

**MINUTES**  
**REGULAR MEETING OF THE VALDOSTA CITY COUNCIL**  
**5:30 P.M., THURSDAY, FEBRUARY 23, 2012**  
**COUNCIL CHAMBERS, CITY HALL**

**OPENING CEREMONIES**

Mayor John Gayle called the regular meeting of the Valdosta City Council to order at 5:30 p.m. Council members present were: Tim Carroll, Ben Norton, Alvin Payton, Jr., Robert Yost, Deidra White, and James Wright. Councilman Joseph "Sonny" Vickers was absent. The invocation was given by John Page followed by the Pledge of Allegiance to the American Flag.

**APPROVAL OF MINUTES**

The minutes of the February 9, 2012 Regular Meeting were approved by unanimous consent (6-0) of the Council.

**BIDS, CONTRACTS, AGREEMENTS, AND EXPENDITURES**

Consideration of bids for physicals for the Fire Department.

Mark Barber, Deputy City Manager of Administration, stated that the current contract for firefighter physicals is due to expire on June 30, 2012. These physicals are different in that each firefighter must undergo a battery of tests that are mandated which includes breathing, strength, flexibility, and the usual other elements of a physical. This must be completed once a year. Bids were received on February 14, 2012 with the low bid submitted by Airport Medical Clinic in the amount of \$397.45 per physical. The last contracted price was \$309.25 which was bid five years ago. Airport Medical Clinic was awarded the bid and has performed to an acceptable level. Mark Barber recommended that Council approve the low bid submitted by Airport Medical Clinic in the amount of \$397.45 per physical. Councilman Yost inquired as to where the Police Officers get their physicals done. Larry Hanson, City Manager, stated that all City employees have an option and if they choose to go to the designated facility there is no cost; however, if they choose to go to a provider of their choice there would be a cost that the employee would be responsible for paying.

**A MOTION** by Councilman Carroll, seconded by Councilman Payton, was unanimously adopted (6-0) to approve the low bid submitted by Airport Medical Clinic in the amount of \$397.45 per physical for the Fire Department.

Consideration of bids for a Ford Expedition for the Police Department.

Mark Barber, Deputy City Manager of Administration, stated that the Police Department needs to replace a Ford Expedition that was a total loss due to an accident with an ambulance from Hamilton County. Due to the urgency of this replacement, the Purchasing Agent was asked to contact Langdale Ford for pricing. Langdale Ford has quoted a price of \$25,283 for the replacement Expedition which is the State of Georgia contract price. The City Ordinance allows for emergency purchases such as this as well as utilizing the State contract price. Mark Barber recommended that Council approve the bid submitted by Langdale Ford in the amount of \$25,283 for replacement of the Ford Expedition and allow the Police Department to proceed with the purchase.

**A MOTION** by Councilman Payton, seconded by Councilman Norton, was unanimously adopted (6-0) to approve the bid submitted by Langdale Ford in the amount of \$25,283 for replacement of the Ford Expedition and allow the Police Department to proceed with the purchase.

Consideration of bids for Phase II of the Manhole Rehabilitation Project.

Henry Hicks, Utilities Director, stated that the Utilities Department has approximately 6,000 sewer manholes within its sanitary sewer system and the majority of these manholes are at least 30-years old or older with some almost 100 years old. In addition, many are seriously deteriorated due to hydrogen sulfide gas corrosion over the years. Both their age and constant corrosive effects of sewer gases have caused many to be at a point where

