

LOWNDES COUNTY BOARD OF COMMISSIONERS
MINUTES
WORK SESSION
Monday, March 27, 2023

COMMISSIONERS PRESENT

Chairman Bill Slaughter
Vice Chairman Scott Orenstein
Commissioner Joyce Evans
Commissioner Mark Wisenbaker
Commissioner Demarcus Marshall
Commissioner Clay Griner

Chairman Slaughter called the meeting to order at 8:30 a.m.

MINUTES

The minutes were presented for the work session of March 13, 2023 and the regular session of March 14, 2023. No revisions to the minutes were requested.

APPOINTMENT

South Georgia Community Service Board

County Manager, Paige Dukes, presented the appointment. Mrs. Dukes stated Ms. Cindy Vickery's term has expired and Ms. Pamela Cartwright, CEO with Legacy Behavioral Health Services, requests her reappointment and Mrs. Vickery would like to continue to serve. Chairman Slaughter stated Ms. Vickery is very supportive and active on the board.

Valdosta-Lowndes County Land Bank Authority

County Manager, Paige Dukes, presented the item. Mrs. Dukes stated due to the resignation of Jason Dove there is a vacant seat on the Valdosta-Lowndes County Land Bank Authority. Mrs. Dukes stated at this time there have been no requests for someone interested in serving on this board. Commissioner Evans mentioned tabling this item until the next meeting.

PUBLIC HEARING

REZ-2022-10 The Campus Transitional Care Facility, 2193 Howell Road, E-A to P-D, Well & Septic, ~23 acres

County Planner, J.D. Dillard, presented the item. Mr. Dillard stated this request is for Planned Development (P-D) for a Transitional Care facility in an agricultural character area with wetlands on the property to the north with twenty-three (23) acres involved. Additionally, Mr. Dillard stated based on the proposed site plan, this request is for multiple cabins for recovery residents as stated in the letter of intent. Mr. Dillard stated there has been opposition as noted and timelines have been met. Mr. Dillard stated the Planning Commission recommended denial. Chairman Slaughter reminded the Commissioners this item will require a full public hearing and then voting. Commissioner Wisenbaker

asked if this item could be tabled since Commissioner Griner will be unable to attend tomorrow night's meeting; Chairman Slaughter asked to verify with County Attorney, Walter Elliott, Mr. Elliott responded there is no legal reason why a motion could not be made to table this item and then the majority vote to table with a specific meeting date.

FOR CONSIDERATION

Resolution Agreeing to Participate in the National Teva, Allergan, CVS, Walgreens, and Walmart Opioid Settlements

County Manager, Paige Dukes, presented the item stating the County has been through the first round of participating in this settlement and there is \$178,000.00 that has been received with another round of settlement. Mrs. Dukes stated this is a second round of staff requesting the Commission to consider the same action as before, you will approve staff to move forward with this settlement and Mrs. Studstill will move forward with the process. Attorney, Haynes Studstill, with the Studstill Law Firm, addressed the Commission stating with the second round there are five initial defendants that have proposed a national settlement. On the second round of settlements, they are proposing to pay in \$18.52 billion nationally, breaking down as the first round of settlements with Georgia getting allocated a percentage based on per capita and degree of harm, the same formula will be applied through the cities and counties, based on per capita and degree of harm. Mrs. Studstill stated they are anticipating everything will be broken down the exact same way, since the settlement is proposed right now, Georgia still has to have an agreement between the Attorney General's office and the cities and counties participating in the litigation. That agreement has not been submitted yet from the Attorney General's Office. Commissioner Marshall asked if cash was part of the settlement or if resources, such as counseling services, could be given, Mrs. Studstill stated cash would be sent to the County and the County will decide how to spend those funds. Mrs. Studstill stated there are a list of approved uses. Mrs. Dukes stated a staff recommendation will be prepared for additional discussion at the retreat, with local pharmacists trying to start a program to help citizens dispose of narcotics in a responsible way. Commissioner Wisenbaker asked the total nationally on the first round of settlement, Mrs. Studstill responded \$26 billion.

