Commissioners failed to pass a motion to institute Phases III and IV of the creek debris clean-up plan as presented by Phillip Dixon, District Conservationist, at May's meeting of the Committee of the Whole.

Phase III, as explained by Dixon, would add eight additional sites to the clean-up plan. Phase IV would expand the clean-up area from 50' to 200' on each site and would include two new sites. The projected cost to the county would be \$75,000, according to Dixon.

Commissioners Vernon Biggs and Jerry Ray both pointed out that the county roads had been damaged by heavy trucks cleaning up tornado debris. Biggs didn't think that commissioners should spend money cleaning up woods and fields that would eventually take care of themselves, when the roads needed work. Ray wondered if there wasn't some grant money available to help with the damaged roads.

"Not that I know of," said County Mayor Shelvy Linville. "We'll get some FEMA reimbursement money, but not enough to put down two inches of hot mix for 20 or 25 miles."

Commissioner Benton Bartley said he couldn't vote for additional clean-up.

"There are people in this county who don't have running water, yet, and I just can't see voting for this when there are people who still have to carry water," Bartley said. "Also, we're going to lose 40 miles of roads if the winter's bad."

Linville agreed, but said the county's hands were tied on the water situation, due to the Scottsville Road water line law suit.

"I agree with you about the water," Linville said to Bartley. "It breaks your heart to realize we're in the 21st century and there are people who live two and three miles from this courthouse that don't have running water; but you all know the situation."

Monday, May 19, 2008

Commissioner Larry Tucker pointed out that the hay was already up, and all the clean-up people were going to do was walk over it.

"We could spend that on the roads somewhere," said Tucker.

A motion by Biggs, seconded by Carter, to approve to proceed with the clean-up failed, with Crowder, Biggs, Hughes, Carter, and Spears voting aye; everyone else (except Scott Gammon, who was absent) voting no.

Circuit Court Clerk Rick Gann spoke to the commissioners about why the jail's booking fee money was coming in so slowly.

The present system of collecting the fees started in August of 2007, according to Gann, with a \$20 collection for August. The amount collected each month increased slightly, until in April of 2008 Gann collected \$450.

A for instance given by Gann went like this: Suppose somebody's arrested on the first of the month, and has a court date on the last day of the month. The judge finds this person guilty and fines him \$290 - \$10 of that is the booking fee. Now the judge gives him 10 months to pay, and that doesn't start for a month. That's why the money comes in slow. And figure there's a continuance – there's a \$7 continuance fee that goes to the court. They'll drag out a D.U.I. for a year. Suppose the person gets arrested again before that year's up. And just because the judge sentences them to pay doesn't mean they're going to do it. The court fees get paid first. Then I don't know how it gets paid – there's about twelve things listed before booking fees.

"The figures will get bigger as time goes by," said Gann. "It's not a good system, but I don't have an answer to fix it; I'm just saying how it is."

A motion was made by Billy Bransford to have County Attorney Guy Holliman research and see if it's legal to have Sheriff Gammons collect the booking fees; and if it is, to have him do so, if he was willing to do it. The motion passed unanimously, and Gammons said he was certainly willing to collect the fees if Holliman found it legal.

Linville, who said he'd been talking with FEMA representatives last week, thought that FEMA would reimburse the county within 60 days of getting all the debris clean-up done.

"After talking with them last week, I can tell you it's not going to be 60 days. Sixty days is the minimum. And the woman I talked to said there wasn't a maximum time for this reimbursement."

Kevin Gregory, who owns property across the Union Camp Road from a new housing development that is being put in, was at the meeting to hear the opinion of Attorney Holliman about water that was being routed onto the Gregory property. Linville, who had surveyed the property, reported that developers had made a trench to a tile that runs under the Union Camp Road, and that the water was being routed across Gregory's property and then proceeded over onto county property.

"It's going to be a civil matter between Gregory and the developers," said Holliman. "If the water's eroding his property he might have a claim. Maybe he could go and talk to the developers."

Gregory said he had already talked to one of the developers, who told him that well, water's gotta' go somewhere. Gregory also attended a Lafayette City Planning Commission meeting.

"If you go into a meeting not expecting much, you don't get much," Gregory said. "I wasn't disappointed."

Holliman's opinion was that there would be less damage to county property – Dark Hollow Road, – than there had been before. Road Supervisor Chop Porter said it didn't look like the rerouted water was going to do damage to the road, but he didn't really know.

According to Holliman, neither Gregory or the county could get an injunction on the basis of thinking there might be damage, but if there was damage, either party could ask for injunctive relief.

Gregory said that he now knew where he stood, and that he had sought out of town council on the situation.

In other business, the commissioners:

•heard a report from Holliman on the procedure to pass into law a noise ordinance for the

county. Holliman said an ordinance would have to be passed on three readings, consecutively, and then the ordinance would have to be presented to the state legislature to get a private bill passed.

"You can't get this done until next year," said Holliman. "And even then, there's a good chance that we won't be able to enforce it with businesses that are already creating excess noise."

The noise ordinance issue was brought up when Commissioner Jeff Hughes reported that he had received a complaint from Ron Allen Powell concerning noisy dogs on property adjacent to hi property located on Horton Lane. No action was taken.

- •heard a report from Linville that Election Commissioner Diane Cline had received \$12,750 in federal money, through the state, for the presidential primary. Cline, who isn't going to use this money, is going to deposit it into the county's fund balance.
- •were reminded that County clean-up days have been set for 7 a.m. till 3 p.m. on the first two Saturday's in June: Districts 1-10 on June 7 and Districts 11-20 on June 14.
- •heard that the city of Lafayette had given the county a check for \$70,971 for their part of the debris clean-up.
- •passed eleven budget amendments: County court Clerk, Juvenile Court, Industrial Development, Highway Department, Landfill, County Court Clerk, County Buildings, Trustee, Sheriff's Department, Fire Prevention and Control, Civil Defense.
- •passed resolutions/proclamations for Teacher Appreciation Day, National Hospital Week, National Nurses Day, Older Americans Month, Three-Star Final Report (including the Strategic Plan, which is on file in Linville's office), and a Litter Resolution allowing Sheriff Gammons to apply, on behalf of the county, for a Litter and Trash Collecting Grant from TDOT, appointing him to implement and administer the money, and authorizing him to operate a workhouse program which will involve Litter and Trash Collecting.
- •elected the following Notaries Public: Scarlett Gentry, Ann Knight, and Sharon K. Day.

•passed a motion, unanimously, to allow the Macon County School Board to get bids for the Fairlane roof and HVAC units for Central and Red Boiling Springs, with the understanding to have it done in house by school personnel.

Before the meeting adjourned, Linville welcomed visitor Sarah Marie Smith, of Carthage, who is running for 40th district state representative.

The next meeting of the county commissioners will be held at 7 p.m. on June 2.