



**Fannin County Board of Commissioners  
Regular Meeting  
Jury Assembly Room  
April 25, 2017 6:00 PM**

**OPENING REGULAR MEETING:**

Chairman Stan Helton called the meeting to order at 6:00 PM.

The Invocation was led by Lane Bishop and the Pledge of Allegiance was led by Commissioner Earl Johnson.

Chairman Helton stated before addressing Old Business, an item needed to be added to the Agenda. Item would be added under Department Reports and Updates as 9 c. with the subject being to open the Software Bids for the 911 center. Chairman Helton called for a motion. Motion made first by Commissioner Johnson. Second made by Commissioner Sosebee; motion passed by unanimous decision.

**OLD BUSINESS:**

Chairman Helton noted next item would be approval of the April 11, 2017 minutes. Motion made first by Commissioner Sosebee. Second made by Commissioner Johnson; motion passed by unanimous decision. (Attachment A, 1-4 Pages)

**PUBLIC COMMENTARY:**

Sandra Daugherty, Blue Ridge – Ms. Daugherty stated she had requested several months ago, to Chairman Helton, that the checks over \$4500 be read aloud as they were approved, because she would like to know where her tax dollars were being spent. Chairman Helton told her he would not agree to this. Ms. Daugherty stated in February she made an open records request for a copy of the January checks and received them by email; then again in March for the February checks. When she made the request in April for a copy of the March checks, she was told there would be a \$.10 charge per copy and approximately \$30 for two hours for employees' wages for redaction. Ms. Daugherty went on to state she did not understand why rules were changed without notice and that her daughter was told it was due to an excessive amount of open records request. Ms. Daugherty stated she only makes one request per month and feels if someone is taking advantage, they should be charged or be transparent as was stated in Chairman Helton's campaign by posting on the website or reading aloud at the meetings.

Debi Holcomb, Sugar Creek – Ms. Holcomb stated her situation was like her mother's issue. Ms. Daugherty, although she would like to go a bit further. Ms. Holcomb stated she had made an open records request asking for a list of all March and April open records requests. She did receive a reply with a list attached to it, completed with a total of maybe six but they were all April and none in March. "I have sent another email, but haven't received a reply yet." Ms. Holcomb went on to state she had requested this list because her mother had been told there was so many and then she got the email and "I was thinking 7 in one month?"

Ms. Holcomb stated the \$15 labor charge was for the redaction of information so she looked up the definition of redaction – editing for publication – and would hope someone could explain why tax payers would have to pay for redaction of public records.

Marcella O'Steen, Blue Ridge – Ms. O'Steen approached the podium stating although it was not planned, he was glad to see there were others present to address the over \$4500 checks. Ms. O'Steen stated she had requested a long, long time ago, over a year ago when Mr. Simonds was Chairman, that the over \$4500 checks, being signed be read out; say who they are made out to, the amount and the purpose. Mr. Simonds stated he did not see this as an issue, and at the next meeting nothing was ever said or done. Ms. O'Steen went on to state the citizens present at the meeting are there because they care and would like to know what the checks are for. She feels this is the purpose of an open meeting; to have as much interaction as possible in addition to the fact as it is just polite.

Ms. O'Steen stated she recently made a public records request to Ms. Denise Duncan requesting a list of the checks over \$4500 that will be requested to be approved and include who to, amount and what it was for before the meeting. Ms. O'Steen went on to state, this would allow her, at the meeting to then turn around to the citizens in attendance and say "this is what they are going to be signing tonight people, but of course that didn't work because she is not obligated to create a record". Ms. O'Steen stated she understood this and the purpose of her request was to "put the heat on" because she does not feel there is any reason why these checks cannot be read aloud.

Ms. O'Steen stated another thing is she is hard of hearing and gave kudos to Chairman Helton for using his microphone and even assuring he could be heard when other Commissioners must be reminded to use their microphones. Ms. O'Steen stated she did this last month to Commissioner Johnson, reminding him to turn his microphone on and he responded, jokingly "why don't you get a hearing aid?" Ms. O'Steen stated she jokingly responded "because they cost \$5000 and they don't work for a lot of people". Ms. O'Steen went on to state the more she thought about the comment, although she knew Commissioner Johnson was joking, taxpayers pay for the microphones and would like for them to be used, and she is not the only person with difficulty hearing.

