

## AGENDA

**McDUFFIE COUNTY BOARD OF COMMISSIONERS' MEETING**  
**February 17, 2009, 6:30 PM, Grand Jury Room, McDuffie County Courthouse**

### PUBLIC INPUT

**Speakers:**

**Adjournment:** \_\_\_\_\_

### ZONING HEARING

1. **Justin Gunn – Conditional Use Review – 1889 Central Rd., Extension**
2. **Stagecoach Rd. Residential Development – Peter Slavovsky/Knox Foundation (This item was removed from the Agenda at the January 20, 2009 Commission Meeting until additional information was available)**

**Adjournment:** \_\_\_\_\_

### COMMISSION MEETING

#### CALL TO ORDER & WELCOME

**Chairman Newton**

#### INVOCATION & PLEDGE OF ALLEGIANCE

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#### APPROVALS

**Agenda (Current)**

**Minutes (Regular Mtg. 02-04-09)**

#### INFORMATION & ANNOUNCEMENTS

1. **Announcement - Proposed Employee Service Recognition Program**
2. **Appointment – Chairman Newton was appointed by Governor Purdue to the Regional Water Council of the Statewide Water Management Plan effective February 2009.**

#### OLD BUSINESS

1. **Consideration of Construction Manager @ Risk (Rev. Favors)**
2. **Consideration of Excavator Transmission Repair (Chris Pelly)**
3. **Amendment to Bid Award for Pick Up Truck – Road Dept. (Chris Pelly)**
4. **Recreation – Status Update on Paving Dirt Road at Sweetwater Park(Bob Howard)**

#### NEW BUSINESS

1. **Planning Board Recommendations (Chairman Newton)**
2. **Appointment to Public Safety Committee Replacing Former Commissioner Darrell Wester (Chairman Newton)**
3. **Skatepark - Town of Dearing – SPLOST V (Bob Howard)**
4. **RFQ for SPLOST V Banking Services (Don Norton)**
5. **Monthly Budget Report – January 2009 (Don Norton)**
6. **Monthly Financial Report – January 2009 (Jimmy Whitaker)**

#### ADJOURNMENT

The McDuffie County Board of Commissioners held a regular Commission Meeting Tuesday evening, February 17, 2009, 6:30 PM, Grand Jury Room, McDuffie County Courthouse.

**COMMISSIONERS PRESENT:**

Charles G. Newton IV, Chairman  
Sammie L. Wilson Sr., Vice Chairman  
Rev. Fred Favors, Commissioner  
Paul W. McCorkle, Commissioner  
Wm. "Bill" W. Jopling, Commissioner

**COUNTY REPRESENTATION:**

Don Norton, County Manager  
Annette Finley, County Clerk  
Jimmy Whitaker, Finance Director  
Chris Pelly, Director of Public Works  
Bruce Tanner, County Fire Chief  
Bob Howard, Director of Recreation, Leisure

Services &

**MEDIA REPRESENTATION**

WTHO Radio Station  
McDuffie Mirror Newspaper  
McDuffie Progress Newspaper

Rural Transportation

Kelly Evans, Director, IT Department  
Fred Guarrant, Director, Planning Board  
Tim Edwards, Director, EMS

**OTHERS**

Seven (7) citizens attended.

**PUBLIC INPUT**

Speakers: 1) None  
Adjournment: 6:30 PM

**ZONING HEARING**

Chairman Newton asked Fred Guarrant, Director of the Planning Board, to present these applications.

1. Justin Gunn – Conditional Use Review – 1889 Central Rd., Extension  
Fred reported that he had received an application from Justin Gunn requesting a Conditional Use Review for the establishment of an engine repair shop. Immediately adjacent and south of his residence located at 1889 Central Road Extension is a 7-acre parcel owned by his grandfather Wayne Chalker who will be giving the seven (7) acre parcel to Justin for this proposed use. It is Justin's intention to build a 1300 sq. ft. mechanics shop building approximately in the middle of the parcel which is allegedly back far enough for it not to be seen from the main road. Most of the surrounding property owners have been made aware of the proposed project by the Gunns and there has been no opposition. Fred reported no public comments have been received regarding the application. Several staff concerns including fencing, setbacks, noise, pollution, use expansion as well as any future damage to Central Road (Ext) as a result of the new business. Mr. Daniel Gunn (Justin's father) responded to the effect that he and Chris Pelly (County Road Superintendent) would continue to monitor the condition of the road. After discussion, the Planning Commission recommended approval by the Board of Commissioners.

