



**MINUTES
CALLED MEETING**

JANUARY 25, 2011

**STEPHENS COUNTY BOARD OF COMMISSIONERS
HISTORICAL COURTHOUSE
8:30 A.M.**

PRESENT FOR MEETING: Commissioners Dean Scarborough, J B Hudgins, Jr., Harold Andrews Jonesy Haygood, and Stanley London; County Administrator John Rutan; County Attorney Brian Ranck; County Clerk Beth Rider; and Finance Director Phyllis Ayers;

Chairman J.B. Hudgins, Jr. called the meeting to order at approximately 9:12 a.m. and welcomed those present. Mr. Richard Adams gave the Invocation and led the Pledge of Allegiance.

I. APPROVE AGENDA

A motion was made by Commissioner Scarborough, seconded by Commissioner London to approve the agenda as presented. **Motion carried unanimously.**

II. APPROVE MINUTES

1. January 4, 2011 Regular Meeting

A motion was made by Commissioner Andrews, seconded by Commissioner Scarborough to approve minutes as presented. **Motion carried unanimously.**

III. OLD BUSINESS

1. MOTION FOR BOARD TO APPROVE FY 2011 BUDGET AMENDMENT FOR SHERIFF'S DEPARTMENT FOR VEHICLES FROM FY 2010 FUND BALANCE AND AUTHORIZE CHAIRMAN TO SIGN BUDGET AMENDMENT RESOLUTION

A motion was made by Commissioner London, seconded by Commissioner Andrews to approve \$99,000 from the general fund to purchase the vehicles and reimburse the general fund with next allotment of SPLOST revenues. **Motion carried 3-2; Commissioners Scarborough and Haygood voted no.**

IV. NEW BUSINESS

1. BOARD TO CONSIDER MOTION TO RE-APPOINT CAM PARKER AND DON FOSTER TO THE JOINT DEVELOPMENT AUTHORITY OF FRANKIN, HART AND STEPHENS COUNTIES FOR A FOUR YEAR TERM

A motion was made by Commissioner Andrews, seconded Commissioner Scarborough to re-appoint Cam Parker and Don Foster to the Joint Development Authority for a four year term. **Motion carried unanimously.**

2. BOARD TO CONSIDER MOTION TO APPROVE FY2011 BUDGET AMENDMENT FOR REGISTRAR, EMERGENCY COMMUNICATIONS, BUILDINGS AND GROUNDS, TAX COMMISSIONER, BUILDINGS AND GROUNDS FOR LIGHTPOST, AND TAX ASSESSOR; AND AUTHORIZE CHAIRMAN TO SIGN BUDGET AMENDMENT RESOLUTION

A motion was made by Commissioner Haygood, seconded by Commissioner Andrews to approve FY 2011 budget amendments and authorize Chairman to sign resolution. **Motion carried unanimously.**

3. BOARD TO CONSIDER MOTION TO APPROVE AND ACCEPT MEMORANDUM OF UNDERSTANDING WITH THE BOARD OF REGENTS ON BEHALF OF THE UNIVERSITY OF GEORGIA COOPERATIVE EXTENSION OFFICE FOR THE STEPHENS COUNTY COOPERATIVE EXTENSION PROGRAM

A motion was made by Commissioner Scarborough, seconded by Commissioner Andrews to approve and accept Memorandum of Understanding with the Board of Regents for the UGA Cooperative Extension program for Stephens County. **Motion carried unanimously.**

4. BOARD TO CONSIDER MOTION TO AUTHORIZE CHAIRMAN TO SIGN LETTER OF AUTHORIZATION TO MANATRON FOR PRINTING SERVICES FOR THE TAX ASSESSOR'S OFFICE

A motion was made by Commissioner London, seconded by Commissioner Scarborough to authorize chairman to sign letter of authorization to Manatron for printing services for the Tax Assessors Office. **Motion carried unanimously.**

5. BOARD TO CONSIDER MOTION TO APPROVE OR DENY TAX REFUND TO MRS. PATRICIA GARLAND FOR ERRONEOUSLY PAID TAXES FOR 3YEARS.

