11/14/2022 and called for a moment of silent prayer then the pledge of allegiance.

HOUSEKEEPING:

Chairman Freeman stated first thing we need to do is approve the agenda. Chairman Freeman stated we have an addition, this thing came in after the agenda was printed Friday. I guess around dinner time. It is about the hospital board appointment. We need to add that. Is there anything any other additions? If not, we need a motion to approve it Commissioner Nixon made motion to approve with Commissioner Edwards seconding. All in favor motion carried.

Chairman Freeman stated approval of the minutes from the regular session meeting on 10/12/2022. Everything looked like it was in order. We need a motion to approve. Commissioner Edwards made motion to approve with Commissioner Nixon seconding, All in favor. Motion carried

FINANCIALS:

Chairman Freeman stated next is the financials and accounts payable. Are there any questions on that? If not need a motion to approve Commissioner Worsley made motion with Commissioner Edwards seconding. All in favor. Motion carried. Chairman Freeman stated financial report. Commissioner Worsley made motion to approve, Commissioner Nixon seconded. All in favor. Motion carried.

APPEARANCES:

Carol J. Williams – Animal Rescue

Chairman Freeman stated on the appearances, we got Carol J Williams with the Animal Rescue Alliance. You want to explain, we got a request for a tax abatement on the building from the other lady. Ms. Williams stated that would be the owner of the building. Yeah. Chairman Freeman stated do you want to explain, we want you to I think and you all can ask questions whatever you want to. The scope of your operation. How you going to operate and what because we got a contract also that you had left here for the county. Ms. Williams stated yes sir. Chairman Freeman you want to explain that? You know. Ms. Williams stated oh certainly. Well, thank you for inviting me to come. I'm sorry that you all were not able to come to our sneak peek event. We had a private event for law enforcement and for city councils and commissioners for Miller County and Seminole and that hopefully would have answered a lot of the questions but I'd be happy to explain more about what we're doing. We opened in September. We're a non-profit 501C3. We have a board that governs us. We right now have four employees that are working for us. They basically, our mission, when we first started was to set as a priority to take animals from law enforcement personnel, for both counties because there was not an option at that point for law enforcement when they picked up stray animals. It took a while for Donalsonville, City of Donalsonville, returned the contract and Seminole County did as well. I sent one to Iron city. I assume they're not returning their city of Colquitt. I'm assuming they're not returning theirs as well and so we were waiting to see what you all are going to do.

So, in the meantime, we have been taking animals in from owner surrenders. We have quite a waiting list at this point. Our capacity is for about 20 dogs and about the same number of cats and we are absolutely maxed out at this point. We've been sending some of our animals out to transport, to other rescues around the country. We have sent animals as far as Maine, California. We've created quite a social media presence and we've had several adoptions out of the area from Saint Augustine, a couple from Atlanta, one from Indiana, there's a lady coming in the next two weeks from Pennsylvania. So, our mission is to provide an option for each county for unwanted animals because at this point I think it pretty well known that in Miller County, there isn't an option. When dogs are picked up, cats are ignored but when dogs are picked up, there really is not a viable option for them and so we would like to provide you with that option. Seminole County took the stance that they would like to use us for animals that first are not owned by somebody and second, seem like they're adoptable. So, they let us know that they're not going to be using us every time for every animal that's picked up and that's fine. So, we're hoping that you all would take that same position that we don't have to be, you know, the only option for you all but at least we are an option which is more than what has been present in Miller County up to this point. As far as Angela Hagan and her dealings with you for her tax issues with her request was. She is our landlady. She's the owner of the

property and as far as that goes, I don't know if I can speak for her, whatever your issues were with Angela but I know that. Chairman Freeman stated There isn't any issues. I don't want to say under advisement but anyway, I don't think the tax assessor's office felt like it was they could grant a tax abatement. Ms. Williams stated Okay, that honestly, that doesn't concern our company. Chairman Freeman stated are you all renting? Ms. Williams stated we are. Chairman Freeman stated the building from her. Ms. Williams stated she is our landlord. Chairman Freeman stated see, that's kind of the issue right there. She made profit or if she's going to own it, she's getting paid for if she's making payments or whatever. But see, she's getting something out of it. Ms. Williams stated I think you'd have to address that to her. I can tell you that with what she put into buying the property, having the building completely gutted down to the studs and redone for us. She has in probably just under a million dollars and you know, what she's getting from us in rent is basically not very much. She's doing it because she wanted to see a facility in this county. So, I mean, that, that, that's your decision to give her a break or not but I think it's commendable that, you know, I tried for three years.

