

The McDuffie County Board of Commissioners held a regular Commission Meeting, Tuesday evening, September 18, 2007, 6:30 PM, Grand Jury Room, McDuffie County Courthouse.

**COMMISSIONERS PRESENT**

Charles G. Newton IV, Chairman  
Sammie Wilson Sr., Vice Chairman  
Darrell Wester, Commissioner  
Rev. Fred Favors, Commissioner  
J. Robt. "Bob" Farr, Commissioner

**COUNTY REPRESENTATION**

Don Norton, County Manager  
Annette Finley, County Clerk  
Jimmy Whitaker, County Finance Director  
Chris Pelly, Director of Public Work  
Fred Guerrant, Director, Planning Board  
Katherine Perry, Tax Assessor  
Steven Sewell, Fire Services/EMA  
Bruce Tanner, County Fire Chief

**MEDIA REPRESENTATION**

WTHO Radio Station  
McDuffie Mirror Newspaper  
McDuffie Progress Newspaper

**OTHERS**

Three (3) citizens attended.

**ZONING HEARING**

Chairman Newton asked Fred Guerrant, Director of the Planning Board, to present these issues.

**1. Sheila Floyd – Mobile Home Age – 291 Cedar Street**

Fred reported that he had received an application from Ms. Floyd requesting a variance from the maximum age limitation for a double-wide mobile home to be transported into McDuffie County. The mobile home is for her father (Bobby Floyd) who currently lives at 291 Cedar Street and is confined to wheel chair. The current residence in which he resides is dilapidated and she is requesting to be allowed to set up the 18-year old double-wide and demolish the current house. After inspecting the 18-year old double-wide currently in the Winfield area, the exterior seemed to be in good condition. As far as the interior, Ms. Floyd said that several items in the unit had been repaired and that it is in excellent condition. Also, Fred reported that the unit's plumbing, electrical and HVAC had been certified as being in good operable condition. The Planning Commission recommended approval of the 18-year old unit for Bobby's residence.

**2. Alltel Mobile – Cell Tower – Gay's Circle**

Fred stated that he had also received an application from Ms. Connie Rhinehart, representative of Alltel Mobile, requesting a Conditional Use Review for the proposed placement of a cell tower on a 10.02 acre parcel (65-7K) off of Gay's Circle, currently owned by Johnnie Bradshaw. This application is requesting the normal 30' easement access leading to a leased 100'x100' compound with a 275' lattice tower capable of accommodating Alltel and four other co-locates. The possibility of co-locating on the AT&T tower on Ansley Rd. has been reviewed by Alltel, in accordance with Tony Dawson (representative of Alltel) but found that their coverage area was not sufficient due to terrain and elevation. This new tower would be located in a fairly populated area but, as required, no residence was located within the 275' fall zone of the tower. No public input was received prior to the Hearing. The required removal bond and commitment from Alltel allowing the county space on the tower for public and emergency services has been received. The Planning Commission recommended approval of this request.

Hearing adjourned at 6:55 PM.

## COMMISSION MEETING

### **CALLED TO ORDER**

Chairman Newton announced that a quorum was present, called the meeting to order and welcomed everyone in attendance.

### **INVOCATION & PLEDGE OF ALLEGIANCE**

Commissioner/Reverend Favors offered the invocation which was followed by the Pledge of Allegiance.

### **APPROVALS**

#### **Minutes (Regular Meeting 9-5-07)**

A motion to approve the minutes of the Commission Meeting held on September 5, 2007 was made by Farr, seconded by Wester and passed unanimously.

#### **Agenda (Current)**

Chairman Newton asked that Item 3 in NEW BUSINESS also reflect the discussion of the relationship of Chairman Newton with the "McDuffie Feed & Seed" store and also that of Commissioner/Dr. Darrell Wester with the Wester Veterinary Clinic. This matter is to satisfy the auditor's request/report. A motion to approve the current agenda with changes was made by Wester, seconded by Farr and passed unanimously.