A motion was made by Commissioner London, seconded by Commissioner Scarborough to approve tax refund. **Motion carried unanimously.**

6. BOARD TO CONSIDER MOTION TO APPROVE OR DENY HOMESTEAD EXEMPTION REINSTATEMENT FOR MRS. KAREN DUKE FOR 2010.

A motion was made by Commissioner London, seconded by Commissioner Scarborough to approve tax refund. **Motion carried unanimously**

7. BOARD TO CONSIDER MOTION TO APPROVE OR DENY REFUND OF ERRONEOUSLY PAID TAXES FOR TAX YEARS 2009 AND 2010 TO MR. AUGUSTUS HAYES

A motion was made by Commissioner London, seconded by Commissioner Scarborough to approve tax refund. **Motion carried unanimously**

8. BOARD TO CONSIDER MOTION TO APPROVE OR DENY REFUND OF ERRONEOUSLY PAID TAXES FOR PENALTIES AND INTEREST TO KATHY KEESEE FOR TAX YEAR 2009

A motion was made by Commissioner London, seconded by Commissioner Scarborough to approve tax refund. **Motion carried unanimously**

9. BOARD TO CONSIDER MOTION TO APPROVE OR DENY REFUND OF ERRONEOUSLY PAID TAXES FOR 2009 AND 2010 ON A PREBILL MOBILE HOME FOR SHERRY JARRARD

A motion was made by Commissioner London, seconded by Commissioner Scarborough to approve tax refund. **Motion carried unanimously**

10. BOARD TO CONSIDER MOTION TO APPROVE CONTRIBUTING PREVIOUS AGREED AMOUNT OF \$50,000.00 FROM CONTINGENCIES TO TOCCOA-STEPHENS COUNTY HUMANE SOCIETY WHEN 5013C IS IN EFFECT AND AUTHORIZE FINANCE DIRECTOR TO MAKE PAYMENT

A motion was made by Commissioner London, seconded by Commissioner Haygood to approve contributing \$50,000.00 from contingencies for the Stephens County Humane Society when the 501C3 is in effect. **Motion carried unanimously.**

11. BOARD TO CONSIDER MOTION TO ACCEPT CITY OF TOCCOA'S REQUEST FOR ANNEXATION LOCATED AT 17 TERRELL DRIVE (TAX MAP T36 PARCEL 082) FOR MR. HAI-QUANG DINH

A motion was made by Commissioner London, seconded by Commissioner Haygood to accept City of Toccoa's request for annexation for Hai Quang Dinh. **Motion carried unanimously.**

12. HENRY FIELDS TO ADDRESS THE BOARD REGARDING LIGHT POLES FOR COURTHOUSE LAWN AND BOARD TO AUTHORIZE ADMINISTRATOR TO SIGN PURCHASE ORDER AND COMMISSION OFFICE TO WRITE A LETTER OF THANKS TO THE LAW LIBRARY

A motion was made by Commissioner Scarborough, seconded by Commissioner London to authorize administrator to sign purchase order. **Motion carried unanimously.**

13. BOARD TO CONSIDER MOTION TO AUTHORIZE FINANCE DIRECTOR TO TRANSFER \$40,000.00 FROM THE GENERAL FUND TO THE CAPITAL PROJECTS FUND

A motion was made by Commissioner London, seconded by Commissioner Scarborough to authorize transfer of \$40,000.00 from the general fund to the Capital Projects fund. **Motion carried unanimously.**

14. BOARD TO CONSIDER MOTION TO APPROVE AND AUTHORIZE CHAIRMAN TO SIGN ADJUSTMENT SHEETS

A motion was made by Commissioner London, seconded by Harold Andrews to approve and authorize Chairman to sign adjustment sheets. **Motion carried unanimously.**

15. CARL MCLEAR WITH THE GEORGIA FORESTRY COMMISSION TO PRESENT COUNTY WILDFIRE PROTECTION PLAN AND BOARD TO CONSIDER MOTION TO AUTHORIZE BOARD TO SIGN

A motion was made by Commissioner London to postpone for further review. Commissioner London rescinded the motion.