Chairman Freeman stated these questions had to be asked. Ms. Williams stated I understand. But I'd like to just state for the record that I, I tried for three years to get a facility in either county, set up for animals and it wasn't going to happen and this is a private citizen that stepped up and put her own funds up for this. Chairman Freeman stated if somebody drops the animal off. Are there any fees for them dropping? If we take an owner surrender off the list, we ask for a donation of any amount and that's what's been happening. We have people that can't afford to get very much at all and we have others that feel like they want to provide some money for the care of that animal. But as far as if you're asking, are we making money on it? No. We're not. We're not funded by Miller or Seminole County and we're existing right now solely on private donations. We qualify for an awful lot of grants but every one of them wants to see our stats from the previous year. So, for the first year, we're not getting anything. Commissioner Worsley stated in the contract here it states that a fee of \$100 will be applied a bill to deliver an entity. Ms. Williams stated excuse me.

Commissioner Worsley stated in the contract here is says for every animal brought to the ARA facilities here in business hour where they fee a \$100 will be applied and billed to the delivering entity. Ms. Williams stated yes. That would be if it's Miller County Sheriff, that would be \$100. And I'd like to just clarify any concerns you might have about that. When we take a dog in, two of our employees also work at Colquitt Animal Hospital and are able to perform a pretty extensive medical intake exam. At that point, the animal is given de-wormer, they are checked for heartworm using a heartworm test. They're giving a Bordetella vaccine, a rabies vaccine, any kind of bathing, flea treatment, anything that needs to be done. That if the animal's healthy. If there's an obvious medical issue, then we address that as well. When they go to transport, there's a fee that we're paying to have the animal transported. If they're not going to be transported, they're held at our facility for an adoption. They have to be spayed or neutered and microchipped. So, \$100 I there's no vet that I know of that you can get all the services for \$100. On top of

taking care of the animal, feeding them, for paying our staff to do sanitation. A hundred dollars is a heck of a deal. Chairman Freeman stated something else you got into contract here about if you took an animal in and it stayed longer than a week. Ms. Williams stated that's an animal that's taken in as part of the legal investigation So, take the example of the dog fighting instance that happened in Seminole County. Chairman Freeman stated any other animal that was dropped off over there by law enforcement. What's the deal with that if it stays longer than a week? Ms. Williams stated It doesn't that doesn't apply. Chairman Freeman stated so, you got the initial fees for dropping the animal off. Ms. Williams stated yes that's it. Chairman Freeman stated it doesn't matter how long it stays. Ms. Williams stated no, that clause only applies to legal investigations where like I say, the dog fighting because we absolutely did not want to be in the situation where we have 10 or 20 dogs in horrendous condition with terrible dispositions left with us indefinitely until their case went to court. We just didn't want to be in that circumstance and that clause in the contract is to prevent that. Chairman Freeman stated you all got any more questions? I think what we're going to do is put this, we're going to table it to the next meeting about the tax abatement. I mean, you kind of told us, if you all ain't got any more questions, you kind of told us what the how your operation's going to run and all that right there. Ms. Williams stated I would like to invite you to come out and see our facility. It will give you a better idea of exactly what we do. We're open Wednesday through Saturday to the public from 10 to 4. Chairman Freeman stated we got the tax assessor here. Was there anything you want to address. Cody Hamilton stated are you addressing the tax abatement?

Chairman Freeman stated yes. Mr. Hamilton stated we reviewed it or they reviewed it and they denied it. Simple fact of the reason they denied it is the sole ownership of the building. The facility is owned by one individual and operated by different organization. So, if you look at the taxability according to state statute, it applies to the owner and the occupant of the building. Therefore, the owner does not qualify for tax exemption. I urge the board to consider that as the state statute and also, she's a private individual owning that building and she's asking for exemption on private piece of property even though it's operating the 501C3, it's still considered a private property. Ms. Williams states well, the private owner just walked in so feel free if you have a question for her. Angela Hagan, I'm sure we'll be happy to answer it. Ms. Hagan stated yeah. Anybody have any questions? Mr. Hamilton stated I was just explaining why the board of possessors didn't grant the exemption when it come before them. Chairman Freeman stated Alright. Being the fact this situation like that. And we made for whatever legal reasons can't do that. If to help out maybe at some point in time just make a donation towards you all keeping the facility up maybe in the somehow another. Is that I mean it's sort of the same thing but I mean we are making grant a tax abatement. I mean, we may, I don't know we didn't plan for it in the budget or anything like that right there but is that something you all would consider. Commissioner Edwards stated yeah. County Attorney William Mills stated you can't do that. You can't make a donation. The county board of commissioners cannot. Constitutional provision. You may keep a contract for services but you can't do a gratuitous donation. Chairman Freeman asked alright did you look at the contract? Mr.

