

The McDuffie County Board of Commissioners held a regular Commission Meeting Tuesday evening, November 18, 2008, 6:30 PM, Superior Court Room, McDuffie County Courthouse.

COMMISSIONERS PRESENT:

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

COUNTY REPRESENTATION:

Don Norton, County Manager
Annette Finley, County Clerk
Paul McCorkle, Commissioner Elect
Chris Pelly, Director of Public Works
Jimmy Whitaker, County Finance Director
Kelly Evans, Director, IT Department
Fred Guerrant, Director, Planning Board
Mindy Carney, Zoning/License Administrator
Bruce Tanner, County Fire Chief
Steven Sewell, EMA/Fire Services
Pam Workman, Asst. Finance Director
Shirley Williams, Finance Dept.
Diane Hardy, Finance Dept.

OTHERS

Four (4) citizens attended.

MEDIA REPRESENTATIVES

WTHO Radio Station
McDuffie Mirror Newspaper
McDuffie Progress Newspaper

PUBLIC INPUT

Speakers: Commissioner Elect Paul McCorkle
RE: Surrounding Area of City-County Complex w/Emphasis on
Soil Testing & GEO Testing of Ground Water
Adjournment: 6:34 PM

ZONING HEARING

Chairman Newton asked Fred Guerrant, Director of the Planning Board, to present these requests:

- 1. Robert Neal – Structure Separation – Hamilton Drive**
Fred reported that he had received an application from Robert Neal requesting a reduction in the required separation for the placement of a duplex on his 2+ acre parcel located at the end of Hamilton Drive. Upon reviewing the plot plan which was required to be available at this meeting (November) the Planning Board reviewed the proposed placement, structure alignment and proposed setbacks for the duplex. Fred stated there had been no public input regarding the application and after additional review, the Planning Board recommended approval by the Board of Commissioners for the reduction in the required setback from 300' to 105'.
- 2. Suresh Soorma – Zoning Change – Earle Street @ N. Seymour Drive**
Fred reported that he had received an application from Suresh Soorma requesting a change in zoning classification from R-2 (Med. Density Residential) to C-2 (Commercial) for approximately 1.5 acres of a 5 acre parcel located at the corner of Earl Street and N. Seymour Drive. Fred indicated that it was the applicant's request to rezone the property in preparation for the construction of a new 75 room Sleep Inn & Suites. In addition to the zoning change, Soorma was seeking a variance in the height restriction of 35' in order to construct the 50' high motel. He stated that this request was similar to the variance approved for the Hampton Inn, and informed the Board that he had received no public comment regarding the application. The Planning Commission recommended approval by the Board of Commissioners for the zoning change and the variance for the increase in structure height.
- 3. Veasey Cason – Front Footage – Warrenton Highway**
Fred reported that he had also received an application from Veasey Cason requesting a reduction in required front footage for a proposed residential lot located on the south side of the Warrenton Highway approximately 2,400' west of the VFW Road. He explained that Veasey owned several residential lots in that area which were currently "for sale". The subject lot is a 24-acre lot with 301' of frontage on the Warrenton Highway which he would like to split approximately in half. Guerrant explained the problem is that the road frontage could not be split in half due to the fact that DOT required the single access (pipe) be placed within 85' of the western end of the property. It was Veasey's request to be allowed to split the frontage into lengths of 216' and 85'. Fred reported that Veasey had tried to obtain additional frontage from his neighbor but was unsuccessful in the endeavor. There was NO recommendation made by the Planning Commission for this request.

For information purposes, Fred reported that the Planning Commission had undertaken the election of officers (Chairman and Vice Chairman) for the upcoming year. It was instantaneously agreed upon by all members that Jimmy Poston and Georgia Hobbs continue in their positions as Chairman and Vice Chairman respectively.

ADJOURNMENT: 6:45 PM

COMMISSION MEETING

CALL TO ORDER & WELCOME

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

INVOCATION & PLEDGE OF ALLEGIANCE

Reverend/Commissioner Fred Favors, Pastor, Springfield Baptist Church, offered the invocation which was followed by the Pledge of Allegiance.