Lowndes County DUI Court Technology Supplemental Grant Award

DUI Court Program Coordinator, Heather Harris, presented the item. Ms. Harris stated the Office of the Governor's Criminal Justice Coordinating Council Accountability Court has awarded the Lowndes County DUI Court a supplemental technology grant in the amount of \$500.00, with no cash match from the county. Ms. Harris stated these funds will be used to provide a tablet for the use of our surveillance officer to document curfew checks and drug screens while performing field visits. Commissioner Marshall asked how many participants are in this program, Ms. Harris responded that currently there are twenty-seven (27) active participants with random curfew checks.

Adult Accountability Court Technology Supplemental Grant Award

Court Coordinator for the Juvenile Accountability Court, Geoffrey Martin, presented the item. Mr. Martin stated the Lowndes County Accountability Court submitted the following request for new technology, a 27" monitor and docking station with Satech multi-media adapter to be used in the office, in the total amount of \$248.98, with no cash match from the county.

Acceptance of the FY2023 VAWA Continuation Grant Award

Solicitor General's Office Representative, Karen Hayes, presented the item. Ms. Hayes stated at the December 13, 2022 Board of Commissioners meeting, the Commission approved the application for

Continuation Funding available through the Violence Against Women Act (VAWA) Grant program. The Solicitor's office has been approved to receive \$50,000.00 in federal funds, with the total cash match required by Lowndes County in the amount of \$36,266.00. Ms. Hayes stated the grant runs from January 1, 2023 - December 31, 2023.

Deep South Sanitation, LLC Residential Solid Waste Franchise Renewal

Human Resources Director, Kevin Beals, presented the item. Mr. Beals stated the franchise is set to expire March 31, 2023, adding Deep South Sanitation has applied to renew their existing franchise agreement. Mr. Beals stated Deep South Sanitation has asked regarding the below franchisee proposed changes: Increase the basic service not to exceed fee from \$20.00 per month to \$25.00 per month. (Solid Waste Ordinance Section 3.1.(c)) & (Franchise Agreement -Item Number 14 (Pricing for Basic Service)). Adjust Hours of Operation of Collection Centers from 42 hours per week to 35 hours per week. (Change schedule from Friday, Saturday, and Monday 7:00 a.m. - 7:00 p.m. to 8:00 a.m. - 6:00 p.m. and Sundays from 1:00 p.m. - 7:00 p.m. to 1:00 p.m. to 6:00 p.m.). Solid Waste Ordinance Section 3.6. & Franchise Agreement - Item Number 23 (Hours of Operation of Collection Center). Commissioner Wisenbaker asked regarding the fuel surcharge, Mr. Beals stated regarding residential solid waste, residential is bound to a "not to exceed monthly amount" and if it happens to be a commercial business, those are not being monitored.

Advanced Disposal Services Residential Solid Waste Franchise Renewal

Human Resources Director, Kevin Beals, presented the item. Mr. Beals stated the franchise is set to expire March 31, 2023, adding Advanced Disposal Services, a division of Waste Management, has applied to renew their existing franchise agreement. Mr. Beals stated Advanced Disposal Services has asked regarding the below franchisee proposed changes: Increase the basic service not to exceed fee from \$20.00 per month to \$25.00 per month. (Solid Waste Ordinance Section 3.1.(c)) & (Franchise Agreement -Item Number 14 (Pricing for Basic Service)). Adjust Hours of Operation of Collection Centers from 42 hours per week to 35 hours per week. (Change schedule from Friday, Saturday, and Monday 7:00 a.m. - 7:00 p.m. to 8:00 a.m. - 6:00 p.m. and Sundays from 1:00 p.m. - 7:00 p.m. to 1:00 p.m. to 6:00 p.m.). Solid Waste Ordinance Section 3.6. & Franchise Agreement - Item Number 23 (Hours of Operation of Collection Center). Commissioner Marshall asked regarding feedback related to their services, Mr. Beals stated as a part of the application process there is a complaint section, Deep South Sanitation does not present any complaints and Advanced Disposal stated 602 missed collections which have been adjusted. Mr. Beals stated that currently Deep South Sanitation has 6,900 customers and Advanced Disposal has 9,000 customers. Chairman Slaughter mentioned that the only item being approved tomorrow night would be the franchise renewal agreement and not the monthly amount or the hours of the collection centers; those will be discussed at the retreat.