2. Stagecoach Road Residential Development

Fred noted that this application had been brought before the Planning Commission December 2, 2008 however additional information was needed before it could be brought to the Board of Commissioners. The Planning Commission had denied this request earlier and the Knox Foundation felt that the cause of the denial was an unintentional lack of detailed information presented by them to the Commission. Subsequently, the application had been appealed and request had been made to provide additional information i.e.

- The current project was reduced from eleven houses to ten.
- Road frontage was increased from 50' to 55' to 65' to 75'.
- Side setback being increased from 6' to 10'.
- The continued commitment of the Knox Foundation to the upkeep and improvement of the country club and surrounding property.
- The importance of this development being neat, orderly, and attractive due to its proximity to the Knox office/residence and Belle Meade community.
- The continued commitment of the development of other surrounding Foundation properties in an approved, logical, orderly, efficient and desirable fashion, including a new residential area behind the Pete Knox residence, similar in nature to the current proposed development.
- Most Important: The similar, if not identical, development/construction requirements and subdivision covenants as are imposed on the Riverwood Plantation

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development in Columbia County. Both Mindy Carney and Don McCorkle have visited Riverwood and were "extremely impressed". These requirements include creating a homeowner's association with mandatory membership, development-wide grounds maintenance paid through association membership; mandatory landscaping, residential building design guidelines, an architecture review board, and mandatory structure maintenance. Minimum structure requirements include 2 – 2 \_ story height limit, 1700 sq. ft. (heated) minimum, average house priced at \$200,000.

Based on the additional information provided, the Planning Commission rescinded their prior denial of the development and recommended approval by the Board of Commissioners.

Adjournment: 6:45 PM

COMMISSION MEETING

CALL TO ORDER & WELCOME

Chairman Newton called the meeting to order, noted that a quorum of Commissioners were present and welcomed everyone in attendance.

INVOCATION & PLEDGE OF ALLEGIANCE

Reverend/Commissioner Favors, pastor, Springfield Baptist Church, Thomson, offered the invocation followed by the Pledge of Allegiance.

INFORMATION & ANNOUNCEMENTS

1. Announcement – Proposed Employee Service Recognition Program
2. Announcement – Governor Sonny Perdue appointed Chairman Newton as a member of Georgia’s Regional Water Planning Council, for the Savannah-Upper Ogeechee Water Planning Region. The council will oversee preparation of regional water development and conservation plans for their respective planning region. These plans will focus on both water quantity and water quality issues, and will include forecast of future water supply and wastewater treatment needs. There are a total of 10 regions within the State and each region will represent the water interest unique to their respective region. Each region will consist of 30 members total; 25 regular members, 3 alternates and an ex-officio (non voting) member from both the House & Senate.
3. The 2009 State Legislature has approved the Homestead Exemption from \$4,000 to \$10,000.
4. March 19, 2009, the Augusta Boys & Girls Club will host the annual “Steak & Burger” Dinner with Mark Rich as guest speaker; 1) individual tickets, \$100 each 2) corporate table tickets, \$1000.

OLD BUSINESS

1. Consideration and Appointment of the Construction Manager @ Risk for the City-County Government Center Complex Project: Chairman Newton asked Reverend Favors to address this matter.

Rev. Favors, who is also the Chairman of the Facilities Steering Committee for the project, announced that after due consideration given to all aspects including the General Conditions within the proposals received for the project, he recommended that R. W. Allen Construction Company, Athens, Georgia, be appointed as the Construction Manager @Risk. The following list represents the responding firms by their ranked order with their fixed fees adjoining. At this time, note was made that a fourth firm, Batson-Cook Company, of West Point, Georgia decided not to respond to a request for a meeting with Mr. Jud Bryant to negotiate with them in an attempt to lower the fees of the “General Conditions” in the proposals as were stipulated among the final four contracting firms.