APPROVALS

Agenda (Current)

Chairman Newton reported that since Item 4. Bid Award CHIP (5 Houses), City/County was actually a contract between the property owner and construction bidder, he recommended the item be removed from the agenda. A motion was made by Farr to approve the current Agenda with change as noted; motion was seconded by Wilson and passed unanimously.

Minutes (Reg. Mtg. 11-5-08)

A motion was made by Wilson to approve the minutes as written of the regular Commission Meeting held on November 5, 2008; motion was seconded by Farr and passed unanimously.

INFORMATION & ANNOUNCEMENTS

1. Thanksgiving Holidays, November 27 & 28, 2008

OLD BUSINESS

None

NEW BUSINESS

1. Planning Board Recommendations: Chairman Newton asked the Board for action on the zoning issues heard earlier during the Zoning Hearing.
 - Robert Neal – Structure Separation – Hamilton Drive
A motion was made by Wilson to uphold the recommendation for approval by the Planning Commission and approve the reduction in required separation for the placement of a duplex on his 2+ acre parcel located at the end of Hamilton Drive; motion was seconded by Farr and passed unanimously.
 - Suresh Soorma – Zoning Change Earle Street @ N. Seymour Drive
A motion was made by Favors to approve the request from Suresh Soorma requesting a change in zoning classification from R-2 to C-2 for approximately 1.5 acres of a 5-acre parcel located at the corner of Earl Street and N. Seymour which would allow the construction of a new 75 room Sleep Inn & Suites; motion was seconded by Farr and passed unanimously.
 - Veasey Cason – Front Footage – Warrenton Highway
Note was made that no motion was tendered by the Planning Commission regarding the request of a reduction in required front footage for a proposed residential lot located on the south side of the Warrenton Highway, approximately 2,400' west of the VFW Road. After discussion, a motion was made by Wester to approve this request; motion was seconded by Favors and passed unanimously.
2. Application: Alcohol Bev. License – Saicon Food & Gas (formerly Arrington's), 3 Establishments; 1) 1798 Warrenton Highway, 2) 1798-A Warrenton Hwy., and 3) 801 Harrison Road (formerly Gordon Package Store): Chairman Newton asked Mindy Carney, Zoning/License Administrator, for verification on all the requirements having been met for the 3 establishments. After further discussion, a motion to approve the license requests was made by Farr, seconded by Wester and passed 3 to 1 with Favors abstaining for religious reasons.
3. Consideration of Alcoholic Beverage Ordinance Amendment to Allow for Sunday Alcohol Sales – Consumption Only (By the Drink & In Restaurants): Chairman Newton presented a Resolution for the Sunday Sales of Alcohol drawn up by the County Attorney, verifying that the issue was approved on the November 4, 2008 General Election ballot and same as soon as the Board of Commissioners had adopted the Resolution, it would be forwarded

to the Munciple Code for codification and entered into the McDuffie County Ordinance Book.

-3-

After discussion, a motion to adopt the Resolution as presented was made by Wester, seconded by Wilson and passed unanimously.

4. **Discussion/Approval – Imerys Clays Agreement for Use of Ft. Creek Road:** Chairman Newton presented an Agreement with Imerys Clays, Inc., requesting to designate Ft. Creek Road as a “Truck Route”. This Agreement is a combination of the county attorney working with the Real Estate Counsel of Imerys Clays. This Agreement is copied below and made a part of these minutes.

After discussion, a motion was made to approve the Agreement as written was made by Farr, seconded by Wilson and passed unanimously.

5. Fire Department Budget Revision – Volunteer Fire Fighter Stipend: Chairman Newton asked County Fire Chief to present this matter.

Bruce stated that a budget amendment is necessary in the amount of \$17,000 from Salary Contingency to the Fire Department's 2008 budget for the purpose of reimbursing volunteer fire fighters for expenses incurred as a result of responding to emergencies and attending training.

After discussion, a motion to approve this request was made by Wilson, seconded by Wester and passed unanimously.

6. Recommended Purchase of IT Server Equipment : Chairman Newton asked Kelly Evans, Director, IT Department, to present this matter along with Item 7 and Item 8 on the Agenda.

