

Bryan County Board of Commissioners - December 7, 2004

The regular meeting of the Bryan County Board of Commissioners was held on Tuesday, December 7, 2004. The following members were present: Chairman Brooks Warnell, Commissioner Blondean Newman, Commissioner Ed Bacon, Commissioner Al Dixon, Jr., Commissioner Rick Gardner, Commissioner Toby Roberts, County Administrator Phillip Jones, County Clerk Donna Waters and County Attorney Charles Brown.

Chairman Warnell called the pre-agenda meeting to order at 1:35 p.m. The agenda items were discussed and the agenda was accepted as amended.

Chairman Warnell called the regular meeting to order at 1:36 p.m. Invocation was given by Commissioner Dixon. Everyone joined in the Pledge of Allegiance. Visitors were recognized.

A discussion was held on the *minutes* of the November 2, 2004 regular meeting. A motion was made by Ed Bacon and seconded by Al Dixon to approve the minutes of the November 2, 2004 regular meeting as presented. Motion carried unanimously.

A discussion was held on the *consent agenda*. A motion was made by Al Dixon and seconded by Blondean Newman to approve the consent agenda with the exception of item #5, to be moved to the regular agenda. Motion carried unanimously.

The following items were listed on the consent agenda:

1. ***Approval of New Occupational Tax Certificates***
 1. DWW Construction - David Wetzerstein
 2. D B Quality Homes - David Diboni
 3. Future Works Communications, Inc. - Robert A. White, Jr.
 4. Regal Homes of Coastal Georgia - John Reynolds
 6. Hwy 280 Flea Market - Lavone Burnsed

Richard Deal of Franklin, Mikell & Deal met with the board to present the ***annual financial report*** for 2003. The commissioners also discussed the need for spot audits of the various departments throughout the year.

Debbie Newman, Tax Commissioner, met with the board to discuss the need for an ***on-line tax payment program***. Tailored Business Systems is the company we use to do our pre-bills and they have developed an on-line tax payment program. The system cost for the first year will be \$10,053 and the cost thereafter for maintenance is \$1,800 per year. In addition, the state has contracted with VeriSign for an on-line system to pay for automobile tags. The system will cost the county a set-up fee of \$495.00 and \$240.00 per year access charge. Both options offer

property owners to capability of paying their tax bill and vehicle registration fees from their home or office. The transaction fees associated with the on-line programs will be paid by the tax payer.

A motion was made by Al Dixon and seconded by Blondean Newman to authorize the transfer from the 2005 contingency budget to the Tax Commissioners budget for the purchase of two programs, one with TBS in the amount of \$10,153 and one with VeriSign in the amount of \$735 for the purpose of implementing internet payment of taxes. Motion carried unanimously.

Ms. Newman also discussed *personal liability relieve for bad checks* written to pay county taxes. The way the law is currently written the tax commissioner could be held personally liable for bad checks if she does not have a letter authorizing the method of tax payment. A motion was made by Blondean Newman and seconded by Rick Gardner to authorize the Chairman to sign a letter authorizing the tax commissioner to receive personal, company, certified, treasurer's, or cashier's checks or bank, postal, or express money orders in payment of taxes and license fees. Motion carried unanimously.

Neil Smiley, Director of Engineering & Inspections, met with the board to give an update on projects in his department.

**Harris Trail Road* - The contract has been signed by Chairman Warnell and the contractor doing the work on this project. Mr. Smiley talked with the contractor and they plan on having the survey crew on the site by December 9 and they should have the machinery on the ground by December 14. They plan on doing some leveling on the existing asphalt while school is out.

**Bridge Replacement* - The contractor for this project is Mr. Clarence Cloud of Batir Bridge Company. We have ran into a problem with sturgeon fish on this project. Due to federal regulations concerning the sturgeon fish, work cannot be started between April and October in tidal creeks. Mr. Cloud advised he would try and move into this area around mid November of 2005. In addition to our bridges, his contract included 20 ± bridges in other counties.

**Pine Ridge Road* - This project has been approved by the Department of Transportation and the DOT Commissioner. We are waiting on the contract for the Chairman's signature.

**Survey Work and Realignment of Belfast Siding Road and Dunham Swamp Road/Harris Trail Extension* - We have been working with Rayonier officials for some time trying to get approval to do some survey work and realignment work. We have told by phone everything is on go, but we are still waiting on the letter of approval.

Brett Turner of Brookwood Properties met with the board to discuss a *water & sewer agreement* between Bryan County and Brookwood Properties. After a discussion, it was the consensus of the board that we are committed to this project and we will continue to work on the details.

John Butler, Zoning Administrator, met with the board to give a brief demonstration on the use of the GIS in the Bryan County Planning & Zoning Department.

Charles Brown, County Attorney, gave an update on several ongoing issues.

***Tax Reform Study Committee** - There are several other counties in Georgia with concerns over taxes that will be bringing proposals before the legislators in January, such as impact fees for schools, abolishment of ad valorem taxes, etc.

***Sign Ordinance** - Phil Jones and John Butler have been working on a sign ordinance. Mr. Brown has reviewed this ordinance and is making a few recommendations.