Mills stated no, I haven't seen it. Chairman Freeman stated alright, we you all got any more question on this? For the county attorney or anybody. Okay, let us let us see what we can do for this thing. I think we may or may not can, I mean, it may wind up like Mr. Mills said have some kind of contract beyond what we got here. I'd like to see the thing run. But I mean, we going to, we going to have to follow the guidelines. Ms. Williams stated we certainly appreciate that because like I pointed out, this is a service we're providing to this county and to Seminole County that has been needed for as long as I've been in this area and the fact that you have a private citizen that stepped up and took this on her shoulders. I think, yeah, whatever you can do. Just to show that appreciation. I think that would be in line. Chairman Freeman stated Alright, you all want to revisit this? Commissioner Edwards stated yes, we can table it. Alright. Chairman Freeman stated alright, we're going to table this. We'll see if there's something we can do. And we'll try to do it by the next meeting. Ms. Williams stated we appreciate that. Thank you, sir. Chairman Freeman stated alright, thank you. next

OLD BUSINESS:

Super B Express Land Purchase - POSTPONED

Chairman Freeman stated next thing we got is old business, Super B Express. That land purchased over there has been postponed and that deal through the building inspector is kind of on hold too. Some of their stuff. They were remodeling down. We just going to have to until they come back and let us know something we just going to have to table that one.

Senior building purchase.

Chairman Freeman stated we met with everybody There was an option put out there of finding another building for them. There is a building available that the hospital owns. It's a house down there. Hospital's willing to remodel it so it would fit their needs with handicapped bathrooms. Is that something you all want to continue to look into? Commissioner Worsley stated have, we got the seniors input on that. Chairman Freeman stated I talk to one of them today and they need to go down there. They wanted to look at the thing and it couldn't happen today. But The building inspector said that that house would do for what they wanted to do as far as the square footage and stuff like that for the amount but they need to have a plan in place and that's been stressed of who the officers of that will be. Who's going to head it up? And all that. It needs presenting to us. And I mean, I told that to the one that I talked to today. Is Claude Newsom the one trying to hit this thing up? Commissioner Worsley stated him and numerous other ones, yes. Chairman Freeman stated well Claude needs to make contact with us and tell us where, where they at, where it, and, and when he can, can look, at the house down there. But it is available and it's big enough to do what they need to do. If that's an option that we still want to go into. Commissioner Worsley stated well I will contact him tomorrow morning. Chairman Freeman stated well tell him to make contact with Doug. Doug's got a key to the place and set up a time when Doug and several of the other ones and I don't mind going down there if it's where I can with them. So, if you can, make contact with him and

try to set up a time. Commissioner Worsley stated yea I will get up with him first thing in the morning. Chairman Freeman stated any more questions on that? The house that's available down there. It's 501 Cuthbert Street. It's one that the hospital had. They had some office space in. and they had about 20 people working in there all the time that they occupied the thing. So, any more questions on that?

Fueling Center Report

Chairman Freeman stated the fueling station report did all that, okay? If there isn't any question on that. We're going to go on to the next item.

DOT, the big drain bridge project.

Chairman Freeman stated the DOT Bridge project, it's page 23 thru 26. What did. Do we just need to agree to the Big Drain bridge project. Mr. Cofty stated so, Andy, Faye and I met with them thru Zoom call the 1st of November. and basically, it really wasn't a DOT and the county. It was the DOT and their different divisions inside the DOT. Just going over and reviewing, I think they reviewed six different bridges and I think our bridge was the only one that didn't have water running through it at the time and I think that's going to probably push us up to the top of the list, but they have six projects that are looking at and they actually were looking at the different species of plants and animals that interact with the habitat at each bridge. So, that's pretty much where they left off. They didn't guarantee anything or to tell us when it was going to be. They were just kind of reviewing it with the different departments. Chairman Freeman stated so, there's nothing we need to act on that? Mr. Cofty stated no. That report that is in your packets has already been turned in. Chairman Freeman stated alright.