A	Proposing <u>CM @ Risk</u>	Lump Sum For Services <u>(General Conditions)</u>	Lump Sum As Percentage
	Turner Construction Co.	\$1,229,000	8.193%
	Winter Construction Co.	\$1,084,500	7.23%
	R. W. Allen Construction	\$ 772,380	5.149%

Note was made at this time, that the building would consist of 70,000 square feet at a cost of \$15,000,000 to build. Commissioner Jopling added that he too supported this recommendation and had strong feelings regarding the project as it was his job to “watch the money and protect the tax payers”. Commissioner McCorkle stated that working with Jud Bryant, Program Manager of the City-County Government Building, had been enlightening and commended both Rev. Favors and Mr. Bryant for their excellent involvement on the center. Commissioner Wilson commented that R. W. Allen was a very good selection and “they stayed on top of the job” referring to when R. W. Allen completed the addition at the McDuffie Regional Medical Center a few years earlier. After

the original motion from Commissioner/Revered Favors was made to elect R. W. Allen as the CM @ Risk and seconded by Commissioner McCorkle, the motion passed unanimously.

Mr. Scott Clark, President of R.W. Allen, LLC and Mr. Tommy Goodyear, Sr. Project Manager of this project, both were in attendance at the meeting. Mr. Clark stated they were looking forward to the start of pre-construction plans for this project which should begin in 2 to 3 weeks and will include creation of a budget as the design phase moves forward. Completion of the project should be finalized by the end of 2010 and will be built in the area of Greenway and Railroad streets.

2. **Consideration of Excavator Transmission Repair:** Chairman Newton asked Chris Pelly, Director of Public Works, to address this matter and to present the follow up requested at the February 4, 2009 Commission Meeting.

Chris presented an invoice from Yancey CAT reflecting "parts and labor in job at this time is \$4270.63 with a grand total of \$14,780.63". After discussion and noting that as of now, it would cost approximately \$11,000 for repair, a motion was made by McCorkle to move forward with the repair and noted that all future invoices of this nature should reflect a breakdown of all parts and labor; motion was seconded by Wilson and passed unanimously.

3. **Amendment to Bid Award for Pick Up Truck – Road Department:** Chairman Newton asked Chris Pelly to address this matter.

Chris stated that Stokes Hodges Chevrolet who had been awarded the low bid for a new truck in his department had rescinded their bid and were no longer participating in this particular bid award. As a result, the next lowest bidder for this purchase would be Culpepper Ford who quote a 2009 V8 F150 pick up in the amount of \$15,825.75. After discussion, a motion to approve the purchase from Culpepper Ford in accordance with their quote was made by McCorkle, seconded by Wilson and passed unanimously.

4. **Recreation – Status Update on Paving Dirt Road at Sweetwater Park:** Chairman Newton advised that this matter would be brought before the Board at the next scheduled Commission Meeting since the bid opening would not take place until February 24, 2009.

#### NEW BUSINESS

1. **Planning Board Recommendations:** Chairman Newton asked the Board for action on the two issues heard earlier during the Zoning Hearing.

- a. **Justin Gunn – Conditional Use Review – 1889 Central Rd., Extension**  
The Board of Commissioners agreed to uphold the Planning Board's recommendation for Approval with the following special stipulations:

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- 1) 1400 sq. ft. mechanic's shop, in the middle of the 7-acre parcel (32-8), owner Wayne Chalkier.
- 2) Fencing, setbacks, noise, pollution, and use expansion per Chairman Poston
- 3) Chris Pelly would continue to monitor the condition of the road.
- 4) All structures conform to a minimum 600' front setback, a 30' side and rear setback, the property is kept neat & clean at all times, and no noise associated with the business on Sundays.

After discussion, a motion to approve the recommendation was made by McCorkle, seconded by Favors and passed unanimously.

- b. **Stagecoach Rd. Residential Development – Peter Slavovsky/Knox Foundation (This item was removed from the Commission Meeting Agenda on January 20, 2009 until additional information was available.)**

A lengthy discussion was held with Mr. Peter Slavovsky representing the Knox Foundation regarding this matter with the following and additional detailed information:

- The project has been reduced from 11 houses to 10 houses.
- Road frontage being increased from 50'-55' to 65'-75'.
- Side setback being increased from 6' to 10'.
- Continued commitment of Knox Foundation to the upkeep & improvement of the country club and surrounding property.
- Development will be neat, orderly & attractive due to its proximity to the Knox office/residence & Belle Meade community.
- Continued commitment of the development of other surrounding Foundation properties in an approved, logical, orderly, efficient and desirable fashion including a new residential area behind the former Pete Knox residence, similar in nature to the current proposed development.