failure is imminent without immediate rehabilitation. As manholes fail, they cause sewage spills in the vicinity of the manholes which in most cases creates a violation of State and Federal regulations as well as public health and safety issues. Failure to address this issue will result in regulatory action including but not limited to fines and/or consent orders. To address this, the Utilities Department is currently implementing a Manhole Replacement and Rehabilitation Program using structurally sound liner technology where the most seriously deteriorated manholes are being addressed first. This will be an ongoing program until the entire system is evaluated and appropriate corrective measures taken where needed. In 2011, Utilities Department Staff inspected approximately 1,322 sewer system manholes focusing in areas within the City where there have been prior manhole failures. From this investigation, Staff compiled a list of 60 manholes rapidly approaching failure. The first phase of the Manhole Replacement and Rehabilitation Project addressed approximately 30 manholes. The second phase will address 30 additional manholes in our system. On January 6, 2012, bid packages were distributed to five firms specializing in manhole replacement as well as structural manhole rehabilitation work. A pre-bid conference was held on January 17, 2012 to review the expectations and requirements of this work as well as answer pertinent questions from the prospective bidders. Bids were received on January 20, 2012 from two bidders, Radney Plumbing and Standard Contractors. Based on the bid tabulations, Standard Contractors was the averaged low bid at \$236,691.83. A 30% contingency is requested on this Project due to the fact that until work on each manhole is begun it is unknown whether a structural liner can be used versus replacement of the entire manhole. Henry Hicks recommended that Council approve the averaged low bid submitted by Standard Contractors in the amount of \$236,691.83 plus a 30% contingency. Councilman Payton inquired as to what the bid was for Phase I. Henry Hicks stated that both bids came in lower than last year's bid for the 30 manholes. When the 30 manholes were completed, the contractor was still under budget so they repaired 5 additional manholes. Councilman Carroll inquired as to where the funding for this Project was coming from. Henry Hicks stated that all of the funding comes from user fees. Councilman Yost inquired as to when the Project would be complete. Henry Hicks stated that if they keep up the pace of rehabilitating 1,300 manholes per year then they will have a better idea of when the Manhole Rehabilitation Project will be complete.

**A MOTION** by Councilman Yost, seconded by Councilman Carroll, was unanimously adopted (6-0) to approve the averaged low bid submitted by Standard Contractors in the amount of \$236,691.83 plus a 30% contingency for Phase II of the Manhole Rehabilitation Project.

Consideration of a request to approve the 2013 Southern Hospitality Group Workcamp Agreement.

Kathy Brunot, Grants Administrator, stated that the City of Valdosta and co-sponsor Lowe's Distribution Center has hosted the Southern Hospitality Workcamp minor homeowner repair program since 2005. Since 2005, more than 240 owner occupied homes have been repaired in the Designated Revitalization Area through this state and national award winning program. All Workcamp co-sponsors are required to approve and execute the Co-sponsor Agreement/Memorandum of Agreement in order to be considered as a host site. This document has been previously reviewed and approved by the City Attorney. The participants are housed at the Valdosta Middle School and the Valdosta City School System has already executed the 2013 Lodging Agreement for the camp. The preferred date for the 2013 camp for the school system is June 23-29, 2013. The co-sponsor cost to the City is \$9,500. Additional local churches and funds assist with hospitality and other incidental costs of the camp. Kathy Brunot recommended that Council approve the 2013 Southern Hospitality Group Workcamp Agreement.

**A MOTION** by Councilwoman White, seconded by Councilman Payton, was unanimously adopted (6-0) to approve the 2013 Southern Hospitality Group Workcamp Agreement.

Consideration of a request to approve the Georgia Emergency Management Agency's 2012 Statewide Mutual Aid and Assistance Agreement.

Larry Hanson, City Manager, stated that the basic premise of the Georgia Emergency Management Agency's Statewide Mutual Aid and Assistance Agreement is to provide a mechanism for each local governing body to provide a formal Mutual Aid Agreement with each other without having to have a separate Agreement with each individual government. In 2002, this Agreement was signed by all 159 counties; however, they would now like to include each of the municipalities as well. The Georgia Municipal Association (GMA) attorneys have also reviewed the Agreement and have given their approval. There is a provision in the Statewide Mutual Aid and

Assistance Agreement dealing with reimbursement which states that the party requesting assistance will be responsible for reimbursing the responding party(s) for the cost of labor, materials, and equipment. This is typically only done when there is a declared emergency and reimbursement funds have been made available from FEMA (e.g., April, 2009 floods, Ware County Fire, etc.). In the case where the level of emergency does not result in a Federal disaster declaration, other counties/cities are not asked to reimburse us and they don't ask us to reimburse them. It is in essence neighbor helping neighbor. An example of this would be when the Fire Departments from Lowndes County, Hahira, and Valdosta responded to Clinch County to help with their swamp fire. Clinch County provided fuel for the vehicles but we did not request any reimbursement for the vehicles or personnel. When the same units responded to Ware County a few months later, we did submit reimbursement requests because money was made available to Ware County through FEMA to cover those expenses. Had either of those incidents been in Lowndes County, it would have been handled exactly the same for those departments that came to our aid. Basically, under the terms of the agreement you have the right to request reimbursement but we typically do not request it because that is usually addressed on a case by case basis. Larry Hanson recommended that Council approve the Georgia Emergency Management Agency's 2012 Statewide Mutual Aid and Assistance Agreement.