Windstream Build Agreement

Finance Senior Accountant, Rachel Bowen, presented the item. Mrs. Bowen stated this item is regarding the Build Agreement for the Broadband Expansion Project between Lowndes County and Windstream. The State of Georgia provided a competitive grant using their American Rescue Plan Act (ARPA) allocation to address broadband access needs for citizens currently unserved or underserved in our area. The County partnered with Windstream to prepare an application for this funding which resulted in the County receiving a grant award of \$21,783,961.00. The total project cost of \$39,420,865.00 will be comprised of the grant award from the state as well as \$17,636,904.00 in matching funds provided by Windstream. Mrs. Bowen stated this project will provide our citizens with reliable internet access that they previously did not have. Upon completion of the project, broadband

access will be available to 16,193 residential locations and 1,434 business locations in Lowndes County. Mrs. Bowen stated the project has a completion deadline of December 31, 2026, but Windstream has agreed to complete this project on or before December 31, 2024. Commissioner Wisenbaker asked if a map was available with the locations to be serviced, Mrs. Bowen responded yes.

PowerPhone Emergency Medical Dispatch with CAD Integration

911 Director, Danny Weeks, presented the item. Mr. Weeks stated the PowerPhone has been used for many years in public safety and this will allow staff to do away with flip chart books and make direct entry into the CAD system to allow more efficient delivery of pre-arrival medical instructions to callers. Mr. Weeks stated training will be included in this package. Mr. Weeks stated \$85,000.00, will be coming out of this year's budget, with the remaining \$31,286.00, being paid in the fiscal year 2024. Commissioner Marshall asked why is \$31,286.00 coming out of next year's budget, County Manager, Paige Dukes, answered it is our preference to pay the full amount when the project is completed.

BID

A New Headquarters for Second Harvest of South Georgia

Director of Engineering Services, Chad McLeod, presented the item. Mr. McLeod stated the new headquarters for Second Harvest of South Georgia was awarded an \$18 million dollar CDBG-CV grant. The construction budget is \$21 million and Second Harvest is responsible for anything over \$18 million. Mr. McLeod stated on February 9, 2023, Lowndes County did receive one bid in the amount of \$24,565,000.00 from Quillian Powell Construction. Quillian Powell Construction did provide many alternates and staff began to look at value engineering and came to a construction contract amount of \$21,853,779.00, with this amount being acceptable to the user agency and the contractor.

REPORTS - County Manager

County Manager, Paige Dukes, requested an executive session for the purpose of privileged attorney-client communication regarding the acquisition of real estate. At 8:52 a.m. Commissioner Wisenbaker made a motion to enter into executive session for the purpose of privileged attorney-client communication regarding the purchase of real estate, Commissioner Marshall second. All voted in favor, no one opposed. Motion carried.

ADJOURNMENT

At 9:04 a.m. Chairman Slaughter reconvened the work session with no additional information being discussed. Commissioner Marshall made a motion to adjourn the work session meeting, Commissioner Griner second. Chairman Slaughter adjourned the meeting.