### **INFORMATION & ANNOUNCEMENTS**

1. **ACCG Fall Policy Conference, Atlanta Marquis Hotel, October 1-3, 2007; Discuss cancellation/rescheduling of BOC Work Session (10/1/07) and BOC Meeting (10/3/07). A motion was made by Farr to approve the cancellation of both the Commissioners' Work Session to be held Monday, October 1 and the Commission Meeting to be held on Wednesday AM, October 3; motion was seconded by Wilson and passed unanimously.**
2. **Announcement – Georgia National Fair, Perry, Georgia, Thursday, October 4 through Sunday, October 14, 2007.**

### **OLD BUSINESS**

1. **Request by Imery's to Designate Ft. Creek Rd. as Truck Route: Chairman Newton asked Chris Pelly, Director of Public Works, to address this matter.**

Chris stated that he had received a request from Imerys Clays, Inc.

- a. **Imery is willing to repair as needed damage to Ft. Creek Rd.**
- b. **There will be no truck hauling on road before 8 AM to avoid school buses.**
- c. **No trucks on road on any Sunday.**
- d. **Imerys' agrees to reimburse County up to \$50,000 for actual costs; guardrail posts along with pipe ends estimated to be \$42,000; also, the cost of brick monuments to be removed from county road right-of-way; guardrail to conform to current GADOT standards & installed along both sides of the roadway near the old grist mill site & at the pond site located approximately 1.5 miles, east of State Route 17.**

County Manager Don Norton indicated that County Attorney Sammy Fowler wanted to formulate a more formal agreement on behalf of the county. After discussion, the Board of Commissioners authorized Chris Pelly, Director of Public Works, to go forward with this matter and discuss

lowering the speed limit from 55 MPH to 45 MPH on Ft. Creek Rd., and report back to the Board of Commissioners; note was made that Ft. Creek Rd. Extension is not part of Ft. Creek Road. A motion was made by Wester to approve this recommendation contingent on the County Attorney's approval of a final contract; motion was seconded by Farr and passed unanimously.

#### **NEW BUSINESS**

1. **Planning Board Recommendations:** Chairman Newton reviewed the two issues reported earlier during the Zoning Hearing and asked the Board for action on each.
  - a. **Sheila Floyd – Mobile Home Age – 291 Cedar Street**  
After discussion, a motion was made by Wilson to approve the variance of the aged mobile home; motion was seconded by Farr and pass unanimously.
  - b. **Alltel – Cell Tower – Gay's Circle**  
After a lengthy discussion, a motion was made by Wester to approve the location of the tower and uphold the Planning Board's recommendation; the motion died due to the lack of a second. At this time, additional discussion was held and a second motion was made by Wester to postpone the matter to the 3<sup>rd</sup> Tuesday night meeting in October (October 16) at which time Alltel will present new information to include an additional map showing all tower sites interacting with each other in that area; motion was seconded by Farr and passed 3 to 2 with Wilson and Favors voting "no".
2. **Approval of Agreements – Administrative Services, Gilbert + Assoc., Inc.:** Chairman Newton presented two contracts for approval from Gilbert+Associates for the administrative services of the following 2 grants noting that they were the only proposals received for which the Department of Community Affairs had been notified.
  - a. **CDBG Grant , \$19,464 – Boys & Girls Club Expansion**
  - b. **CHIP HOUSING, \$12,689 + \$12,500 Project Delivery Fee - \$26,189**After discussion, a motion to approve these two agreements for the projects named above was made by Favors, seconded by Wilson and passed unanimously.
3. **Discussion - Chairman Newton's Relationship w/MFS Grading and McDuffie Feed & Seed; also, Commissioner/Dr. Darrell Wester's Relationship with the Wester Veterinary Clinic:** Chairman Newton disclosed on behalf of himself as being associated with McDuffie Feed & Seed with some purchases made by the County at times and also associated with MFS Grading & Paving. Chairman Newton currently works with MFS Grading & Paving and is associated with McDuffie Feed & Seed, both being family businesses.

Commissioner/Dr. Darrell Wester works periodically, and on a limited basis, does some specialized work at the Thomson-McDuffie County Animal Shelter and Chairman Newton recommended approval in order for Commissioner Wester to continue working under this arrangement. Upon the suggestion by the County Manager, it was agreed upon that the County Attorney review and advise on both these matters. The County Manager will follow up on the matter.

4. **Appointments –Unified Development Authority:** Chairman Newton said that his office had been advised and a Resolution had been received from the CSRA Regional Development Center requesting that replacements be made on the Unified Development Authority Board. It was suggested that Mike

Carrington, Executive Director of Forward McDuffie, replace Don Powers whose term expires in 2009 and is now employed by the City of Thomson as the City Administrator. A motion to replace Don Powers with Mike Carrington to complete this term ending December 2009, was made by Farr; motion was seconded by Wester and passed unanimously.