Road Closure Resolution

Chairman Freeman stated the next item is the road closure, abandonment resolution. Ladon is not here tonight. He's sick. If you all got, we got the county attorney here to answer questions on it. Do we need to go on and read this. County Attorney William Mills stated the resolution is the starting point to begin the process of closing a county road. A motion would have to be made to of adopt the resolution and passed or not passed. It does not pass and that's the end of it. If it does pass, then you would go to noticing all adjoining landowners, publishing the paper. It's two weeks before the meeting of public hearing, have a public hearing before your board meeting and then either finalize closure by motion at the at that meeting. But this is only the adopting this resolution, which is done by motion and voting is just to start the process to follow the statutory procedure. Commissioner Worsley stated I got a question for you. I looked it up on Google or whatever you want to call it. I'm not a computer expert by no means. Moultrie up in Colquitt County there was a similar situation. Alright, they were some people wanting to close the road well they chose not close it but their County Attorney said that when you do that you are supposed to have that road appraised. Mr. Mills stated that is after you close it, not before you close it. There is another step after that, if you close that road the adjoining property owners can seek return of that property to the adjoining property. So, then you value those, you know, whatever it is of you know, the properties, whether it's

40 feet, 50 feet, whatever it is, you have to value that and then, yes, then, you negotiate a workout, you know, if an adjoining landowner wants it back, then, that's what he has to pay for. But that's after, it's abandoned. You don't have to do it before you consider abandonment. Chairman Freeman stated if there's not a deed up there on record and the family had donated the land for that road, Mr. Mills stated there is a, there are cases where you can return it to the adjoining landowner without any compensation if it was originally donated. If it was sold and you got to, you know, they got to purchase it back. And how much land? This is, it is a dirt road. Unless you've acquired a deeded easement and bounds, your ownership is not a fee title. It is a prescriptive easement of whatever how you want the width of that road you maintain. In other words, some roads are just two grader blades, you know, down one side, down the other, and that's, that's what you have. I don't, I haven't seen this road, I couldn't tell you. Some are nothing but basically, one grader, you know, blade width, it just depends on what the use of the road is. But all you have is the width of the used or maintained part of the road and that's prescriptive easement. It's not fee titled unless you've acquired this. If you've acquired a deed, then you may have very well have a specific amount of land and be tired. Chairman Freeman stated Doug, when you all went up there and looked at it, was there a thorough search of the record? Is this? Mr. Cofty stated what's in that packet is what the clerk of court found. There are no plats or anything other than that Deed but it covers the whole part of it.

Chairman Freeman stated the irrigation walks across the road. Mr. Mills stated if its County Road, that in my opinion, that's got to stop for liability reasons. You cannot close the county road for that purpose. There are two basically there's always been a question. If there's an adjoining landowner objection, it can't, you can't close it. That's not the law. There are basically two criteria and that is, if it ceases to serve a substantial public purpose and it can't be done for failure to maintain. You know, the county just abandons it by not maintaining it. That will not be a valid reason or I have to always look because this is new. It no longer serves the purpose or is in the best interest. Now, a lot of counties have moved using that terminology in the courts of held that to be valid if they say, it's not used enough to the cost of maintaining that track of road or that road. So, you have to show that you're going to save X number of dollars if you close this by not having to maintain. Now, these things are in the in the board's discretion. Subject to challenge but it's basically in the boards' discretion, but you've got to be able to show that there's no substantial public purpose for the road and that or not and or that it's been ceased now, those things above ceased to be used by the public to extend is no longer has any real purpose.

Chairman Freeman stated alright this been going on for 15 years or longer, it's done been visited, I don't have the minutes in front of me. At least twice before and it's just been pushed aside to close this road. Alright, this is the third time that I know of. Where are we at with being the fact that it's done been visited twice and this is the third time and nothing's happened if we don't close the road or the irrigation keeps walking across the road. Mr. Mills stated you got to you can't, if it's a public road, you got to my advice to you all is to have that irrigation system stopped. Because if it's open public road and

somebody's riding along the landowner's going to be liable or whoever owns that irrigation system and the county could be liable. Whether or not you've been discussed or visited, that's you know, it's a policy. At this point in time, the board would have to address. I mean, it's just because it may have been brought up and discussed in the prior time. It's not necessarily make it you know, that that ended up self is not grounds. Chairman Freeman stated alright, there are already gates on each end, their closed off when the irrigation is running. The people done started going around the gates. That's what's happening now. Mr. Mills stated If it's been that way for a substantial period of time, that may go to prove one of the conditions of closing. That it didn't serve any public purpose. Mr. Ronnie Sheffield stated the gates are only closed when the irrigation is running across the road. Mr. Mills stated well, that can be done anymore.