LOWNDES COUNTY BOARD OF COMMISSIONERS
MINUTES
REGULAR SESSION
Tuesday, March 28, 2023

COMMISSIONERS PRESENT

Chairman Bill Slaughter
Vice Chairman Scott Orenstein
Commissioner Joyce Evans
Commissioner Mark Wisenbaker
Commissioner Demarcus Marshall

Commissioner Clay Griner was not in attendance.

Chairman Slaughter called the meeting to order at 5:30 p.m. and recognized the presence of Leadership Lowndes class members.

INVOCATION

Commissioner Wisenbaker

PLEDGE OF ALLEGIANCE TO THE FLAG

Commissioner Wisenbaker

MINUTES

The minutes were presented for the work session of March 13, 2023 and the regular session of March 14, 2023. No revisions to the minutes were requested. Commissioner Evans made a motion to approve the minutes as presented, Vice Chairman Orenstein second. All voted in favor, no one opposed. Motion carried.

APPOINTMENTS

South Georgia Community Service Board

County Manager, Paige Dukes, presented the item. Mrs. Dukes stated Ms. Cindy Vickery's term expired and Ms. Vickery has expressed a desire to continue serve. Vice Chairman Orenstein asked how long has Ms. Vickery served in this role, Mrs. Dukes answered this is her third term. Chairman Slaughter nominated Ms. Cindy Vickery for reappointment. There being no other nominations, Ms. Vickery was reappointed by acclamation.

Valdosta-Lowndes County Land Bank Authority

County Manager, Paige Dukes, presented the item. Mrs. Dukes stated a vacancy is on this authority due to the resignation of Jason Dove. Mrs. Dukes stated staff has not received any candidates for nomination. Commissioner Evans made a motion to table this item until the April 11, 2023 commission meeting, Vice Chairman Orenstein second. All voted in favor, no one opposed. Motion carried.

PUBLIC HEARING

REZ-2022-10 The Campus Transitional Care Facility, 2193 Howell Road, E-A to P-D, Well & Septic, ~23 acres

County Planner, J.D. Dillard, presented the item. Mr. Dillard stated this request is for E-A to P-D zoning on Howell Road in an agricultural-character area, with some wetlands on the northend of the property. Mr. Dillard stated that it is currently heavily wooded and one house on the front left of the property is located at 2193 Howell Road. Mr. Dillard stated the request for P-D is for the site plan for a recovery residence or sober living facility, as stated in the letter of intent. Mr. Dillard stated the Planning Commission recommended denial. Commissioner Wisenbaker made a motion to table this item until the April 11, 2023 commission meeting, Vice Chairman Orenstein second. All voted in favor, no one opposed. Motion carried.

FOR CONSIDERATION

Resolution Agreeing to Participate in the National Teva, Allergan, CVS, Walgreens, and Walmart Opioid Settlements

County Manager, Paige Dukes, presented the item. Mrs. Dukes stated yesterday the Commission heard from our attorney, Haynes Studstill, with the Studstill Law Firm and this would be a second round of consideration for settlement and staff's recommendation is to move forward. Commissioner Marshall made a motion to approve the request as presented, Commissioner Wisenbaker second. All voted in favor, no one opposed. Motion carried.

Lowndes County DUI Court Technology Supplemental Grant Award

Chairman Slaughter presented the item stating the Commission heard from Ms. Heather Harris with the State Court's Office during the work session. No further discussion took place. Commissioner Evans made a motion to approve the grant request as presented, Commissioner Wisenbaker and Vice Chairman Orenstein second. All voted in favor, no one opposed. Motion carried.

Adult Accountability Court Technology Supplemental Grant Award

Chairman Slaughter presented the item stating the Commission heard from Mr. Geoffrey Martin with the Superior Court's Office during the work session. No further discussion took place. Commissioner Marshall made a motion to approve the grant as presented, Vice Chairman Orenstein second. All voted in favor, no one opposed. Motion carried.