**A MOTION** by Councilman Norton, seconded by Councilman Carroll, was unanimously adopted (6-0) to approve the Georgia Emergency Management Agency's 2012 Statewide Mutual Aid and Assistance Agreement.

Consideration of a contract with Tax Specialists of Georgia for a review of sales taxes paid on capital projects.

Mark Barber, Deputy City Manager of Administration, stated that Tax Specialists of Georgia is a consulting firm specializing in Georgia Sales and Use Tax. They will audit the invoices and bills that have been paid to a general contractor for a huge construction project, such as the Mud Creek Expansion Project, and determine if there was any sales tax involved that the City paid. As a local government, the City of Valdosta is exempt from sales tax. The City will provide them with space to work and they will do all of the leg work in pulling the invoices, scanning, and copying. They will then visit the contractor sites throughout the State and review their records to determine if the City paid any type of sales tax to the general contractor or vice versa. Their fee is 25% of the amount that they find and this does include their travel expenses. The two principals of Tax Specialists of Georgia are retired from the Georgia Department of Revenue and have a combined experience of over 60 years in all areas of Georgia Sales Tax as well as a broad knowledge of the Georgia Sales Tax Code, regulations, and case history. Mark Barber recommended that Council approve the contract with Tax Specialists of Georgia for a review of sales taxes paid on capital projects. Councilman Payton inquired as to who would provide the reimbursement if a general contractor was paid sales tax that should not have been paid. Mark Barber stated that the State of Georgia would reimburse the City of Valdosta. There is no harm to the contractors because they did what they were supposed to do. They took the sales tax money from the City, remitted to the State, and the State will give it back to the City. Larry Hanson, City Manager, stated that State tax laws are complex and often confusing. There are sections where it appears that a contractor might be required to pay taxes on something even though it is provided for a municipal project and then there are other areas of the tax code where that might be clearly exempted. This company, having the knowledge of 30 years of being State Auditors, is very aware of situations where contractors in good faith have paid sales tax on items that were exempt. Since the local government is paying the contractor then that is why the local government would be the one to get the refund. Councilman Yost inquired as to why we were getting our money after the fact and not on the front end. Mark Barber stated that we have done this in the past with the Water Plant and some of the larger firms do a very good job of looking for that upfront; however, sometimes you do not know if the tax was imbedded in the charge. Larry Hanson stated that they probably will not find where the City has directly paid sales tax but where a contractor perhaps did so in good faith thinking they were required to do that. There is often a lump sum bid which is not broken down into the detail of the taxes paid on the items. Councilman Yost stated that it seems that in the contract there should be a mechanism in place where the contractor knows about payment of the sales tax. Mark Barber stated that the City did this at end of the Water Plant construction with a different firm and they found nothing. Councilwoman White inquired as to how long this company has been in business. Larry Hanson stated that their Attorney has been doing this for a number of years and the retired Auditor has been doing this for approximately three years. They currently have seven clients in Georgia that they are working with and are having some success. Councilman Carroll inquired as to whether this is done every three years. Larry Hanson stated that this is only done for a limited number of projects such as a water project, a wastewater project, or a landfill project.

A **MOTION** by Councilman Carroll, seconded by Councilman Payton, was unanimously adopted (6-0) to approve the contract with Tax Specialists of Georgia for a review of sales taxes paid on capital projects.

## LOCAL FUNDING AND REQUESTS

Consideration of a request to declare property unusable for relocation of a billboard for the Twin Street Intersection Project.