- **Most important:** The similar, if not identical, development/construction requirements and subdivision covenants as are imposed on the Riverwood Plantation development in Columbia County. Such requirements include creating a homeowner's association with mandatory membership; development-wide grounds maintenance paid through association membership mandatory landscaping; residential building design guidelines, an architecture review board, and mandatory structure maintenance. Minimum structure requirements include 2 – 2 \_ story height limit, 1700 sq. ft. (heated) minimum, average house price at \$200,000.

Note was made that the Planning Commission had heard an appeal from the Knox Foundation's representative, Mr. Slavovsky, and he felt that the cause of the original denial was an unintentional lack of detailed information presented by them to the Planning Commission. As a result and after an appeal had been made, the Planning Commission, as a whole, felt much more positive about the proposed development to the point that they openly indicated that they were willing to rescind their prior denial of the development and recommended approval by the Board of Commissioners. After additional discussion, a motion to approve this request was made by Jopling, seconded by Wilson and passed unanimously with all of the above revisions and restrictions being strictly adhered to by the developer.

2. **Appointment to Public Safety Committee Replacing Former Commissioner Darrell Wester:** Chairman Newton stated that since former Commissioner Darrell Wester was no longer on the Board of Commissioners', a replacement was needed in the position he occupied. Reverend Favors stated that he had discussed the matter with Commissioner McCorkle earlier and that Commissioner McCorkle had indicated his desire to be appointed.

A motion was made by Wilson to appoint Commissioner McCorkle to the Public Safety Committee replacing the former Commissioner Darrell Wester; motion was seconded by Jopling and passed unanimously.

3. **Skate Park – Town of Dearing – SPLOST V:** Chairman Newton asked Bob Howard, Director of Recreation, to present this matter.

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Bob stated that the Thomson-McDuffie Recreation Advisory Board met February 11 and is recommending the addition of a small skate park at the old tennis court beside the Dearing gymnasium. This would be in addition to the skate park that will be built in the Thomson area. Funds from SPLOST V would be utilized noting that \$300,000 had been allocated for a skate park in Thomson.

Bob was instructed by the Board to look into the matter to determine how much it would actually cost and report back to the Board to a future Board meeting.

4. **RFQ for SPLOST V Banking Services:** Chairman Newton asked County Manager Don Norton to address this issue.

Don reported that SPLOST V funds (1 cent sales tax) will start coming in March 2009 and it is time to determine a place to deposit the funds. It was the opinion of the Board that all banks in the local area be allowed to quote their interest rates as well as a few from surrounding areas. Jimmy Whitaker was instructed to send RFQs for this purpose and soon as possible and report back to the Board as soon as possible. We will need a City-County Building construction schedule as soon as possible as the banks will need to know approximately when distribution of the funds will have to be made.

5. **Monthly Budget Report – January 2009:** Chairman Newton asked County Manager Don Norton to present this report.

Don reported that as of January 31, 2009, with 8.33% of year lapsed, the County had collected \$521,842.82 or 4.0% of the projected YTD revenue for the General Fund. With 8.33% of the year lapsed, the YTD General Fund Expenditures were \$1,026,244.35 or 8.2%. It is anticipated that the year 2009 will continue to be a particularly difficult year financially with probable shortfalls, particularly in sales taxes. .

6. **Monthly Financial Report – January 2009:** Jimmy Whitaker, Finance Director, continued the report on all bank accounts showing a grand total of \$26,778,287.15 as of January 31, 2009; Hotel/Motel revenue reflects a YTD \$12,133.28 or 3.88% above on the same date in 2008; Local Option Sales Tax Collections are YTD \$164,804.41 or 2.72% decrease from 2008 on the same date; and SPLOST IV Revenue/Expenditure Report with a program to date cumulative revenue total of \$17,419,533 plus \$486,991 earned interest.

## ADJOURNMENT

There being no further business to come before the Board at this time, a motion to adjourn was made by Wilson, seconded by McCorkle and passed unanimously.

McDUFFIE COUNTY BOARD OF COMMISSIONERS

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**Charles G. Newton IV, Chairman**

**ATTEST:**

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**Annette Finley, County Clerk**