Kelly stated that the City of Thomson and McDuffie County share email servers and these servers provide a major form of digital communication. Due to the volume of Email processed and consistent changes in Microsoft requirements, this upgrade cannot be postponed. The 2009 IT budget request included \$25,000 to upgrade servers. In order to Balance the budget, the Board of Commissioners and the County Manager moved up the upgrade to 4Q 2008 and verbally approved the use of existing GIS funds to pay for the server upgrade. At this time, it is IT's recommendation that the County Manager facilitate a budget transfer to reflect:

\$24,500 from 5213000 IT Technical Support to 542401 Hardware
\$3,000 from 53300IT Contract Repair and Maintenance to 542401 Hardware

The Hardware and Software Quotations received is as follows along with the recommendation for approval:

After discussion, a motion to approve the recommendation of a budget amendment within the IT Department of \$32,517.76 was made by Wester, seconded by Wilson and passed unanimously.

7. Recommended Purchase of IT Tape Backup Equipment and SCADA Equipment: Kelly continued the presentation in accordance with Chairman Newton's earlier instructions and stated that the current HP LTO Tape Backup Drive is now 5 years old, has failed 3 times during the month of October 2008 and uses a disk-to-disk-to-tape (D2D2T) model. She recommends the authorization be given to purchase a new Overland REO L TO-3 Autoloader for tape backup, storage, and retrieval.

Quotations are listed below after which quotations for the first SCADA system as part of the Big Creek Water Treatment Plant Expansion project follows.

The City and County has previously approved additional money for SCADA as part of the SPLOST IV funding plan and it is recommended that the Board of Commissioners authorize the IT Department to proceed with the implementation plan by approving the first SCADA expenditure

After discussion, a motion was made by Wester to approve both requests; 1) to purchase hardware (tape backup system) from PC Mall at a cost of \$3,320.00 and 2) the purchase of hardware to implement the SCADA system at Big Creek Water Treatment Plant at a cost of \$5,651.78, with funds coming from SPLOST IV-Water & Sewer IT/SCADA/GIS; motion was seconded by Wilson and passed unanimously.

8. **Recommended Purchase of IT Network Equipment:** Kelly Evans also presented this item as instructed by Chairman Newton and recommended network equipment to be installed with the GIS system, the finalization of the first SCADA deployment at the Big Creek Water Treatment Plant as well as planning further deployment of SCADA technology within the waste water, distribution and gas systems. Quotations received for this specific redundant network systems are listed below:

After discussion, a motion was made by Wester to approve this recommendation and accept the low bid of \$12,926.00 from PC Mall with funds coming from SPLOST IV-Water & Sewer IT/SCADA/GIS; motion was seconded by Wilson and passed unanimously.

9. **Road Dedication/Acceptance – Oxford & Cambridge Roads:** Chairman Newton asked Fred Guerrant, Director of the Planning Board, and Chris Pelly, Director of Public Works, to address this issue.

Fred stated that Chamberlain Land & Investment Company has maintained Oxford Drive and Cambridge Court for more than one year since the road was approved by McDuffie County. Chris Pelly added that the roads are in good shape at this time, that these were the 2 last roads in this particularly development and recommended the acceptance as a “county maintained” roads.

After discussion, a motion to approve this recommendation was made by Wester, seconded by Farr and passed unanimously.

10. **Approval of Resolution to Adopt Amendment to SPLOST V Intergovernmental Agreement:** Chairman Newton ask County Manager, Don Norton, to address this matter.

Don reported and recommended that although the original "Resolution To Authorize and Direct the Execution by...To That Certain Intergovernmental Agreement for Special Purpose Local Option Sales Tax, and for Related Purposes" was passed by voters of

-6-

McDuffie County at an election held September 16, 2008, the financial firm, Smith, Gambrell & Russell, LLP, Atlanta, (company processing bonds) asked that McDuffie County approve an amended Resolution specifying that "Sales and Use Tax proceeds up to \$12,000,000 be applied on a first priority basis to the payment of principal of and interest on the Bonds".

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

11. Recommendation for Extension Employee Health Benefit Carrier for 2009: Chairman Newton asked County Manager Don Norton to address this matter.

Don recommended that the Board of Commissioners approve the Employee Benefit Plan continuation, without change for one more year (2009). This provider is actually Companion Insurance Company along with Taylor Benefit Resources as the TPA.

Further, it is recommended that all Employee Health Benefit Services be bid through an insurance consultant beginning approximately July 1, 2009 with services to begin January 1, 2010.