Commissioner Edwards stated I want to I've been seeking to find out who granted them to put the gates in the first place. Why would the gates put there if the road was not put up for closure. To me if you put gates there you close the road. Who gave that authority to them to put the gates there in the first place. Mr. Sheffield stated the county commissioners. Commissioner Edwards asked the County Commissioners? Chairman Freeman stated there was four years I was out of here. that I wasn't on the board. That took place somewhere in there. If it maybe may or may not be written in a minute. I don't know. Commissioner Worsley stated I've got roughly 100 signatures on the petition here saying they don't want that road closed and it was handed to me. Chairman Freeman stated alright, is that notarized? Commissioner Worsley stated pardon. Chairman Freeman stated are any of them notarized? Commissioner Worsley stated I don't see. Chairman Freeman asked don't they have to be notarized? Mr. Mills stated there's no mention of having a petition in the in the statue of closing. Commissioner Edwards stated but you were saying that you want to prove that the road is utilized right there where that petition is letting you know that the road is being used by all those people or majority of those people that signed it. So, the road has been here. I went in there out there and looked at the road myself. And I stood, I went from end to end and there's not just tractor tracks. There are different vehicle tracks that's going through there. So, the road is being used.

Commissioner Worsley stated you got UPS, you got FedEx, you got all kind of people out there going to church over there to use it. And if you close the bridge, shut down Belview road that's the last road before you get to the bridge and make a detour off of to go to 91, you know. Mr. Leroy Bush stated my I ask a question, I'm 61 years old and I always have used that road. I went around the gates and I never could've understood, I didn't. Chairman Freeman stated so, you went around the gates? Mr. Bush stated I have went round and going to continue to go around the gates because you can't close a public road without having a reason for it. You can't close a public road for a farmer to run his irrigation around for it feasible for him to make a better profit. Commissioner Worsley stated well, you can't put gates on the public road period. Mr. Luke Cook stated I agree with Mr. Leroy all on it. Mr. Bush stated we've been riding that road ever since I was a boy and I come through there quite often. Jeff Cox stated that road is used also substantially

for landfill traffic coming from Avenue Road, Johnny Freeman Road. That whole area uses that road to access a landfill. Mr. Cook stated and then, if it floods, how is Mr. Earl going to get out? Mr. Earl Cox stated that's right I can't get out. Chairman Freeman stated anytime when Earl can't get out from his house to the Bellview Road, he can't pass the other end of the roads underwater on both ends. Mr. Cox stated yes, I can. The reason I couldn't before is because it was, they had just worked those ditches on the other end of the road. Jeff Cox stated so, what proof needs to be if you have to show proof if the petition does show the road is being used. What needs to be shown to show that it is being used. Mr. Mills stated those are two criteria. I mean, the weight of whatever you contend is not for me, it's not my decision to be made. My job is to make sure that the board is right, follow the right procedures, right? Jeff Cox stated yeah so, I guess, according to you, being a county attorney, you're telling us that at irrigation, isn't a reason to close the road and what was the other one?

Mr. Mills stated well, an irrigation cannot, let me put it this way. I'm not saying an irrigation is the reason for closure. What I'm saying is if you keep it open or if it is a county road, you cannot close it to let irrigation cross even temporary. Jeff Cox stated okay, I guess what my question is, what deems necessities to close the road? Mr. Mill stated cost to maintain it and no substantial public purposes. Jeff Cox stated Okay and it is used by churches. Mr. Mills stated and it's been ceased to be used by the public. Jeff Cox stated yes, sir but we have signatures. Mr. Mills stated I mean, I don't weigh that effort. Jeff Cox stated I totally understand. Commissioner Worsley stated it is not right to close a road for one person, no offense meant Mr. Ronnie. It's not right. I don't care who you are to close a road for one person when they rest of the county use it. It's just not right. It doesn't look good. It just ain't right. Chairman Freeman stated it ain't no matter of look. This this thing's a liability and it's a hazard. Commissioner Worsley stated yeah, with an irrigation system running across it. You know, the county doesn't know no irrigation system. Commissioner Edwards stated they can't shorten the irrigation.