Ralph Garner, Blue Ridge – Mr. Garner spoke about the new fire station, expressing his appreciation to both Commissioners Johnson and Sosebee for their support of positive initiatives that will play a role in completion of the station. Mr. Garner continued to say he appreciated both Commissioners not being the previous Chairman's "rubber stamp" in those initiatives.

Mr. Garner stated he would ask that the two post Commissioners not be the current Chairman's "rubber stamp", giving the example of a citizen asking for an extra minute to finish a coherent presentation during

Public Commentary and Mr. Helton denied the request, post Commissioners should allow them to finish. Joe Webb was denied speaking concerning pedestrian traffic set up at the Shallowford Bridge area. Mr. Garner stated Chairman Helton was shutting out the public more than his predecessor.

Mr. Garner went on to address the subject of the \$34.00 charge to fulfill an open records request by Sandy Daugherty for copies of March invoices over \$4500. Mr. Garner stated this information should be posted on the County's website and that citizens should have the same access that the post Commissioners to the invoices and should not be charged for that extra copy. Mr. Garner stated he would be surprised if more open records were coming in now than were handled by Rita Kirby stating; "but you fired her in a heavy-handed fashion and replaced her with three employees to do the work she did without complaint." Mr. Garner went on to state he felt Chairman Helton's treatment to Ms. Daugherty's open records request reflects his broken promises of transparency, fiscal accountability, and proof of communication with the public. Mr. Garner stated he understood Chairman Helton had been rude to a couple of members of the media when they requested to see the packet of invoices over \$4500, ignored Marcella's polite request at the last meeting that the public hear simply who the checks were written, "for what, what is there to hide?"

Joe Webb, this is my third time speaking in public comments that I consider to be old business to address safety on Aska Road and Shallowford Bridge. There was a motion by this Board to increase public safety in that area and nothing has been done since that motion except on thing has been undone, so there is a standing motion to improve safety. Mr. Webb stated at the last meeting he pointed out there is a pedestrian cross walk in the passing zone. Before the deadline of the last meeting, Mr. Webb stated he submitted a request to include - Safety at Aska Road. Mr. Webb stated he is asking the following things be done: 1) paint out the passing lane 2) paint the pedestrian cross walks 3) look at adding blinking lights 4) have a meeting with people in the area to look at other public safety measures. Mr. Webb stated there are no sidewalks and this is one of the most heavily trafficked tourist areas in the summer, in the county.

Mr. Webb went on to state at the last meeting he asked for extra minute and half from the Chairman and was denied. Mr. Webb asked the CFO of the county if there was a financial liability and the answer was no. Because of our insurance if a child gets killed, the county is not financially liable. Mr. Webb stated he asked the County Attorney who said the county is protected by sovereign immunity, therefore citizens cannot sue the county. Mr. Webb stated he asked the Road Department Manager and he said "if I wanted I would be pleasantly surprised." Mr. Webb stated he was asking once again for action on the motion made for public safety at Aska Road and would not be speaking again from public comments due to citizens not having any input with the Board of Commissioners when they are not willing to enforce their own motions.

Blanche Harald, Morganton - Ms. Harald stated she wanted to address the property next to hers which is in less than poor condition. Ms. Harold provided the BOC with a poster which included photos, addresses and description of the property as well as additional photos. Ms. Harold went on to state Marie Woody, Land Development Officer, had worked to get the owner to clean up the property as well as having a petition from everyone on Collins Road. Ms. Harold stated she realizes people have their daily lives and issues; however, this was to the extreme and had become a health hazard.

Public Commentary closed at 6:18 PM.

#### **NEW BUSINESS:**

Chairman Helton referred to the next item on the agenda, to approve invoices over \$4,500. Motion made first by Commissioner Johnson to approve checks over \$4500.00. Second made by Commissioner Sosebee; motion passed by unanimous decision.

Chairman Helton introduced, Sherry Morris, Executive Director of Fannin County Family Connection. Ms. Morris announced it is National Volunteer Week and expressed appreciation to the BOC for allowing her time on the Agenda to share some exciting news for volunteers and the agencies who need volunteer services. Ms. Morris went on to announce the new online tool called Resource Directory and explained that Fannin County organizations are encouraged to participate in this robust and dynamic system that will allow clients, volunteers, donors, and others to locate services, connect via hotlinks to websites, announce hours, and provide descriptions and phone numbers of their organization. The service is being provided to organizations in Fannin County free of charge by Family Connection.