Pat Collins, City Engineer, stated that the Twin Street Intersection Project involves the realignment of the existing road as it intersects St. Augustine Road. This Project requires the acquisition of right-of-way and necessitates the relocation of an existing billboard. In lieu of purchasing the billboard and the sign easement upon which the billboard sits, a parcel of land derived from the existing Twin Street right-of-way could be provided as a suitable area for relocation. In order for the billboard to be relocated, a suitable tract must be provided that will accommodate the desires of the billboard's owner as well as comply with local ordinances and regulations. Staff has identified a portion of the existing Twin Street right-of-way as a suitable site. In the past, we have been able to do a swap; however, the newly revised State law requires that we look at the property to see if it is usable. While this tract does meet minimum size requirements for a sign/billboard parcel, it is not suitable for any other type of development. Existing and proposed drainage infrastructure requires that a permanent drainage easement be retained over the entire parcel before it is quit-claimed. Access to the parcel is severely limited by the fact that the Georgia Department of Transportation (GDOT) will not allow a driveway off of St. Augustine Road and local ordinances and regulations prevent a driveway off of Twin Street because of the proximity to the intersection with St. Augustine Road. Building setback requirements effectively render the 55' x 80' parcel too small to construct an adequate sized building. For these reasons, Staff requests that Council declare this parcel as un-developable and authorize Staff to proceed with preparing the necessary legal documents and authorizing the transfer of this property to the owner in exchange for the owner conveying the present billboard site to the City in accordance with State law. Councilman Yost inquired as to the timeline for placement of a traffic signal at the Twin Street intersection. Pat Collins stated that once these types of exchanges are completed, the project has already been let and they will start work on the intersection improvements. A year after the improvements have been made he will have to come back and verify that the signal counts are met that warranted the signal. They would prefer to wait to hang the light after the Drury Inn Hotel is open. Councilman Yost inquired as to when the back entrance would be open that leads out to Twin Street. Pat Collins stated that until he gets all of the property transactions completed he did not want to release the contractor to make that connection; however, as soon as the Project is ready to go that will be one of the first things that they do. Councilman Carroll stated the he thought the Drury Inn was responsible for building that rear connection point. Pat Collins stated that in their contract they are building the roadway down and connecting it to the Twin Street area that the City is developing.

A **MOTION** by Councilman Carroll, seconded by Councilman Norton, was unanimously adopted (6-0) to approve the request to declare the property unusable for relocation of a billboard for the Twin Street Intersection Project.

Consideration of a request for speed humps on Smithbriar Drive.

Pat Collins, City Engineer, stated that on November 18, 2011, Mr. Philip Barr, 804 Smithbriar Drive, approached the Traffic Division about acquiring speed humps on Smithbriar Drive. Speed/traffic count studies were conducted on November 30, 2011 and January 19, 2012, respectively. The studies revealed that the 85<sup>th</sup> percentile speed limit was 11.8 and 11.6 mph, respectively, over the posted speed limit of 30 mph. This is an indication that speed humps are warranted for this neighborhood. Over the last two months, Mr. Barr secured signatures from 22 of the 23 property owners or residents on this street meeting the 70% rule of the Speed Hump Policy. Having satisfied that requirement of the process means the matter must go before the City Council for approval. Pat Collins recommended that Council approve the request for speed humps on Smithbriar Drive. Councilman Carroll stated that he met with the neighborhood in the process of getting this request filed and many of us are familiar with Smithbriar Drive often being used as a cut through from Country Club to Winn Dixie. This is a neighborhood street and the data supports that there is excessive speeding on the street. This is one of the best ways to address that issue. In his meeting with the neighborhood representatives, they are very much aware of what having speed humps in their street will mean and what their responsibility will be if they decide they do not want

them at a future point. Councilman Carroll stated that everyone is going in this with their eyes open and the support of Council would be appreciated when he makes a motion to support this request.

**A MOTION** by Councilman Carroll, seconded by Councilman Yost, was unanimously adopted (6-0) to approve the request for speed humps on Smithbriar Drive.

Consideration of a request for emergency repairs to the Sugar Creek Bridge on Baytree Road.

