

McDuffie County Board of Commissioners held a regular Commission Meeting Wednesday morning, **December 3, 2008, 10:00 AM**, Grand Jury Room, McDuffie County Courthouse.

COMMISSIONERS PRESENT:

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

COUNTY REPRESENTATIVES PRESENT:

Don Norton, County Manager
Annette Finley, County Clerk
Jimmy Whitaker, County Finance Director
Sandra Whitaker, Tax Commissioner
Chris Pelly, Director of Public Works
Bruce Tanner, County Fire Chief
Wanda Sisson, Tax Assessor's Office
Judge Bubba Swan, Magistrate Court
Don Clauson, Director, Solid Waste
Elizabeth Vance, Director, Tourism
Gail Newsome, Code Enforcement
Kelly Evans, Director, IT Department
Steven Sewell, EMS/Fire Services

COMMISSIONERS ABSENT:

None

MEDIA REPRESENTATIVES PRESENT:

WTHO Radio Station
McDuffie Mirror Newspaper
McDuffie Progress Newspaper

OTHERS:

Four (4) citizens attended.

CALL TO ORDER & WELCOME

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

INVOCATION & PLEDGE OF ALLEGIANCE

Reverend Herman Gilmore, Pastor, Temple of Prayer Ministries, offered the invocation which was followed by the Pledge of Allegiance.

APPROVALS

Agenda

A motion to approve the current Agenda was made by Wilson, seconded by Farr and passed unanimously.

Minutes (Reg. Mtg. 11-18-08)

A motion to approve the minutes of the Commission Meeting held on November 18, 2008 was made by Farr, seconded by Wilson and passed unanimously.

INFORMATION & ANNOUNCEMENTS

1. Tech Smart Regional Meeting, 10:00 AM, December 11, 2008 Augusta Tech/Thomson Campus.
2. Announcement – Ms. Renee Wright was selected by the McDuffie Regional Medical Center To replace Rusty Lovelace on the Hospital Authority effective January 26, 2009.

OLD BUSINESS

None

NEW BUSINESS

1. Adoption of Government Center Project Bond Resolution & Approval of Bond Purchase Agreement: Chairman Newton introduced Mr. Gabe Agan with Morgan Keegan Company and asked that he present the Bond Resolution and Purchase Agreement.

Gabe presented documents to the Chairman for official execution and signatures and explained that the McDuffie County General Obligation Bonds, Series 2008, were priced at \$17,655,000 on December 2, 2008 and reported an average bond yield (as computed for arbitrage purposes) of 4.27%. Also, the bonds will have a par call feature beginning April 1, 2018 and it was decided to use municipal bond insurance from Assured Guaranty to help lower the cost of borrowing. At this time, Gabe recommended the signing of these documents.

Copies of the Government Center Project's Bond Resolution and Approval of Bond Purchase Agreement are copied below and made a part of these minutes.

After discussion, a motion was made by Wester to approve the recommended signing by the Chairman for the Bond Resolution as presented for the Government Center Project at 4.27% interest; motion was seconded by Favors and passed unanimously.

A second motion was made by Wester to approve the recommended signing by the Chairman for the Bond Purchase Agreement as presented for the Government Center; motion was seconded by Favors and passed unanimously.

2. ER & ACO Report – November 2008: Chairman Newton asked Tax Commissioner Sandra Whitaker to present this report.

Sandra reported a decrease in the amount of \$12,942.77 revenue due the County for the M&O November 2008 account was due to the several Conservation Use Exemptions approved. Mobile Home Digest decreased in the amount of revenue \$705.34 was due to the removal of several mobile homes from the digest that had either moved from the county or was destroyed.

A motion to accept and approve this reported as presented was made by Wilson, seconded by Farr and passed unanimously.

3. Proposal for Clerk of Magistrate Court: Chairman Newton asked Chief Magistrate Judge Swan to address this matter.

Judge Swan asked concurrence of the Clerk of Superior Court to serve as the Clerk of Magistrate Court for term beginning January 1, 2009.

Judge Swan stated that local legislation governing the Magistrate Court of McDuffie County allows the Chief Magistrate to appoint a Clerk for the Court. Connie Cheatham, current Clerk of Superior Court, has consented to serve in this position and additional compensation in the amount of \$323.59 per month and would be no changes in staffing at this time. He stated that the increase in the Magistrate Court budget would result in long term savings and would come from data sharing, streamlining work processes, updating accounting system and cross-training employees.

Judge Swan recommended that the McDuffie County Board of Commissioners fund the additional compensation required for the appointment of the Clerk of Superior Court as the Clerk of Magistrate Court. After discussion, a motion was made by Wester to approve funding of the additional compensation of \$323.59 effective 1/1/2009 required for the appointment of the Clerk of Superior Court as the Clerk of Magistrate Court. The necessary budget amendment for this action will be done in 2009 but is approved as part of this action.

4. Status Update – Belle Meade Sewer Compliance: Chairman Newton asked Gail Newsome to present an update on this matter.

Gail stated that on December 2, 2008 she started delivering citations to the nine (9) residents at Belle Meade who had not connected to the sewer line in accordance with the McDuffie County "Mandatory Sewer Ordinance". She also advised that a court date of December 12, 2008, 3:00 PM had been scheduled for these residents to appear before Magistrate Court Judge Bubba Swan. At this time, Chairman Newton stressed to Judge Swan the importance of everyone connecting to the sewer line as this was one of the stipulations made from USDA at the time the loan/grant was issued to McDuffie County for this special project with their loan/grant.