Ms. Morris explained that those who are interested in participating can simply google Resource Directory, ask for an agency login, and staff at Family Connection will assist the agency in signing up. Clients who are looking for services can google Resource Directory and find 4 overall categories of services divided under Family and Children; Healthcare and Wellness; Business and Education; and Food, Housing and Other Assistance. Drop down menus help those looking for resources find the solutions for their need.

Ms. Morris went on to add, through an interagency committee, a group called Volunteers Move Mountains has formed here in the county. This group has formed a new downtown exhibit fair to be held on the first Saturday in October. At the Volunteer Fair, all agencies and organizations who serve the people of Fannin County are invited to participate and have a table in the downtown park.

Chairman Helton acknowledged a Proclamation presented on behalf of the Fannin County Board of Commissioners recognizing the last week of April as "National Volunteer Week". The BOC, Ms. Morris and volunteers present gathered for a photograph. **(Attachment B, 1 Page)**

Chairman Helton moved to item number five (5), approval to close Sheriff's Department UCBI Explorer Account. Chairman Helton asked Denise Duncan, County Clerk to explain a little more about this item on the Agenda. D. Duncan explained this account had been inactive for a while due to the Sheriff's Department no longer having an Explorers Program. An approval from the BOC is required to close any account. The Fire Department Explorers Program will remain as is. Chairman Helton inquired as to the amount that was in the account. D. Duncan referred the question to CFO, Robin Gazaway. R. Gazaway stated approximately \$334 remained and the Sheriff's Department had donated the funds to the Fire Department Explorers Program. Motion made first by Chairman Helton to approve to close the account. Second made by Commissioner Sosebee; motion passed by unanimous decision.

Item number six (6), the Service Agreement for Operations of Fannin County Transportation, otherwise known as (M.A.T.S.). Chairman Helton stated this was just a continuation of the services provided each year for the North Georgia Community Action to provide that service, primarily for elderly and disabled. Chairman Helton stated this is a very much needed service needing the county's support and due to being a contract a motion will be needed. Motion made first by Commissioner Sosebee. Second made by Commissioner Johnson; motion passed by unanimous decision. (Attachment C, 1-18 Pages & Attachment D, 1-10 Pages)

Item number seven (7) is Authorization of Challenge Cost Share Agreement. Chairman Helton stated this document is an agreement between Fannin County and the USDA, Forest Service Chattahoochee-Oconee National Forest Blue Rdg Assoc. The agreement is hiking and access to the lake is offered to the community while the county offers needed help through work in-kind. There will be no cash exchanged. Commissioner Johnson stated it was good it was opening back up, it had been closed quite some time. Motion made first by Commissioner Johnson. Second made by Commissioner Sosebee; motion passed by unanimous decision. (Attachment E, 1-9 Pages)

Variance Request from Stephen Welsh Tucker Sr. and Teresa Roozen Tucker to place the garage 15 feet from the edge of Antioch Church Cemetery Road CR #227. Chairman Helton stated very remote road, variance approved for home. Chairman and Keith have reviewed. S. Tucker present. Motion made first by Chairman Helton. Second made by Commissioner Johnson; motion passed by unanimous decision. (Attachment F, 1-7 Pages)

Variance Request from James and Joleen Roe to place a carport 16 feet from Little Hiawatha Trail, to 110 Little Hiawatha Trail. Chairman Helton stated he had visited, confident will keep immaculate and Jody with Land Development was also okay with variance. Commissioner Sosebee stated he had also seen the property. Motion made first by Commissioner Sosebee. Second made by Commissioner Johnson; motion passed by unanimous decision. (Attachment G, 1-13 Pages)

Chairman Helton invited Eddie O'Neal, Fannin County Recreation Department Director to the podium. Spring Sports ending May 18<sup>th</sup>. Taking registration for summer day camp kids and need 2 more counselors to commit. Playground equipment has arrived donated by Kiwanis club and will be up by Friday. Pics will be taken and placed on website. Thanks to ETC for \$1000 donation. Lightening damage, fire alarm & score board has been replaced and functional now. All the landscaping has been done, play a spring and fall of soccer so fields get a short break

Month or so back, bid was taken for Park House Remodel – hardcopies were posted and one company placed a bid "Shoreline Solutions" \$41,200. Inquired on the two-month trial for lawncare, doing good.