Pat Collins, City Engineer, stated that the drainage west of the Baytree Road Sugar Creek Bridge crossing is piped parallel to the roadway and is discharged to the creek on both sides (north and south side) of the bridge just beyond the bridge abutments. Drainage from the east is also piped parallel to the roadway and is discharged to the creek on the north side of the bridge only. All three pipe discharge points at one time were embedded within the banks of the creek; however, due to the naturally occurring meandering affect caused by varying stages and flows within the creek, the banks have eroded to the point that the once buried pipes are now fully exposed and are being undermined and dropping off into the creek. Pat Collins stated that he is seeking Council authorization to have Staff proceed with an emergency repair using Standard Contractors; however, the final scope of the work and quantities are yet to be determined. It is apparent, though, that the cost of the repair will exceed the \$50,000 limit authorized for administrative discretion and is likely to reach \$100,000 given both the scale of the work and unknown quantities likely to be needed at this time. More rain is anticipated at the end of this week so time is of the essence as the erosion in the area has accelerated appreciably since January, 2012. Pat Collins recommended that Council approve the request for an emergency Work Order with Standard Contractors in the amount of \$115,000 for repairs to the Sugar Creek Bridge on Baytree Road. Final costs will be based on unit prices required to do the work and may be more or less than the pre-authorized amount; however, work will not progress beyond the pre-authorized amount without being brought back to Council for further consideration and approval or denial. Councilman Yost stated that he thought the Army Corps of Engineers had to give authorization for any work done in Sugar Creek. Pat Collins stated that this is within 150 feet of the Sugar Creek Bridge and we have been delegated authority for making improvements because we are not working in Sugar Creek. Councilman Yost inquired as to where Remerton stopped and started on the south side of the Sugar Creek Bridge. Larry Hanson stated that Remerton stops just beyond the north side of the railroad tracks where the Used Car Lot is located. Councilman Yost stated that all of the dirt and material that has eroded had to go downstream and it has probably changed the direction of the stream and could cause more problems. He would like to get an update on the Sugar Creek Project at the upcoming Mayor/Council Retreat. Councilman Yost stated that he preferred this not come back before Council because it has got to be fixed and he would rather Pat Collins and Larry Hanson, City Manager, deal with the cost of this Project. Larry Hanson stated that they could inform Council after the fact as to what has been spent either way and Pat Collins has given his best estimate for the repairs. The goal is to make the repairs within the estimated amount. Councilwoman White inquired as to what would be done differently in making the repairs at this time. Pat Collins stated that they will armor the shore so that it does not erode. Over the long term, it will also be monitored and maintained. They will also reconfigure it so that the pipe does not fight the existing flow and align the shores so that it passes the water a little better. Councilman Carroll inquired as to whether there were any limits legally as far as having this open ended. George Talley, City Attorney, stated that the City Manager has the authority to approve anything up to \$50,000. Larry Hanson stated that this is an emergency situation and technically they did not have to put it on the Agenda. They could have proceeded with making the repairs and then brought it to Council after the fact as was the case during the flood. Since rain was in the forecast, they felt that this needed to be shared with the Mayor and Council as well as the public and get approval given the circumstances.

**A MOTION** was made by Councilman Yost that the request for emergency repairs to the Sugar Creek Bridge on Baytree Road be approved without any monetary value placed on the request. Councilman Carroll seconded the motion. The motion tied (3-3) with Councilman Norton, Councilman Wright, and Councilman Payton voting in opposition. Mayor Gayle broke the tie and voted in favor of the motion.

Consideration of a request for spillway repairs at the Mill Pond.

Pat Collins, City Engineer, stated that in 2001, repairs were made beneath the spillway at the Mill Pond as cavities developed and threatened the integrity of the slab. Recently, new cavities were discovered beneath the spillway and as a precautionary measure, it is recommended that the repair be started prior to the next Council

meeting. Staff is seeking authorization to proceed with the repair using Reames and Son Construction. The Jerry Jones widening project, which will include a new spillway at the Mill Pond dam, is one of the City's T-SPLOST projects. It is on the current list of Georgia Department of Transportation approved projects for future construction; therefore, the minimum amount of repairs necessary will be made. The final scope of the work and quantities are yet to be determined; however, it is apparent that the cost of the repair will exceed the \$50,000 limit authorized for administrative discretion and may reach \$75,000 given both the scale of the work and unknown quantities which cannot be determined until the spillway is opened up and visually inspected. In addition to the spillway repair, there is a damaged guardrail at this location which needs to be removed for access to make the repair. It is recommended that the damaged portions of the rail be replaced as part of the repair. Final costs will be based on unit prices required to do the work and may be more or less than the pre-authorized amount; however, work will not progress beyond the pre-authorized amount without being brought back to Council for further consideration and additional approval or denial. Pat Collins recommended that Council approve a Work Order for Reames and Son Construction not to exceed \$75,000 plus a 15% contingency for spillway and guardrail repairs at the Mill Pond. Councilman Wright inquired as to where the funding was coming from for these repairs. Pat Collins stated that the funds would come from SPLOST Drainage.

A **MOTION** by Councilman Carroll, seconded by Councilman Payton, was unanimously adopted (6-0) to approve a Work Order for Reames and Son Construction not to exceed \$75,000 plus a 15% contingency for repairs to the spillway and guardrail at the Mill Pond.

Councilman Payton asked for a Point of Personal Privilege. Councilman Payton stated that on the prior request for emergency repairs to the Sugar Creek Bridge, Councilman Yost requested an unlimited amount in the motion. If the motion had been \$115,000 and the City Manager had the ability to make adjustments, then he could have supported that. Councilman Yost stated that he could never remember ever having a 30% contingency on any project and because they do not really know what the repairs would cost and he would rather them get it fixed and then let Council know about the costs.

