

CHANGES ARE BOLDED – PAGE 1 & PAGE 5

**HEARD COUNTY BOARD OF COMMISSIONERS MEETING
SEPTEMBER 14, 2010 – 6:30 P.M.**

The Heard County Board of Commissioners held a Commissioners Meeting on September 14, 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. Alvin Ginn, Heard County resident gave the invocation.

Agenda Item # 3 – Approval of Minutes – On motion (Allen) and second (Boone), the Board unanimously voted to approve the minutes from August 24, 2010 with corrections.

Agenda Item # 4 – Public Comments – Commission Chair Jackson opened public comments and reviewed the public meeting rules and regulations, item # 5, regarding public comments. Mr. Russ Massa, resident at 115 Sargent Circle, commented on the dugout roof modifications item on the agenda. He stated that he was of the opinion that this project should not be done if the County could not afford to host wrestling. Ms. Tammy Bowen, 414 Hammett Circle stated that she would like to see Hammett Circle **taken over by the County as a County road**. She expressed her concerns about how much road frontage the County would need from the residents, **to take this road into the County road system**. She also stated that an ambulance was not able to get to a lady on their street and she passed away. She asked the County to please consider taking this road into the County road system as a County road. Mr. James Woody, 270 Hammett Circle

stated that he would like to see Hammett Circle **taken over by the County as a County road**. He stated that when he moved onto Hammett Circle the road was bad. He stated that he had health issues and is concerned that an ambulance cannot get to him if he has a medical issue arise. Chief Scott Blue, Chief of Heard County Fire and Emergency Services and resident of 61 Stephens Circle, stated that a Heard County ambulance or emergency service vehicle has never refused to go down any private or public road in Heard County.

Agenda Item # 5 – Amend Agenda – None.

Agenda Item # 6 – Old Business – a. Discuss Quotes for Dugout Roof Modifications for Sports Complex – Kevin Hamby – Mr. Hamby stated that the request for quotes on the dugout roof modifications were received and reviewed. He asked the Board for two decisions on this project. First, is the Board is willing to allocate the funds to this project and second, if they would like for him to sit down with the low bidder to verify his scope of work. Commissioner Boone stated his concerns about the price differences between the low quote and the high quote. Mr. Hamby explained that this is happening all over due to the poor economy and people needing the work. Mr. Hamby stated he would like to recommend, since some of the quotes were over \$100,000 which involves state procurement laws, that this project be resubmitted as a request for proposals which will require more detailed information. After further discussion and concerns over the different quotes received, on motion (Allen) and second (Boone), the Board unanimously voted to allocate the funds for this project from the old SPLOST, as discussed in a prior meeting, and to have Mr. Hamby resubmit this project as a request for proposal. Mr. Hamby stated he would work on a request for proposal which will include a set of criteria

for this project within the next two weeks. On motion (Crook) and second (Allen), the Board unanimously voted to reject all quotes received on this project.

b. Discuss Request from Board of Tax Assessors – Mr. Johnny Kistler, Chairman of the Board of Tax Assessors asked the Board for a decision on hiring an auditing firm to do the personal property audits of businesses in Heard County. Commissioner Isenhower made a motion to approve the proposal from Mendola and Associates to perform this audit. Commissioner Allen seconded. While in discussion, Mr. Kistler stated that the full auditing process is a three year process and the Board of Tax Assessors would like to see all businesses in Heard County audited within that three year period. County Attorney, Jerry Ann Conner stated that Mr. Mendola and his staff will assist the Heard County Tax Assessors office personnel in selecting which ones to audit. Their proposal is for all businesses in a three year period, but that is up to Heard County to decide who and how many audits are done. Commissioner Caldwell asked if this audit was mandated by the State. Ms. Conner stated, no, not yet, but the State is considering it. She explained that the County needs to make sure uniform taxation is done. Mrs. Janet Privett, Personal Property Appraiser for Heard County, explained that there are several advantages to this audit for a small business owner. She explained that if the business has gone out of business, she cannot take them off her books until the personal property return is signed and returned to her. She also stated that if a business has personal property less than \$7,500.00 they will be exempt from taxes. Sometimes a business owner does not estimate the value of their personal property correctly and they may not need to be paying taxes or they are paying taxes on the wrong values. She stated that the goal of the personal property audit is to have fair and uniform taxation for everyone. Commissioner Boone

stated that in 2005 the County sent out a letter to business owners asking them to turn in their return or be audited. Mrs. Privett, stated, yes, and a lot of business owners responded and a lot did not. Mr. Alvin Ginn, local business owner, stated that he completes his form each year and returns it but he cannot physically spend two days in an office with an auditor. After further discussion, Commissioner Allen withdrew her second motion stating that she was not voting that an audit be conducted on all businesses in the County but that she may consider a partial or percentage audit be done or an audit be performed on the businesses that are not returning their forms at all. Commissioner Jackson asked for a second on Commissioner Isenhower's previous motion. There being no second, the motion died on the table. County Attorney, Jerry Ann Conner suggested to the Board that Mr. Kistler arrange for Mr. Mendola to prepare a presentation to the Board of the actual process of conducting an audit. This would help clarify some issues for the Board. This request was postponed pending this presentation from Mr. Mendola.

Agenda Item # 7 – a. Discuss Paving Pine Ridge Road – Commissioner Isenhower –

Commissioner Isenhower stated that she would like to request that Pine Ridge Road be put on the paving list for the future.

b. Discuss Adopting Hammett Circle into County Road System – Commissioner

Isenhower – Commissioner Isenhower asked the Board to consider taking Hammett Circle into the County road system as a County road. She stated she was not necessarily asking for the road to be paved, just maintained by the County. Commission Chair Jackson stated that the homeowner of the first two lots on Hammett Circle recently contacted her and stated he does not want the road to be paved and is not willing to give any right of way to the County. Commissioner Caldwell stated that this issue has come up

several times in the past, and there are private roads all over Heard County. He stated he was not willing to take any private road into the County road system. Commissioner Isenhower asked the County to look into their County ordinance to see what it says about maintaining subdivision roads. Commissioner Boone explained that when this road was built as a private road, in the 80's, there were no subdivision regulations or ordinances in effect in Heard County. **He stated to the best of his knowledge, the** first zoning manual was adopted in 1993. Commissioner Isenhower made a motion to adopt Whitlock Drive and Hammett Circle into the County road system. There was no second. Motion died on the table for lack of a second.

Commissioner Boone suggested that the homeowners on this road look into forming a homeowners association to try and help maintain these roads.

c. Proclamation for Constitution Week – Commission Chair Jackson stated that Mrs. Carla Brown, Heard County citizen, asked the Board to approve a proclamation declaring the week of September 17th through September 23rd as Constitution Week in Heard County. Commission Chair Jackson read the proclamation. On motion (Allen) and second (Boone), the Board unanimously approved this request.

Agenda Item # 8 – Executive Session - Commission Chair Jackson asked for an Executive Session to discuss possible litigation and personnel. On motion (Caldwell) and second (Isenhower), the Board unanimously voted to enter into Executive Session. On motion (Caldwell) and second (Allen), the Board unanimously voted to return to Open Session. Commission Chair Jackson stated that the Board discussed possible litigation and personnel in Executive Session with no decisions made.

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