Acceptance of the FY2023 VAWA Continuation Grant Award

Chairman Slaughter presented the item stating the Commission heard from Ms. Karen Hayes with the Solicitor's Office during the work session. No further discussion took place. Vice Chairman Orenstein made a motion to approve the grant request as presented, Commissioner Wisenbaker second. All voted in favor, no one opposed. Motion carried.

Deep South Sanitation, LLC Residential Solid Waste Franchise Renewal

Human Resources Director, Kevin Beals, presented the item. Mr. Beals stated the current franchise for residential solid waste collection services expires March 31, 2023. Mr. Beals stated Deep South Sanitation has applied to renew their existing franchise agreement. Mr. Beals stated Deep South has asked for two items to be adjusted; the monthly amount and the hours of the collection center. Vice Chairman Orenstein questioned the adjustment of hours at the collection centers, Mr. Beals stated based on their request it had to do with utilization and how many vehicles are coming through the center. Vice Chairman Orenstein asked regarding the increase, if that was due to fuels costs, Mr. Beals responded yes. Chairman Slaughter reminded the Commission this item is not addressing the hours and the monthly fee increase, that will have to be addressed with revising the ordinance. County

Manager, Paige Dukes, stated the request from the haulers is they would like to know if the increase could be approved. Mrs. Dukes stated if the vote tonight is to approve the increases, we will revise the franchise documents and bring back before you for approval, with the ordinance being revised at a later date. County Attorney, Walter Elliott, stated if the Commission honors their request, the ordinance needs to be amended and then enter into the agreement after the ordinance is approved. Mr. Elliott stated both could be done at the same meeting, but the ordinance needs to be amended first and then the agreement based on the amended ordinance. Mr. Elliott stated the documents presented before the board now do not include any revisions mentioned. Chairman Slaughter stated approval tonight would be for the franchise agreement only and stated possibly the next meeting approval of the revisions to the ordinance which will change the hours and increase rates. Mr. Elliott stated you would be able to approve amended agreements at the same meeting, if the board chooses to do so. Vice Chairman Orenstein asked the number of customers for each business, Mr. Beals stated Advanced Disposal has 9,000 customers and Deep South Sanitation has 6,900 customers. Commissioner Marshall made a motion to approve the renewal agreement with Deep South Sanitation, LLC, Commissioner Wisenbaker and Vice Chairman Orenstein second. All voted in favor, no one opposed. Motion carried.

Advanced Disposal Services Residential Solid Waste Franchise Renewal

Human Resources Director, Kevin Beals, presented the item. Mr. Beals stated the current franchise for residential solid waste collection services expires March 31, 2023. Mr. Beals stated Advanced Disposal Services has applied to renew their existing franchise agreement. Mr. Beals stated Advanced Disposal Services has asked for two items to be adjusted, the monthly amount and the hours of the collection centers. Commissioner Marshall made a motion to approve the renewal agreement with Advanced Disposal Services, Commissioner Wisenbaker second. All voted in favor, no one opposed. Motion carried.

Windstream Build Agreement

Finance Senior Accountant, Rachel Bowen, presented the item. Mrs. Bowen stated this item is regarding the Build Agreement for the Broadband Expansion Project between Lowndes County and Windstream. The State of Georgia provided a competitive grant using their ARPA allocation to address broadband access needs for citizens currently unserved or underserved in our area. The County partnered with Windstream to prepare an application for this funding, which resulted in the County receiving a grant award of \$21,783,961.00. The total project cost of \$39,420,865.00 will be comprised of the grant award from the state as well as \$17,636,904.00 in matching funds provided by Windstream. Mrs. Bowen stated this project will provide our citizens with reliable internet access that they previously did not have. Upon completion of the project, broadband access will be available to 16,193 residential locations and 1,434 business locations in Lowndes County. Commissioner Marshall asked County Manager, Paige Dukes regarding a registration link on their website or our website being available for citizens, Mrs. Dukes responded yes there is a link available. Vice Chairman Orenstein stated in addition to the grant amount of \$21,783,961.00 million, Windstream is matching funds with \$17,636,904.00 million into this project and wanted to recognize them for their contribution. Vice Chairman Orenstein made a motion to approve the agreement as presented, Commissioners Evans and Wisenbaker second. All voted in favor, no one opposed. Motion carried.