Also, it was reported the 2<sup>nd</sup> and current appointee from McDuffie County, Dr. Joe Green, has not attended any of the UDA meetings in the past few years and it was suggested by the Executive Director of the CSRA RDC that a new appointee be someone who has the time to devote to the UDA. After discussion, a motion was made by Wilson to postpone this matter until the next scheduled Commission Meeting, October 16; motion was seconded by Favors and passed unanimously.

5. **Alcoholic Beverage Application:** Love’s Travel Stops & Country Store, 2129 Washington Rd., Thomson; Manager & Resident Agent: Mr. Steven W. Crandall: Chairman Newton presented an application for an Alcohol Beverage license for the Love’s Travel Stops & Country Store, 2129 Washington Road. Chairman Newton verified that all requirements had been met with the County Clerk including the Sheriff’s approval and recommended that the license for packaged beer and wine be approved.

After discussion, a motion to approve the application from Love’s Travel Stops and Country Stores for a packaged beer and wine license to sell was made by Wester, seconded by Farr and passed 3 to 0 with the Chairman not voting and Favors abstaining for religious reasons.

6. **Discussion – Property Appraisal Process/Scheduling & Timber Valuation, Etc.:** Chairman Newton referred to Commissioner Wester’s question of September 5, 2007 during the 3<sup>rd</sup> Public Hearing as to why the penalty of approximately \$2000 has consistently been imposed on McDuffie County for not meeting the requirements of submitting the tax digest by the August 1 deadline. Chairman Newton asked the Chief Tax Assessor, Ms. Katherine Perry, to address this matter.

Katherine responded with a written “Executive Summary” as to why there was a problem in making the deadline of August 1 for the submittal of the tax digest.

After reading the objective, considerations and fiscal impact, she recommended the 6 following items be taken into consideration in order to eliminate the ongoing problem of being late each year with the submittal of an annual tax digest:

- a. Readdress the entry level pay grades of our support staff.
- b. Approve an additional appraiser position.
- c. Finalize, approve and pay for the 2006 aerial photography ASAP.
- d. Clarify which department and what department head is responsible for which issues involving the GIS program and adjust job descriptions if necessary, maintaining clear communications with all parties involved regarding any adjustments to previously established policy.

- e. Continue patience and support.
- f. Show your appreciation to our Boards and Staff for the good job done.

After this protracted explanation, Commissioner Wester said “I only asked why it was always late”. No action was needed or taken on the matter.

7. **Elections’ Office - Budget Amendment:** Chairman Newton recognized Phyllis Wheeler’s (Superintendent of Elections) absence and asked County Manager Don Norton to address this issue.

Don presented a necessary budget amendment in the amount of \$27,100.00 to cover expenses incurred in an extra election held on June 19 (\$13,162.10 – to replace Congressman Charlie Norwood, deceased) resulting in a runoff election held on July 17 (\$12,832.00). Don recommended the transfer of funds from the Contingency budget to cover present deficits and maintain the office through the end of the year. After discussion, a motion to approve this budget amendment was made by Farr, seconded by Wilson and passed unanimously.

8. **Discuss Need for Major EMS Budget Amendment:** Chairman Newton asked County Manager Don Norton to present this matter.

Don recognized Mr. Tim Edwards, Director of the EMS Services for McDuffie County, and verified with him that the large budget amendment was to cover extra operating deficits somewhat caused by medical expenses for certain EMS employees. Certain revenue shortfalls such as lower Medicare and Medicaid reimbursements are also partly to blame. After discussion, Chairman Newton recommended that the budget amendment be approved in the amount of \$134,500.00 with funds coming from Contingency. A motion was made by Wester, seconded by Wilson to approve

9. **Monthly Budget Report – August 2007:** Chairman Newton asked County Manager Don Norton if there were any new issues to be reviewed in the budget report. Don replied that Munis had designed a new program and produced a new format for the report. The County Manager said there were no other significant changes to report.
10. **Monthly Financial Report – August 2007:** Jimmy Whitaker reported that the sales tax revenue fluctuates month to month, but with no other significant changes. It is assumed that these changes are a result of the Department of Revenue’s processing and that the end result eventually will produce accurate results overall.

#### ADJOURNMENT

There being no further business to come before the Board of Commissioners at this time, a motion to adjourn was made by Wilson, seconded by Farr 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