After discussion, a motion to approve the recommendations was made by Farr, seconded by Wilson and passed unanimously.

12. Budget Amendment – Payment of Airport Capital Projects: Chairman Newton asked that County Manager Don Norton present this issue.

Don noted that at a Joint City-County Meeting Thursday, April 19, 2007 the Board of Commissioners approved \$86,900 from then contingency funds in order to cover county's matching portion of airport capital project costs for 1) runway extension and apron expansion, and 2) cost of 18 T-hangars (2 buildings). These projects did not commence or actually be completed until 2008.

Previously \$75,000 was included and budgeted in the 2008 budget. Since \$86,900 was not spent in 2007, a budget shortfall of approximately \$86,900 is occurring at this late juncture in 2008. Almost no airport capital funds are budgeted in 2009. Since regular 2008 budget contingency is essentially depleted, "salary contingency" was significantly over budgeted; currently \$161,000 still remains and of that amount, we will need:

\$30,000 – 1% Pay for Performance Bonuses
\$14,000 – Holiday Bonus
\$17,000 – Excess Volunteer Fire Fighter Stipends
\$61,000 – TOTAL USED

Obviously, approximately \$100,000 will still remain budgeted in salary contingency since it was over budgeted.

At this point, Don recommended approval of \$86,900 being transferred from "Salary Contingency" to Airport Capital expenses so that current bills for 2008 can be paid in 2008.

After discussion, a motion to approve this recommendation was made by Wester, seconded by Farr and passed unanimously.

13. Monthly Budget Report – October 2008: Chairman Newton asked County Manager Don Norton to present this report.

Don reported that as of October 31, with 83.3% of the year lapsed, the County had collected \$7,724,779.11 of the projected YTD General Fund Revenue, but noted that (increased) property tax revenues are now "rolling in". With 83.3% of the year lapsed, the YTD General Fund Expenditures were \$10,263,691.23 or 80.7%.

14. Monthly Financial Report – October 2008: County Finance Director, Jimmy Whitaker, reported on all bank accounts showing a grand total of \$7,574,569.46 as of October 31, 2008; Hotel/Motel Report reflects a YTD \$187,235.59 or 2.64% decrease From 2007 on the same date: Local Option Sales Tax Collections YTD are at \$2,088,381.70 or an overall increase of 2.12% from 2007 on the same date; and SPLOST IV

-7-

Revenue/Expenditure Report with a YTD cumulative revenue total of \$16,490,377 expenditure of \$14,163,157 with an available balance of \$2,327,220 plus \$485,514 earned interest.

At this time, Chairman Newton asked for a motion to enter into an Executive Session to discuss personnel and advised the media there would likely be some action taken afterwards. A motion to enter into an Executive Session was made by Farr, seconded by Wilson and passed unanimously.

EXECUTIVE SESSION

Topic of Discussion: 1) Personnel

At the end of the Executive Session, a motion was made by Wilson to resume the regular meeting; motion was seconded by Farr and passed unanimously.

The regular Commission resumed and the media was invited to return to the meeting. It was announced that the subject matter of “missing funds” had been discussed which obviously took place as a result of a “phishing scam” on the computer and that action was needed by the Board to hire an independent auditor in order to find out if more funds were involved. Total amount of funds missing was originally \$7000, \$3800 is still missing, and this event occurred in June 2007 however the Board was unaware of this matter until October 22, 2008

Chairman Newton recommended that \$6000 be allocated to hire an independent auditor from Mauldin & Jenkins Auditing Firm, Macon, Georgia, for this purpose and asked for action on the matter. After discussion, a motion was made by Wilson to approve this recommendation, amount not to exceed \$6000 and with funds coming from “Salary Contingency”; motion was seconded by Favors and passed 4 to 1 with Farr voting “no”. At this time, Commissioner Wilson asked for a “roll call” vote on the matter; results are listed below:

Voting “Yes”

Commissioner Newton
Commissioner Wilson
Commissioner Favors
Commissioner Wester

Voting “No”

Commissioner Farr

The matter of this issue not showing up in the 2007 audit was discussed at length along with the fact that the matter was not brought to the attention of the Board of Commissioners until October 22, 2008.

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

Charles G. Newton IV, Chairman

ATTEST:

Annette Finley, County Clerk