A motion was made by Commissioner Haygood, seconded by Commissioner London to approve with name changes to be made. **Motion carried unanimously.**

16. BOARD TO CONSIDER MOTION ALLOWING STAFF TO CONTINUE WITH THE CURRENT GROUND WATER AND METHANE MONITORING AT THE LANDFILL PER SCHEDULE

A motion was made by Commissioner London, seconded by Commissioner Andrews to allow staff to continue with current monitoring at the landfill for a twelve month period. **Motion carried unanimously.**

17. BOARD TO CONSIDER MOTION TO APPROVE FISCAL YEAR 2012 BUDGET CALENDAR

A motion was made by Commissioner London, seconded by Commissioner Andrews to approve the FY 2012 budget calendar. **Motion carried unanimously.**

V. INVOICES OVER \$5000

1. ACREE OIL - \$20,862.96

A motion was made by Commissioner London, seconded by Commissioner Haygood to approve invoice and pay. **Motion carried unanimously.**

VI. MATTERS FROM DEPARTMENTS

1. ADMINISTRATOR REPORT –
2. FINANCE REPORT –
3. DEPARTMENT REPORT –

Rex Nelms gave a report on the snow days stating EMA received 40 calls to transport to hospital; employees to work; and citizens to dialysis treatments. 911 received an additional 375 call due to the snow. Rex stated they had met with John on Friday and had time before the storm to prepare.

Rex also stated the radio equipment was coming up on the end of life which is typically 4-5 years. As of 2013 the repeater systems will be due for replacement, it will be so everyone can talk to each other. If we do not do what they tell us we will be in violation. Ball park figures could be up to \$200,000.00.

Phyllis Ayers stated things are going to get tougher every year till things turn around. Chairman Hudgins asked, "If we were planning ahead enough and should we be looking now and putting in the budget?" Phyllis stated, "There is not enough money to cover, even though we are looking at it. Department Heads will be asked to do a three year budget forecast this year, when we go offsite we will look at the three year outlook and see what is coming up. In the middle of 2012, the general fund will have to pick up the debt on the jail and that is almost a MIL for a whole year and there is not a great growth in the digest."

VII. MATTERS FROM CITIZENS – TIME LIMIT OF THREE (3) MINUTE

- 1. Heidi Lewis** – Heidi Lewis came before the Commissioners asking for a variance and waive the compaction test she was being asked to provide. Ms. Lewis stated no one locally does this and every engineer she talked to said that they had never heard of a compaction test being done on a residence unless it was in a marsh area. There are only four people out of the eight that she has contacted that will do them and they are going to charge around \$400.00 to get it done. Ms. Lewis stated that Habersham County does not request that it be done. John Rutan stated, "this is in the state's building code that we adopted and it is standard procedure whether or not Habersham County requires it or not, it is a standard building requirement. Larry Krul stated, he questioned the compaction that it stands on.
- 2. Residents Cheryl Betcher, Jolan Stolz, and Jason Elliott** addressed their concerns about Swilling Road. Each of the three citizens stated the road was impassable due to the snow and ice and current rain fall. Ms. Betcher stated, "there is a beaver pond that runs across the road when it rains, causing you to slide on the road. The mailman has called several times due to the condition of the road. It is hard on the residents that live on that road. It needs to have a sufficient amount of crusher run and keep it maintained." Ms. Stolz stated, "during the snow she was not able to get out of her driveway until Friday or down the road. The school bus driver called her and told her she would have to pick up her child at another location due the road conditions." Ms. Stolz has an autistic child and according to the Georgia Code the school bus must drop her child off in front of her house." Jason Elliott stated, "the road stays muddy and rough and people get stuck". He asked about the issue of paving and understood there were budget restraints and right-of-way issues. He would like to see it scraped, graveled and maintained.

VIII. EXECUTIVE SESSION –

IX. ADJOURNMENT

A motion was made by Commissioner Scarborough, seconded by Commissioner London to adjourn the meeting at 10:40 a.m. **Motion carried unanimously.**

Approved this _____ day of _____, 2011

Chairman

Attest:

Beth Rider, County Clerk