### **CITY MANAGER'S REPORT**

Larry Hanson, City Manager, stated that the following streets have been resurfaced over the last week: Oak Street from the railroad to Old Clyattville, River Street from Oak Street to the railroad, West Magnolia Street from Patterson Street to Toombs Street, Morningside Drive from Continental Street to Bunche Street, and Slater Street from Ann Street to Brookwood. Once the resurfacing is complete, they will then raise the manholes back to the street level. There will be more streets to be resurfaced and those include: Brookwood Drive from Lee Street to Troup Street, Englewood Drive from Gornto Road to the end, Blythewood Road from Tanglewood Drive to the end, Tanglewood Drive from Country Club to Berkley Drive, McRee Drive from Jerry Jones to Gordon Street, Rosedale Place from Ashley Street to Williams Street, East Moore Street from Forrest Street to the end, Northside Drive from Franklinville Drive to Forrest Street, and Cherry Creek Road North Street Extension to Brookview Terrace.

Larry Hanson, City Manager, stated that it was a privilege to attend the recent Law Enforcement Appreciation Dinner and to see Police Officers from the Valdosta Police Department recognized. Det. Chris Crews won the Officer of the Year but there were five Officers from the Police Department who were nominated. It was rewarding to hear the stories of Det. Crews, Patrolman Terrence Hines, Patrolman Kristopher Sirens, Det. Sabrina Smith, and Commander Brian Childress and to hear about the valor and services they have provided while often putting their lives at risk for the citizens of this community. We have a lot to be proud of with the men and women of the Valdosta Police Department.

The Water Tank Project is underway and they are now prepping the site. This will be an impressive Project to see as it takes shape.

The Mud Creek Expansion Project along with the Ponderosa, Big Country Club, and Eastwind pump stations are now complete and they are completing punch list items.

The Municipal Court will host 100 fifth graders in a mock trial set for Friday, March 2, 2012 and the Mayor and Council are invited to attend.

The Government 101 Class will begin on April 2, 2012 and there are still a few openings. The deadline to apply is March 2, 2012 and citizens are encouraged to sign up.

Mayor Gayle has recently visited the City's Middle Schools to promote the "If I Were Mayor Essay Contest" in which six graders can dream about what they would do if they were the Mayor. The winners will be recognized at the Council Meeting on April 19, 2012.

The City recently hosted the Lowndes Youth Leadership League Class of 2012 for Local Government Day. The 11<sup>th</sup> and 12<sup>th</sup> graders from Valdosta and Lowndes County Schools toured several City facilities and heard presentations. The evaluations were very excellent and the City Staff worked very hard to make this a successful day.

Larry Hanson, City Manager, stated that Sementha Mathews, Public Information Officer, will be representing the City of Valdosta at the Home and Garden Show which will be held February 25-26, 2012 at the James H. Rainwater Conference Center and at the Azalea Festival which will be held March 10-11, 2012 at Drexel Park. These are additional things that we do to reach out to the community by handing out information and educating citizens about the various services that the City has.

The next City Electronic Recycling Event is scheduled for March 31, 2012 at Mathis Auditorium from 9:00 a.m. to 1:00 p.m. This is a great service that the City provides to the community at no charge to allow them to rid themselves of old computers, hard drives, screens, and other electronic devices in order to prevent them from being disposed of in the landfill. This is a very environmentally friendly program and citizens are encouraged to participate.

## **COUNCIL COMMENTS**

There were no Council comments.

