

**HEARD COUNTY BOARD OF COMMISSIONERS MEETING  
NOVEMBER 23, 2010 – 6:30 P.M.**

The Heard County Board of Commissioners held a Commissioners Meeting on November 23, 2010 at 6:30 p.m. in the courtroom of the Heard County Courthouse. In attendance at the meeting were Commission Chair June Jackson, District 1 Commissioner Karen Isenhower, District 2 Commissioner Lee Boone, District 3 Commissioner Gwen Caldwell, District 4 Commissioner Frank Crook, District 5 Commissioner Sandi Allen, and County Attorney Jerry Ann Conner. Commission Chair Jackson called the meeting to order and welcomed everyone present. Mr. David Julien, Recreation Director, gave the invocation.

**Agenda Item # 3 – Approval of Minutes** – On motion (Allen) and second (Crook), the Board unanimously voted to approve the minutes from November 9, 2010 as presented.

**Agenda Item # 4 – Public Comments** – Commission Chair Jackson opened public comments and reviewed the public meeting rules and regulations, regarding public comments. Mr. Paul King, resident at 1206-A Ferry Road, Franklin, made comments regarding agenda item “a” under new business, to discuss general obligation bonds for Heard County Board of Education. Mr. Alvin Ginn, resident at 33 Victory Road, Franklin, Mr. James Gosdin, resident at 96 Parmer Street, and Mr. Emmett Harrod, Heard County resident, made comments regarding the agenda item “d” under old business, to discuss personal property audit. Commissioner Boone responded to comments from these residents regarding the personal property audit. Mr. Johnny Kistler, Chairman of the Heard County Board of Tax Assessors also responded to these comments.

**Agenda Item # 5 – Amend Agenda** – Commission Chair Jackson asked for an amendment to move item “a” from New Business to the beginning of the agenda before

Old Business. On motion (Caldwell) and second (Allen) the Board unanimously approved this request. Commissioner Isenhower asked for an amendment to move public comments to the end of the agenda today and for all future meetings. She stated that citizens might want to speak about a topic on the agenda after it is discussed by the Board. Commissioner Caldwell stated that if the item is moved to the bottom of the agenda by then the Board would have already discussed and voted on the issue. He stated he felt that public comments should remain at the beginning of the meeting.

Commissioner Isenhower made a motion to move public comments to the end of the agenda. The motion died on the table for a lack of a second.

**Agenda Item # 7 – New Business – a. Discuss General Obligation Bonds for Heard County Board of Education – Heard Co. BOE, Superintendent, Mr. Benjamin Hyatt**

Heard County School Superintendent, Mr. Benjamin Hyatt made a request to the Board for them to approve a tax levy resolution for the Heard County Board of Education General Obligation School Bonds. Board of Education (BOE) Attorney, Mr. Cory Kirby explained to the Board that on July 20, 2010 the school district was successful in reauthorizing a one percent Special Purpose Local Option Sales Tax and obtaining the authority to issue up to \$18,000,000 in general obligation debt. Therefore, the Board is required to pass a resolution irrevocably committing itself to levy the necessary millage rate required to make the principal and interest payments on the bonds. This millage rate will be charged against the school system's millage rate ceiling. The BOE has the authority to levy millage that the Board of Commissioners is then required to include as part of the total tax millage levied against property in the County. He stated the BOE is therefore requesting that the Board of Commissioners adopt a bond resolution that will

include a specific request to adopt the tax levy resolution. Commissioner Isenhower asked Mr. Hyatt and Mr. Kirby what needs to be finished at the high school. She stated she was under the impression when the BOE asked for \$1.5 million in January, 2010 that was to be used to finish the high school. Mr. Kirby explained that these bonds would be issued to replace the reserve money the BOE spent from their general fund at that time. Commissioner Boone suggested to Commissioner Isenhower that she ask the Board of Education at their meeting what needs to be completed at the high school. After further discussion, on motion (Boone) and second (Caldwell), the Board voted 4 to 1 to approve this request. Commissioner Boone, Commissioner Crook, Commissioner Caldwell and Commissioner Allen voted for the motion. Commissioner Isenhower voted against the motion.

**Agenda Item # 6 – Old Business – a. Discuss Proposals for Dugout Roof Additions for Sports Complex – Kevin Hamby**

– Mr. Kevin Hamby stated that there were three proposals received on the dugout roof additions for the Sports Complex. He stated that only two of the three proposals received included all mandatory documentation with their proposals. The two complete proposals received were as follows:

Earley Construction                    -                    \$ 84,627.00

Daniel Construction                    -                    \$127,485.00

Mr. Hamby explained that Daniel Construction also included an alternate proposal of \$94,000.00 that proposed a metal roof. Mr. Hamby stated that he would like to recommend accepting the proposal from Earley Construction at the cost of \$84,627.00.

On motion (Crook) and second (Allen), the Board voted 4 to 1 to accept this recommendation. Commissioner Boone, Commissioner Crook, Commissioner Caldwell

and Commissioner Allen voted for the motion. Commissioner Isenhower voted against the motion.

**b. Discuss Proposals for Renovations to Glover Road Gymnasium – Kevin Hamby –**

Mr. Kevin Hamby stated that there were three proposals received on the renovations to the Glover Road gymnasium. He stated that only two of the three proposals received included all mandatory documentation with their proposals. The two complete proposals received were as follows:

Earley Construction	-	\$ 67,550.00
Daniel Construction	-	\$ 86,025.00

Mr. Hamby recommended accepting the proposal from Earley Construction. On motion (Boone) and second (Crook), the Board unanimously accepted this recommendation.