PowerPhone Emergency Medical Dispatch with CAD Integration

911 Director, Danny Weeks, presented the item. Mr. Weeks stated the PowerPhone has been used for many years in public safety and this will allow staff to do away with flip chart books and make direct entry into the CAD system to allow more efficient delivery of pre-arrival medical instructions to callers. Mr. Weeks stated training will be included in this package. Mr. Weeks stated \$85,000.00 will be coming out of this year's budget with the remaining \$31,286.00 being paid in the fiscal year 2024.

Commissioner Wisenbaker made a motion to approve the request in the total amount of \$116,286.00, Vice Chairman Orenstein second. All voted in favor, no one opposed. Motion carried.

BID

A New Headquarters for Second Harvest of South Georgia

Director of Engineering Services, Chad McLeod, presented the item. Mr. McLeod stated the new headquarters for Second Harvest of South Georgia was awarded an \$18 million dollar CDBG-CV grant. The construction budget is \$21 million and Second Harvest is responsible for anything over \$18 million. Mr. McLeod stated on February 9, 2023, Lowndes County did receive one bid in the amount of \$24,565,000.00 from Quillian Powell Construction. Quillian Powell Construction did provide many alternates and staff began to look at value engineering and came to a construction contract amount of \$21,853,779.00; with this amount being acceptable to the user agency and the contractor. Commissioner Marshall asked regarding the timeline for this project, Mr. McLeod stated this is a 540-day contract. Vice Chairman Orenstein made a motion to award the bid to the sole bidder, Quillian Powell Construction, in the amount of \$21,853,779.00, Commissioner Wisenbaker second. All voted in favor, no one opposed. Motion carried.

REPORTS - County Manager

County Manager, Paige Dukes, commended Finance Senior Accountant, Rachel Bowen for her continued work regarding the Build Agreement and Opioid Agreement. Mrs. Dukes stated Mrs. Bowen continues to be an asset to Lowndes County. Mrs. Dukes thanked everyone for attending the ribbon cuttings last week at Highway 41 and the North Lowndes Sports Complex. This past Saturday, the County participated in the Great American Cook Off to benefit the Boys and Girls Club, with Chief Green and his team echoing their support to Vice Chairman Orenstein and Commissioner Evans for attending. Mrs. Dukes stated the Lowndes County Sheriff's Office won this competition with Lowndes County Firefighter Brad Cartee winning the fishing tournament. This Thursday, the Children's Advocacy Center (CAC) will host a Heroes of Hope luncheon being held at The Patterson at 11:30 a.m. kicking off Child Abuse Prevention month. This Friday, at 7:30 a.m. Lowndes County staff will be attending Hahira Middle School Career Showcase. Also, this Friday afternoon at 3:00 p.m., Chief Green and his staff will be giving equipment that is no longer needed to the Colquitt County Fire Department. Mrs. Dukes mentioned this past Wednesday, the Planning and Zoning Department visited Moody Air Force Base for a tour.

CITIZENS WISHING TO BE HEARD

Curt Williams, 4004 Walden Road, addressed the commission stating he is the HOA President and there is an issue with drainage due to a pond overflowing at 3752 Mt. Zion into the Walden Woods subdivision. Mr. Williams asked for any guidance or suggestions regarding this issue. Chairman Slaughter asked Public Works Director, Robin Cumbus, to speak with Mr. Williams after the meeting concluded.

ADJOURNMENT

Commissioner Wisenbaker made a motion to adjourn the regular session meeting, Commissioner Evans second. All voted in favor, no one opposed. Chairman Slaughter adjourned the meeting at 5:55 p.m.