## **CITIZENS TO BE HEARD**

Dan Keller, 156 Woodhaven Drive, Kingsland, Georgia, stated that the name of his presentation is, "You Are Not Sleeping in that Room, Are You?" because that is what a power company related person said to his wife when she inquired about the dangers of the new Smart Meter Electric Meters. Mr. Keller inquired as to how Council would feel if someone were to tell them that they had to paint the inside of their house with lead paint or cover all their pipes with asbestos. That is how dangerous and questionable the new Smart Meter Electric Meters may be. Smart Meters have not been tested for human safety or UL tested and some doctors have said that the installation should stop immediately until they are tested. Smart Meters use radiation to transmit their signals. They shoot radiation through you and your family hundreds of times a day throughout the day and night. To make it sound less dangerous, the power company says the Smart Meters only transmit for a total of one second a day. They will cite the CCST Report and say that they are within the FCC guidelines, but those guidelines only cover thermal or heating effects. What the power company does not tell you is that there are no guidelines to cover non-thermal effects or damage that is done where there is no heating. The same type of radiation that Smart Meters emit has been shown to damage human cells. It has been shown to cause cancer, especially in children. The World Health Organization has declared radio frequency radiation a Class II B carcinogen just like lead paint. When comparing whole body exposure to radiation from a Smart Meter and a cell phone, Professor Daniel Hirsch found out that a Smart Meter puts out 40 times more radiation than a cell phone. The power company will tell you that it is much less. Imagine 40 cell phones attached to your wall and on all the time. That is important to know when you consider that exposure to radiation is cumulative and adds up over time. Georgia Power uses Sensus brand meters as does Nevada. Nevada has had hundreds of complaints including health problems and burned out appliances. An Alabama Sensus employee, Don Baker, was fired because he told his superiors that the Sensus Smart Meters were catching on fire and melting. They melt at 500 degrees. He called the Sensus Meters inaccurate with some reporting up to seven times more than the actual usage and they are fundamentally unsound. For more information, you can visit the stopmeters.org website. Some attribute the Smart Meters complaints to the switching mode power supply. It can create a very strong magnetic field along the wires in your home. This may be connected to reports of insomnia, irregular heartbeat, and ringing in the ears. A much higher normal incidence of cancer has been tied to this phenomenon which is termed "dirty electricity." Cancer rates have gone up from 65%

to 13 times higher where strong electrode magnetic interference exists. Smart Meters can also be hacked easily. Anyone with a laptop or cell phone can figure out if you are not using any power because you are not at home and they may take that opportunity to rob you. Some places have actually criminalized the installation of Smart Meters. The law, which is the Federal Energy Policy Act of 2005, says only that you can have a Smart Meter if you ask for one. Federal law does not say that you have to have a Smart Meter. Taxpayers are paying the Georgia Public Service Commission to make sure that we have safe electricity. That is their job. They should stop installation now until human safety research is completed which should have been done before Smart Meters were unleashed on an unsuspecting public. England, Ireland, and Scotland have stopped involuntary installation altogether due to health, safety, and privacy concerns as has the State of Maine, which is following the law. Several states have decided not to have them at all. The Connecticut Attorney General said no since the consumers would only save \$11 over 20 years. There was a comment in the Savannah newspaper yesterday where someone paid more this winter for their electric power since getting their Smart Meter than they ever paid in their life. A firefighter in Camden County told Ms. Keller that he was paying three times his normal bill. Senate Bill 459, which will make Georgians pay a penalty every month to avoid having a Smart Meter, will soon be up for review in the Georgia Assembly. Citizens are encouraged to contact the Senate Bill's sponsors listed at [www.smartmetersgeorgia.org](http://www.smartmetersgeorgia.org) and let them know that Georgians should not have to pay to protect themselves from untested meters. That is extortion. This Senate Bill will be reviewed soon. There is a way to avoid getting a Smart Meter and that is to place a sign in a gallon zip lock bag that says, "Do not replace Meter. We refuse the Smart Meter due to health, safety, and privacy issues." The sign should then be taped under the analog meter.

Phillip Barr, 804 Smithbriar Drive, thanked the Mayor and Council, on behalf of the 22 of the 23 residents of Smithbriar Drive, for approving the petition to place speed humps on their street. He also thanked Kevin Tolliver, Traffic Engineer, and Councilman Tim Carroll, who were helpful to them in their efforts. The passion which drove them to this was the consideration for the safety of the children who can often be found playing in the yards along Smithbriar Drive.

Dr. Michael Noll, 2305 Glynnedale Drive, stated that he was surprised about the decision to move the F-86 Aircraft (also known as the McIntosh Airplane) located on Ashley Street near Mathis Auditorium. Based on the information that he has received from two of the sons of Major McIntosh, there seems to be a contradiction in terms of the decision and whether it was supported by the family. There was also no public input in regards to the McIntosh Airplane. This is important to him due to the culture and upholding traditions. The question for him was what it meant when a community seemed to be letting the Airplane be removed even though it has been part of the City's scape for quite some time and it was connected with the story of someone who gave his life for this country in Operation Eagle Claw which miserably failed. Dr. Noll inquired as to whether there had been any discussion or compromise in which they could both honor the family and Major McIntosh and improve the communication that is sometimes lacking. Mayor Gayle stated that he would be glad to address Dr. Noll's concerns in his office at a later time.