***Genesis Point PUD Application** - When this application was approved, it was done conditionally with provision 2 being a semi-private golf course will be available for a fee to the general public. The developer now wants this golf course to be private. It is the opinion of the County Attorney that in order to make this change a new application, public notice, etc. will need to be followed before any changes can be made.

Joe Parker of the **Bryan County News** spoke under public comments. He expressed his concerns over comments of him misquoting anyone. He requested that the commissioners let him know if they have any problems with his reporting.

Phillip Jones, County Administrator, gave an update on several issues.

***2005 Canoochee River Race** - The Canoochee Riverkeeper's have requested the use of Jerry Bacon Park for their April 2, 2005 Canoochee River Race. They will provide a liability insurance binder for the event.

***Annual SPLOST Report** - According to O.C.G.A. 48-8-122, an annual SPLOST Report must be published in the local newspaper of general circulation before 12/31/04. This report was provided to the commissioners for their review.

Charles Brown, County Attorney, gave an update on several issues.

***Rayonier land transaction** - The 25 acres of wetlands, which was purchased with a grant from the state, was closed on November 30, 2004 by Michele Henderson. The additional 100 acres will close on January 19, 2005 at a cost of \$627,000 (\$6270 per acre). The land will be purchased with SPLOST III funds for recreational purposes.

***County Surveyor** - We currently do not have a county surveyor. By local law, we can abolish the elected county surveyor position and create an appointed position. There is a provision that we can only do so by referendum, unless we do not have a county surveyor.

Because we do not have an elected county surveyor, we just need to make to decision that we want an appointed county surveyor.

***Indigent Defense Contract** - This is a six month contract which runs from January 1, 2005 through July 1, 2005 and then there is another contract that extends from July 1, 2005 through June 30, 2006. The cost for the first six months is approximately \$53,000 and the cost for the next 12 months will be approximately \$122,000. This contract does provide that there will be a public defender available for deprivation cases, juvenile court cases, state court cases and superior court cases. We will no longer be paying public defenders at any judicial level except under this contract, with the exception of the cases that are not currently closed. A motion was made by Toby Roberts and seconded by Rick Gardner to authorize the Chairman to sign the indigent defense contract. Motion carried unanimously.

A discussion was held on a **resolution to adopt the 2005 annual operating budget** for Bryan County. A motion was made by Al Dixon and seconded by Ed Bacon to adopt the resolution to adopt the budget for Bryan County for fiscal year 2005. Motion carried unanimously.

“Copy Resolution”

A discussion was held on seeking **local legislation to increase the homestead exemption** to \$20,000 for residents 65 and older. A motion as made by Toby Roberts and seconded by Blondean Newman that we seek local legislation that would increase the homestead exemption to \$20,000 for residents 65 and older. Motion carried unanimously.

A discussion was held on the **Hazardous Waste Trust Fund** application for reimbursement. The county made application to the Hazardous Waste Trust Fund to assist with the clean up of the Mill Creek Landfill. The application was for \$70,401. Due to state budget cuts, they are only able to pay 25% of the amount requested and determined eligible for reimbursement. The proposed check the county would receive is \$17,600.13. A motion was made by Ed Bacon and seconded by Toby Roberts that we agree to accept \$17,600.13 and pass the attached resolution. Motion carried unanimously.

“Copy Resolution”

A discussion was held on the **level of liability coverage** currently in effect. Effective January 1, 2005, O.C.G.A. 36-92-1 changes the immunity that local governments now have for automobile liability claims arising out of the operation of their vehicles. Bryan County currently carries \$3,000,000, which far exceeds the new limits required in O.C.G.A. 36-92-1. It was the concurrence of the board to leave the current level of liability coverage in effect.

A discussion was held on an *appointment to the Bryan County Board of Health*. A motion was made by Ed Bacon and seconded by Al Dixon to re-appoint Jewel Owens to the Bryan County Board of Health. Motion carried unanimously. The term of office will be for January 1, 2005 through December 31, 2010.

A discussion was held on the approval of an *occupational tax certificate* for Tony Perks Plumbing & Mechanical, Inc. A motion was made by Ed Bacon and seconded by Al Dixon to issue an occupational tax certificate to Tony Perks Plumbing & Mechanical, Inc. Motion carried unanimously.

A discussion was held on the *development authority*. The county administrator and county clerk were asked to review methods of repayment of the \$200,000 paid from general funds monies to help purchase land for the development authority.

A motion was made by Toby Roberts and seconded by Rick Gardner to go into *executive session* to discuss potential litigation. Motion carried unanimously. The board went into executive session at 5:15 p.m.

A motion was made by Al Dixon and seconded by Rick Gardner to go back into *regular session* at 5:35 p.m. Motion carried unanimously.

Positive comments were made by each commissioner in regards to Chairman Warnell and Commissioner Dixon leaving office and the dedication they have shown to Bryan County while in office.

A motion was made by Ed Bacon and seconded by Al Dixon to adjourn. Motion carried unanimously. The meeting adjourned at 5:40 p.m.