Chairman Freeman stated the man made a request to close the road. That's where we at with it. Now, it's going to come down to a vote. I'm not going to recommend reading this. Mr. Sheffield stated I don't care if people go through there just let them know it's private road and you know, be careful. I ain't never had intention to stopping traffic. Mr. Cook stated that's what it's going down to. Could we close Bellview then, because I'm going to put a sprinkler system there on it. It's the same point. Mr. Bush stated no one man can close that road Nobody this road is owned by the county. Chairman Freeman stated this is what you need to take into consideration, this ain't the only road, there are two other roads that you can go to get to, no body lives on this road. Mr. Cox stated yeah, I live on that road. Chairman Freeman stated nobody lives beyond. We're not closing. We're not closing the whole road. We're closing it in the field part. Jeff Cox stated but that's the part that everybody uses the field part to get to 91 from Avenue and Bellview on that side of the county. Dutch Cook, you got some Cook residents that live there. They go to Cook Union Church. They use that dirt road every Sunday. Mr. Bush stated been using that road forever. I can't understand why anybody think thought that the road was not being

used but tits being used. Just being honest with you. Chairman Freeman stated well, if you all, you all got any more questions for the county attorney about this, anybody? Commissioner Nixon stated my questions have been answered. Chairman Freeman stated we're not going to vote on it tonight. We're not. I'm not going this read this unless the county attorney advised me to read the resolution. Do I need to read this and then table it for adoption? Mr. Mills stated you don't necessarily have to read a resolution. Only thing I did, at least my procedures have been that you would read a local petition to change at a local ordinance. This is not an ordinance. It's just simply a this is a motion and resolution form. More clearly state following the statute. You don't necessarily have to read it. You can but you don't have to. Chairman Freeman stated we ain't got the full board here. You are going to. Mr. Cox stated, my I say something. Chairman Freeman stated go ahead. Mr. Cox stated is it fair to block me and my family? Chairman Freeman stated you're not laying locked Earl. Mr. Cox stated yea I am. Chairman Freeman stated No, you're not. Mr. Cox stated closing that road, I will be landlocked. Can't get to my home during and rainy weather. Because it floods that end. Commissioner asked do we need to make a motion whether to proceed forward with this resolution or if you need to come through a vote. Mr. Mills stated that is up to the board. I, you know, it's up to the board whether or not you can just not take any action on it. You can vote it up or down. It's just up to the board. I was asked to assist the administrator getting it properly before the board.

Commissioner Worsley stated well I think it should be voted on whether it goes forward or not. Chairman Freeman stated you are missing a board member here if you get into a tie vote. Mr. Cox stated well it will just be a tie vote. Chairman Freeman state well if it goes to a tie vote, it will have to be revisited. Jeff Cox stated well let's try it. Commissioner Nixon stated I am going to say this, Mr. Ronnie I am saying this with all respect to you and Mr. Earl. I have a conflict of interest with my vote. I date Ty who farms the land. And it's a big conflict of interest for me I think to cast my vote. I don't want anybody thinking that I'm voting one way or the I mean I just, I feel in my heart, I have prayed hard about this. I'm going to be honest with everybody. I've prayed hard about this and I feel like that it's a conflict of interest for me to cast my vote, Christine and I had talked about one time with a with a vote you know, Commissioner Edwards stated absolutely. Commissioner Nixon continued pertaining to Leroy when she was in and I think that it's in my best interest not to cast my vote. Chairman Freeman stated I am going to make a recommendation to table it till we got a full board here to vote on. We have vote on it in the next meeting. Commissioner Worsley stated it's still going to come down to a tie. Chairman Freeman stated do what? Commissioner Worsley stated it's still going to come down to a tie if Nikki's not going to vote. Chairman Freeman stated no, it won't. If she abstains from voting and you all two vote one way and Ladon votes another way. Commissioner Worsley stated then it's a tie. Chairman Freeman stated I can't I got to break the tie. Mr. Bush stated you can't break the tie. Commissioner Edwards asked how if its two and two. Commissioner Worsley asked how are you going to break a tie? Chairman Freeman stated if she abstains you got two against one. They ain't no there's no. Mr. Bush stated just because you are chairman you still can vote. Chairman Freeman

stated I know I can vote. Jeff Cox asked is that right, attorney? Mr. Mills stated I would have to go back and look at Miller County. Let me ask you this. Are you are you elected by a district? Chairman Freeman stated Yes. Mr. Mills stated typically, you would have a right to vote if you're elected by at large. and it all goes back kind of how your local act establishes voting. I have not really ever researched that the opposition haven't had to come up. Mr. Bush stated he couldn't break a tie if he couldn't vote. I've been chairman of locally board of education. Mr. Mills stated if you're an at large chairman like Early County, Early County is structured in a way where the chairman only votes in case of the time. Because he's at large. In this case, if you are, if you are a just elected as chairman based upon your being on the board, then, typically, I would say that the chairman has the right to vote, make a motion, second a motion. Because without that, all he, he's just abrogated his representation of his district. If he can't do that. So, he can, you know, subject to a local, part of your local act saying, otherwise, I will tell you probably can vote.