John Robinson, 3227 San Juline Circle, Lake Park, stated that he has an issue with the Valdosta Small Emerging Business (VSEB) Program and the application of how to do business with the City of Valdosta. He had two applications with one being very simple and the other being almost like a book and dealt with how to become certified with the VSEB Program. Mr. Robinson requested that Council submit something to him in writing as to whether they feel this sets some tone of a double standard as to how to do business with the City of Valdosta. Mr. Robinson inquired as to whether they could fill out one page and then become like Reames and Son Construction and get a project, even if it is an emergency, without a bid if it exceeds a certain amount of dollars. The people who are involved in the VSEB Program are not necessarily minorities even though it might sound like that is who it is directed toward. It is for small emerging businesses so when they see two different applications the question arises as to whether they as a Council feel that this is a double standard. The VSEB Program and the application that is in place is scrutinizing to some of the people who are living below the poverty level. Some of them just cannot reach the heights that need to be reached at some point to be able to be certified when these other businesses can come in and fill out a simple one page application. Mr. Robinson filed a complaint and he is standing behind it but he still wants to resolve some of the issues because he wants to see some progression. It is not the fact that there is racism but there are some reflections from the past in the history of the City and Lowndes County. They are struggling and the economy is down so they need to find some remedy or solution so that can arrive at some mutual ground. These documents inject confusion and they want to try to get the VSEB Program where it is not so difficult for someone to become a certified member.

John Quarterman, 6565 Quarterman Road, stated that he recently received a new electric meter because he had some additional solar panels and now it is a dumber meter because they used to be able to read it from the road but now they have to come and read. They now want to charge him coming and going. They charge him for what he uses and they pay him for what he sends to them over than what he uses. Mr. Quarterman stated that he wanted to discuss what he did not hear at the Industrial Authority Meeting today. He had hoped to hear about their rethinking of their previous decision on a private prison. The Industrial Authority wants Corrections Corporation of America (CCA) to build a private prison on U.S. 84 near Perimeter Road in the same area as the famous Biomass Plant. A private prison is being sold on the basis of jobs. There was a study done in New York State a few years ago in counties that had private prisons and some that did not. Between the two sets of counties, unemployment rates were slightly worse in those counties with the prisons. Also, there are a number of the prisons that never opened after a lot of expenditures were made because the prison population in this country is peaking and we cannot afford it any more. It costs more dollars to lock someone up than to send them to college. When we are cutting education budgets we cannot afford prisons and particularly a private prison. The Valdosta Daily Times has been trying for years to get information from the Valdosta State Prison and they have gotten the run around. A private prison is not even supposed to follow the Open Records law. Mr. Quarterman stated that he had hoped the Industrial Authority had changed their mind but in fact all they said was that the current extension of the contract with CCA expires on March 13, 2012. There are two things that could happen. The Industrial Authority and CCA could negotiate a third extension or CCA could just send a notice to proceed saying they want to do this. It actually states in the contract that the notice to proceed is at the absolute discretion of CCA. Mr. Quarterman had asked the Industrial Authority as to whether they had given away or abdicated their discretion or authority to a private company. This did not seem right to him. When this project was announced, there was an article in the Valdosta Daily Times on August 20, 2010 because there was a semi-public announcement at which officials from CCA specifically praised the Mayor and Council and the Lowndes County Commission and its Chair for their aid in this project. Your name as Council and Mayor indicates that you are all implicated in this project. Mr. Quarterman stated that he would like for the Mayor and Council to say something about this prior to the March 13, 2012 deadline. He would like them to say they do not want a private prison which will have more prisoners who will be hired out to compete with local workers. We do not want a private prison that is more risky for the prisoners and has a higher risk of escape. We do not want a private prison that makes us look like a prison colony that will drive away the knowledge based workers that we want. Mr. Quarterman stated that he would like to hear the opinion of the Mayor and Council since their name is already involved in this.

## ADJOURNMENT

Mayor Gayle entertained a motion for adjournment.

A **MOTION** by Councilman Carroll, seconded by Councilman Yost, was unanimously adopted (6-0) to adjourn the February 23, 2012 meeting of the Valdosta City Council at 6:50 p.m. to meet again in regular session on Thursday, March 8, 2012.

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City Clerk, City of Valdosta

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Mayor, City of Valdosta