

**HENRY COUNTY FISCAL COURT
SPECIAL CALLED MEETING
SEPTEMBER 6TH, 2016 – 7:00P.M.
4-H BUILDING**

RE: CALL TO ORDER

RE: SUSPEND WITH THE MINUTES FROM THE AUGUST 29TH, 2016 SPECIAL MEETING

Upon motion by Esq. Beasley and seconded by Esq. Moffett, it is ordered by the Court to suspend with the Minutes from the August 29th, 2016 Special Meeting.

Motion carried unanimously

RE: CLOSED SESSION- PURPOSE TO DISCUSS PURCHASE/CONDEMNATION OF PROPERTY

Upon motion by Esq. Stanley and seconded by Esq. Timberlake, it is ordered by the Court to go into a closed session to discuss the purchase/condemnation of property.

Motion carried unanimously

Upon motion by Esq. Stanley and seconded by Esq. Beasley, it is ordered by the Court to go out of the closed session.

Motion carried unanimously

Upon motion by Esq. Beasley and seconded by Esq. Timberlake, it is ordered by the Court to go back into regular session.

Motion carried unanimously

RE: WOLF PEN ROAD BRIDGE DISCUSSION

Esq. Moffett gave a report in regards to the Wolf Pen Bridge project. He specifically addressed the Horner's, whose property is needed for the right-of-way. Esq. Moffett stated in the beginning of the project Mr. Horner was willing to donate his land and now he has changed his mind. Esq. Moffett noted we will make an offer to Mr. Horner for his piece of property and if he chooses not to accept the offer we will then go to court. Gary Horner began speaking before Esq. Moffett finished his report. Judge Brent allowed Mr. Horner to speak and then opened the floor for discussion to the citizens present.

RE: PUBLIC QUESTION & COMMENT PERIOD

Mr. Horner presented a survey of his land to the citizens present. He reported the bridge will be 4 foot above current grade. He had issues with that. Also, he doesn't want the trees to be removed. Mr. Horner states the best solution would be to put the bridge on the other side of the road instead of it being on his side.

Tony Clark expressed his concerns about the bridge. He has a 25ft trailer and it's hard for him to cross without getting stuck. Mr. Clark suggests the bridge go on the right side of the road. Citizen's present made comments about wanting the bridge on the right side of the road as well.

Judge Brent stated no one has paid taxes on the vacant property on the right hand side for over 5 years and the process to get the land is much more difficult. An unnamed citizen asked about the time frame if the bridge were built on the right side.

Virginia Harrod, County Attorney, stated the process would start out by delaying the project 50 days minimum as a warning order attorney would have to give notice. Ms. Harrod said it could take days or years considering we don't know where the owner is. Someone in the crowd suggested one of the owners might be in jail. If that owner is in jail it could be years before anything is done commented Ms. Harrod. This due to required due process.

Marty Hahn, a representative of E & H Bridge, thanked us for having him. Marty stated the reason he suggests not to build the bridge up stream is because there are a lot of obstacles in the way. The bridge would have to be longer with an extra pier. Kenny Tindle, Henry County Road Supervisor, spoke with the supervisor from the Henry County Water District and the water line is in the way. Marty noted these things will raise the cost of the bridge.

Mel Milborn, surveyor for the project, reported the right side would be the straightest route of the two. This would remove the 60 degree turn and it would increase the safety of the road.

Sen. Paul Hornback noted State projects are put on hold. There is no money for transportation. Sen. Hornback went to the governor and the money has to come from the County Funds.

Kenny Tindle, Road Supervisor, stated if Mr. Horner accepted the offer tonight the bridge project could start Monday, September 12th, 2016. The bridge would take 4-5 weeks to be built. Judge Brent stated that Esq. Fisher agreed to allow the Six Mile Bridge funding to be moved to the Wolf Pen Project. Pending Six Mile was done the coming year.

Esq. Moffett then proceeded to finish his report and offered \$25,000 to the Mr. & Mrs. Horner. Judge Brent stated we will offer the owners on the other side of the bridge \$25,000 as well if Mr. Horner accepts the offer. Esq. Bates spoke about concerns he has about the bridge. He noted that he and Judge Brent met to go over the best options and ideas. Esq. Timberlake states the Fiscal Court is only trying to do what's best for everyone and work together. Esq. Stanley, who represents Deerfield, also addressed the group.

RE: BRIDGE DECISION- FISCAL COURT ACTION TO BE TAKEN

Judge Brent asked Mr. Horner for his answer. Mr. Horner declined the offer.

Upon motion by Esq. Beasley and seconded by Esq. Moffett, it is ordered by the Court to look into further detail of going through the right side of the road, but to go through the process of condemning both sides in case one falls through.

Motion carried unanimously

RE: ADJOURNMENT

Upon motion by Esq. Stanley and seconded by Esq. Beasley, it is ordered by the Court to adjourn and each Magistrate, the Judge Executive and the County Attorney shall receive a typed copy of these Minutes prior to the next regularly scheduled meeting.

Motion carried unanimously

RESPECTFULLY SUBMITTED:

S/ Katie R. Mathis

KATIE R. MATHIS

FISCAL COURT CLERK

S/ John L. Brent

JOHN L. BRENT

JUDGE EXECUTIVE

Date Approved: September 20th, 2016