Mr. Bush stated my understanding is, if he run for chairman, if he, if he had to run for that position, then he would be like you say, for by him being an elected official in one district. Mr. Mills stated that's correct. Mr. Bush continued he just he just elected official in that district and he is appointed by the board members just to do board business. I've done it for nine years. The only thing we did the same thing. He just county commission, I'm board of education. Mr. Mills stated well, what I'm hearing is you got to potential of two for two against and one abstain, basically there is not action. Mr. Bush stated the motion dies. Mr. Mills stated I wouldn't say it can't be brought back up but it's no action at that point. It dies if that's the way it works. Chairman Freeman stated well with Ladon being he is absent I would like for it to be on the record which way everybody voted. Can we table it, I'm asking the board. Commissioner Nixon stated yes, I'm fine with that. Chairman Freeman stated alright, I want that in a motion. You'll make a motion to table it. Commissioner Nixon stated sure, yes. Chairman Freeman stated is there a second. Commissioner Edwards stated I don't understand why we're tabling it. That's what I don't understand. Why we keep tabling it? Commissioner Worsley stated I'm voting against and I just want to tell you. Commissioner Edwards stated and it's going to be two and two at the end of the day and she going to abstain. So, next month, next year, next whatever is still going to be the same. Well, not next year. But I'm just saying, you, you know, why are we tabling it? Are we going to and we going to come up to the same? Next month, we going to come up with the same thing.

Chairman Freeman stated he might, if he comes back here and he makes a motion to revisit it, we're going to have to revisit it if there's enough votes to revisit it. Mr. Bush stated if she's going to abstain her vote, it's going to be two on two and the motion dies. Commissioner Edwards stated I mean I don't want, I just don't get why are we tabling it? And its next month it's going to be the same thing. Commissioner Worsley stated we know the irrigation system is a liability. The longer we put it off, the more chance we going to have getting in trouble with this thing. Commissioner Edwards stated absolutely. Mr. Mills stated that's going to be a different motion. That maybe needs to be a different motion. As to what you do if you're not going to close it. To stop the irrigation

system. Commissioner Edwards stated stop the irrigation system. The gates need to be removed. Mr. Mills stated you know, it's a different issue then the closure. You're not going to close it or abandon it and close it. Then you got to address the gates and the irrigation. Commissioner Edwards stated absolutely. Mr. Mills continue that's the way moving forward I think you have to consider the liability issues. Chairman Freeman asked is it going to get tabled or what. Commissioner Worsley stated I'd just dropped the whole thing and ended it right now. Chairman Freeman stated well it can't be dropped. Commissioner Worsley asked why can't it be dropped? Chairman Freeman stated you going to drop it and then it doesn't get revisited again. Where are you going to be with the irrigation? Commissioner Edwards stated we are going to shorten the irrigation. It's not going to run across the road and we're going to remove the gates. We're going to you know we're going to have to go that route. Commissioner Worsley stated have the County attorney send a letter and say and it cannot be done no more. Commissioner Edwards stated I mean, like you say, is this been revisited the third time? We might as well kill it now. Ain't no need for keep dragging it along. Mr. Cook stated with all the signatures, Mr. Cox has on that paper. The people who voted for Mr. Freeman has spoken about that. He should honor the voter's request. The people who signed that paper. but it looks like he has his agenda too so.