5. Appointments – CVB Members: Chairman Newton asked Elizabeth Vance to address this matter.

Elizabeth presented the following names to replace the named individuals on the Tourism Board:

- Jarvis McNair – to replace Trevor Roberson (unable to attend meetings due to his school schedule)
- David Moore – to replace Erin Dozier (resigned from the Tourism Board)
- Jeannie Buttrum, Ga. Dept. of Econ. Dev. – to replace Keith Bounds, Ex-Officio

Also:

- Betty Parker will replace Don Powers, McDuffie Arts Council

The above individuals will complete the terms of the named individuals already on the Tourism Board.

- Note was made of the following officers for 2009:

Michelle Zupan, Chairman
 Debbie Jones, Vice Chairman
 Nancy Trivette, Secretary

After discussion, a motion was made by Wester to approve this slate of recommendations; motion was seconded by Farr and passed unanimously.

6. Report Concerning SCADA Phase I & II Development: Chairman Newton asked Kelly Evans, Director of IT Department to present this report.

Kelly stated that the Big Creek Water Treatment Plant Expansion project is the first of the SCADA system. The system’s integrator for the expansion has a limited scope per the specification from O’Brien and Gere. Additional funding from the City and County has been approved as part of the SPLOST IV funding plan.

At this time, the IT Department is recommending and requesting authorization to precede with our SCADA implementation plans by approving the Phase I & 2 SCADA Deployment expenditures of up to \$53,090. These costs are estimates and all effort will be made to mitigate the expense for deployment. Contracts and purchase orders will be approved in conjunction with Don Powers, City of Thomson Administrator, since the City is contractually responsible for the proper operation of the system.

		COST
	Phase One	\$31,490
	Phase Two	<u>\$21,600</u>
	Total	\$53,090

After discussion, a motion was made by Favors to approve this recommendation with funds coming from SPLOST IV – Water & Sewer IT/SCADA/GIS, not to exceed \$53,090; motion was seconded by Wilson and passed unanimously.

7. Status Update of “BRIDGE” Grant: Chairman Newton asked Kelly Evans, Director of IT Department, to continue presenting her report.

Kelly announced that the BRIDGE Grant had been extended thru April 15, 2009 by OneGeorgia, the Finance Office has billed all five counties for their respective share of the match (total of \$28,000 match) for the grant for this broadband project in rural Georgia awarded January30, 2007 and the Georgia Tech Economic Innovation Center has finalized the regional technology roadmap. The Clarks Hill Partnership TechSmart Regional meeting is scheduled for 10 AM on December 11, 2008 at the Thomson Campus of Augusta Tech at which time. All County Department Heads and Commissioners are invited.

8. Need for Budget Amendment for EMS: Chairman Newton asked County Manager Don Norton to address this issue.

Don reported that EMS operating was budgeted at \$375,000 for the year and as of October 31, 2008, the funds are nearly depleted. As a result, he recommended another \$60,000 will be needed to cover November and December 2008; funds are available in Employee Health Claims budget to offset this shortfall. Budget amendment is needed from Employee Health Claims to Contingency, then to EMS Operating.

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

At this time, Chairman Newton asked that an Executive Session be held for the discussion of 1) future acquisition of real estate and 2) personnel. A motion to enter into the Executive Session was made by Farr, seconded by Wilson and passed unanimously. Chairman Newton advised the media that possible action would be taken in the regular Commission Meeting resuming after the Executive Session.

EXECUTIVE SESSION

- 1) Topic of Discussion: Future Acquisition of Real Estate
- 2) Topic of Discussion: Personnel

At the end of the Executive Session, a motion to resume the regular Commission Meeting was made by Farr, seconded by Favors and passed unanimously.

ACTION

- 1) Chairman Newton announced that no action would be taken on the real estate matter at this time.
- 2) Personnel in the Finance Office was discussed at length as a result of a thorough investigation concerning personnel not informing the Board of Commissioners of the loss of some \$3800, due to an internet phishing scam which occurred in 2007. The incident was reported to Federal investigative agencies and is said to be a continuing investigation, although the return of these funds seems unlikely. An issue involving one person having a firearm illegally on county property about two (2) years ago was also discussed. Commissioner Newton asked for action from the Board to terminate or reprimand Jimmy Whitaker, Director of Finance. At this time, a motion was made by Commissioner Wilson to terminate Mr. Whitaker; motion was seconded by Favors and failed 2 to 3. Commissioner Wilson asked for a "roll call" vote which is named below:

	<u>Terminate</u>	or	<u>Reprimand</u>
<u>Roll Call Vote:</u>	Favors		Farr
(requested by Wilson)	Wilson		Wester
			Newton

Chairman Newton stated that a "reprimand" letter would be placed in the respective personnel file.

ADJOURNMENT

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

McDUFFIE COUNTY BOARD OF COMMISSIONERS

Charles G. Newton IV, Chairman

ATTEST: _____
Annette Finley, County Clerk