**c. Discuss WARRS Intergovernmental Agreement – Chief Scott Blue –**

Chief Scott Blue presented a memorandum of understanding between WARRS and Heard County. This agreement states that Heard County will be responsible for paying WARRS \$40,000.00 for the first year as their portion of the maintenance cost of the system. The total contract with Motorola for annual maintenance that WARRS has negotiated is \$346,335.94. He also explained in detail what else this contract included. (see attached explanation). He stated that County Attorney, Jerry Ann Conner has reviewed the contract and was instrumental in drawing up this contract for WARRS. On motion (Boone) and second (Allen), the Board unanimously approved this request.

**d. Discuss Personal Property Audit –** Mr. Johnny Kistler, Chairman of the Heard County Tax Assessors Board asked the Board if they have reached a decision on hiring a firm to help with the personal property audits in the Tax Assessors office. Commissioner

Caldwell asked Mr. Kistler why these audits can't be done in house by the Tax Assessors staff. Mr. Kistler stated that they need someone with more expertise, someone like a certified public accountant. Commissioner Allen stated that she talked with several counties regarding hiring an outside company to do these audits and no one said anything about needing a certified public accountant on staff. She stated that the OCGA ruling does state that these audits are mandatory but it does not mandate who needs to do them. Commissioner Crook suggested that we spend money on training someone from the Tax Assessors staff to do these audits instead of hiring an outside company. After further discussion, on motion (Caldwell) and second (Crook), the Board voted 4 to 1 to postpone a decision on hiring an auditing firm to handle the personal property audits.

Commissioner Boone, Commissioner Crook, Commissioner Caldwell and Commissioner Allen voted for the motion. Commissioner Isenhower voted against the motion.

**e. Discuss Purchasing Hams for County Employees** – Commission Chair Jackson asked the Board to decide between a ham or a \$35.00 gift card for the County employees for Christmas. She stated that hams from Walker Meats would cost \$6,664.00 for 196 employees or the County could purchase \$35.00 gift cards for \$6,860.00. Commissioner Crook asked County Attorney, Jerry Ann Conner if they County could legally give the gift cards. Ms. Conner stated she would have to research and find out. On motion (Crook) and second (Allen), the Board unanimously voted to give a \$35.00 gift card to each employee pending Ms. Conner's answer on the legality of giving the gift card.

**Agenda Item # 7 – New Business – b. Request to Close a Portion of Old Frolona Road – Resident, Mr. Paul Weathers** – Commission Chair Jackson stated that she recently received a request from Mr. Paul Weathers to close a portion of old Frolona

Road. She explained that Mr. Weathers purchased property on a part of old Frolona Road, a portion that was left when they realigned and paved Frolona Road and he is requesting that it be abandoned. Public Works Director, Darold Wiggins has researched this and could not find any evidence that it has been abandoned by the County. County Attorney, Jerry Ann Conner stated that if the Board would like to dispose of this portion of old Frolona Road, they would need to go through the abandonment process and deed this portion of the old road back to the property owners. On motion (Caldwell) and second (Allen), the Board unanimously agreed to begin the abandonment process.

**c. Non-Conforming Use Application – Mrs. Robin Arrington, 1349 Thomas St., Roopville, Georgia**

– Commission Chair Jackson stated that Mrs. Robin Arrington a resident at 1349 Thomas Street would like to relocate a 1996 Legends of Home 16x80 mobile home from 879 Thomas Street to 1349 Thomas Street for her disabled son.

Commissioner Allen asked Mrs. Arrington is she was aware that she would need to put this home on a permanent block foundation if she moves it. Mrs. Arrington stated she was not aware of that but that if it is a requirement that is fine. On motion (Caldwell) and second (Isenhower), the Board unanimously approved this request.

**d. Discuss Hazard Mitigation Grant Program – Chief Scott Blue**

– Chief Scott Blue stated that the County recently received a grant to be used to update the Heard County Multi-Jurisdictional Hazard Mitigation Plan. The plan must be updated to meet the federal requirements of the Disaster Mitigation Act of 2000. He stated the total approved cost is \$29,850.00 with a federal share of \$22,388.00, a state share of \$2,985.00, and a local share of \$4,477.00. He stated that the local share can be in kind work. Chief Blue asked the Board to accept this grant and give him permission to bid out the hazard

mitigation plan updates. On motion (Allen) and second (Isenhower), the Board unanimously approved this request.

**e. Approve Water Restriction Ordinance – County Attorney, Jerry Ann Conner –**

County Attorney, Jerry Ann Conner presented an ordinance to revise the outdoor watering restrictions for Heard County. She stated that the State of Georgia is requiring all counties in Georgia to adopt an ordinance to be in effect no later than January 1, 2011 regarding water restrictions. On motion (Boone) and second (Allen), the Board unanimously approved this request.

**f. Discuss Appointment to Heard County Board of Tax Assessors – Commission**

Chair Jackson stated that Mr. Woodrow Abney's term on the Board of Tax Assessors will end on December 10, 2010. Commissioner Crook recommended Mr. Larry Hooks for this appointment. Commissioner Isenhower recommended reappointing Mr. Woodrow Abney. On motion (Crook) and second (Allen), the Board voted 4 to 1 to appoint Mr. Larry Hooks to this board. Commissioner Boone, Commissioner Crook, Commissioner Caldwell, and Commissioner Allen voted for the motion. Commissioner Isenhower voted against the motion.

**Agenda Item # 8 – Executive Session – None.**

There being no further business, on motion (Caldwell) and second (Allen), the Board unanimously voted to adjourn.