Chairman Freeman stated I ain't got I stand to gain nothing out of this whatsoever. The man brought a request to close the road. It ain't going to help me one way or another. Mr. Cook stated then just dissolve it. Commissioner Edwards stated that's what we are asking, then let's just dissolve it. Commissioner Worsley stated let's just get it over with. Chairman Freeman stated well, make a motion what you want to do. Commissioner Worsley stated I make a motion that we drop this thing and stop it now. Commissioner Nixon asked I mean, really, what is going to happen? Can we call Ladon? Is that a possibility. Commissioner Edwards stated because there's no need to keep dragging it out. I mean. Commissioner Worsley stated the longer it gets dragged out the more we put the taxpayers at risk of getting sued about that irrigation system. Chairman Freeman stated I've got a motion on the table to abandon adopting the resolution for the road closure. Is there a second? Commissioner Edwards seconded. Commissioner Edwards stated we not we not going to sign it. Chairman Freeman stated alright. So, it died for lack of votes. Is that where we at with it? Commissioner Edwards stated now, we need to address at the next meeting or whatever. Like you say, we need to get on board of this making sure that the public is not being injured on this road. We need to take the gates down and yeah. Chairman Freeman stated ok, if that's where we at. We're going to move on to the next item. Alright.

NEW BUSINESS

Christmas Bonuses:

Chairman Freeman stated the new business is a Christmas bonuses. Last year there was a some of the EMTs, emergency people got some money. That regular employees didn't get for working during the COVID time. And they felt like they had not got their fair share. So, we gave them an extra 100.00 dollars. And it was 350.00 and we agreed to back it back down after that to 250.00. You all remember that? Commissioner Edwards stated yes. Chairman Freeman stated alright, we're going to set the Christmas bonuses at 250.00. What have you got to there? Mr. Cofty stated I've heard from two of the constitutional officers. They asked about them getting Christmas bonuses. You know last year we addressed this at Christmas time and it went all the way up to the ACCG attorneys that said if we give constitutional orders a bonus that will be considered a supplement and they get to keep that for the remaining of their term. So, that is up to you all but. Chairman Freeman stated just he's regular employee and not the constitutional officers get the 250.00. What was the part-time employees? Ms. Whittaker stated 125.00. Chairman Freeman stated that's staying the same. That agreeable. Commissioner Edwards stated so, we're saying that the constitutional officers are not going to get a bonus that what we're saying. Chairman Freeman stated that's right. Ms. Whittaker stated their employees will. Commissioner Worsley stated correct, but the constitutional officers and commissioner will not get one. Chairman Freeman stated you have to continue supplementing them. It's what Doug is trying to say. Commissioner Edwards stated okay. Chairman Freeman so, we're going back to what it was before, the 250.00 and the 125.00. We need a motion to put it back. But that's what we're going to give as Christmas bonuses 250.00 and 125.00. That's full time for 250.00 and 125.00 for part time. Is there a motion on that? Commissioner Worsley made the motion, Commissioner Edwards seconded it. All in favor. Motion carried.

LAPCF Money - ARPA

Chairman Freeman stated the next thing is the LAPCF money. That's going into the ARPA. It's in the ARPA account. We've got half of it. Expecting another half. It was \$100,000 and that's like using it the same way as we did the COVID money to kind of balance out everything with expenses and stuff like that right there. Am I saying that right? Ms. Whittaker stated yes. It just needs to be put in the needs to be put in the ARPA so that it can be audited. Chairman Freeman stated alright. We don't need to make a motion. It's just that's just the information.

Intergovernmental Fuel Agreement - HAMC

Chairman Freeman stated next is the intergovernmental fuel agreement. That's for the hospital, they want to buy fuel for the fueling station. We need a motion to let me sign this agreement. Commissioner Worsley made motion, Commissioner Nixon seconded the motion. All in favor. Motion carried.

Hospital Appointment Letter

Chairman Freeman stated Is there anything else we need to go over? Commissioner Nixon stated hospital board appointment. Chairman Freeman stated oh yeah. That's right. Have you all read the letter? Mr. Cofty stated no, I got it late after packets went out. Chairman Freeman stated Jerry Torbert has been on the board and he's been a faithful member but and this coming from the hospital he hadn't been able to attend for health reasons and according to the law, the guidelines. You need to be in attendance and he's missed like four of five meetings in a row. Commissioner Worsley stated he just isn't able to do it. Chairman Freeman stated but anyway, they made a recommendation since I was already on the board and I ain't going to be serving this county representative that me be opponent in that position. Is that agreeable? Commissioner Nixon stated I'm fine with that. Commissioner Edwards stated no problem with it. Chairman Freeman stated Do you want to make a motion? Commissioner Nixon stated I'll make a motion for you to. Commissioner Edwards seconded. All in favor. Motion carried. Chairman Freeman stated is there anything else we need to go over? Any more questions for the county attorney? On anything? If not, we need a motion to adjourn. Commissioner Worsley made motion, Commissioner Edwards seconded. All in favor. Motion carried

Meeting Adjourned