Johnson inquired about additional bids, Eddie stated he had to go out for this one. Feels this is a fair cost on the bid. Suggested Eddie call around and try and get two more bids. The bid was out a month with no response. Ken has talked with several people but none were available. Can post it again, Helton said active effort made – go with this – time to move forward, hate to delay. Motion to move with Shoreline Chairman Helton. Sosebee suggested repost; Helton withdrew motion. After discussion BOC recommended bid to be reposted and placed on the May 9 BOC Agenda.

Mary Woody, Land Development Officer was invited to podium. Ms. Woody stated there had been 10 building permits this month, down from last month. (Attachment H, 1 Page)

Condemnation Update:

- 1) Old Dial Road- In the process of clean up-within the next 90 days. Pictures were provided of the clean-up. To place a new home or a new mobile home. (Attachment I, 1-2 Pages)
- 2) East Street- House is cleaned up and all debris removed.
- 3) Old Hwy 2 - House is cleaned up and all debris removed. (Attachment J, 1-2 Pages)
- 4) Salem Road- Bank to take possession and we will contact them when this is completed.
- 5) Riverside Lane - No response from letter giving them 30 days. The date will be up May 1. Both letters were returned.

Commissioner Sosebee inquired as to if a letter had been sent to the property owner who was brought up during Public Commentary. M. Woody stated multiple letters had been sent. Ms. Woody stated she also has had four new complaints.

Chairman Helton referred to condemnation update, Riverside Lane confirming this is the property where there had been personal contact via phone call and told the process in which a lien would be placed if he did not correct the problem. Letters had been sent with no response. M. Woody confirmed this information was correct and explained the next step would be, if the BOC voted to condemn, get three bids on the cost to take it down then charge it back to the property. M. Woody confirmed taxes were past due, property is located on Aska Road and when originally spoke to the owner and explained what would happen, he did not seem concerned. All BOC agreed all efforts had been exhausted. Motion made first by Commissioner Sosebee. Second made by Chairman Helton; motion passed by unanimous decision.

Chairman Helton has M. Woody hold up a new sign to be placed in the community as another means of addressing the issues of the increased amount of trash up in the county. M. Woody explained anyone within Fannin County who is identified hauling garbage/trash in a truck not tarped or covered and the garbage not secure, can be ticketed and must go to Magistrate Court. The tickets will range from \$410 to \$1000. Marie Woody, Land Development Officer will be the person writing the tickets and it will be unknown when she will be at the locations. It was confirmed, after a question from Joe Webb, that if you are hauling personal

trash in a pick-up and it is not covered and/or secured, you can be ticketed. M. Woody stated the county has until June 1, 2017 to comply.

Chairman Helton moved to item 9c added to the agenda - Software Bids for the 911 Center. R. Graham stated this would be to replace the dispatch software. Chairman stated bids would be open at this meeting and a decision would be presented at the May 9 meeting.

Chairman Helton instructed County Clerk to open and read the bids:

- GeoConex - \$114,760
- Zuercher Technologies - \$132,621
- Southern Software Inc. - \$137,975
- PSSI (Public Safety Systems, Inc.) - \$120,375

It was noted, each of the bids offered several packages, add on options, etc., which made the bid pricing vary. Chairman Helton stated therefore the department would need the time to review the information closely.

Commissioner Johnson brought up the importance of specifying the coversheet with the bids. D. Duncan stated this had been included in a recent bid advertisement. R. Graham stated he would look and confirm this had been included in the last two as well.

Item number ten (10) - Finalization for a Road Department, Fire, Rescue, and Emergency Management Workshop. Chairman Helton inquired with CFO, R. Gazaway confirming she had reached out to all department heads requesting information. R. Gazaway stated she had done this and had been told by each they would have the information to her by the end of the week. Chairman Helton stated he would reinforce this deadline as well.

After discussion between the BOC, it was decided, prior to the next regularly scheduled Board of Commissioners Meeting (May 9 @ 6:00 p.m.) hold the Workshop before at 5:00 p.m.

Chairman Helton asked D. Duncan to explain the correction to the agenda. D. Duncan referred to the bottom of the agenda stating the next meeting date. The date stated June 9 whereas it is May 9, 2017 @ 6:00 p.m. There was a discussion as to if a date had been confirmed for a called meeting in May, yet there had not.

Commissioner Sosebee asked to make comment asking Zach Ratcliff, Public Works Director if the striping machine was working. After learning it was not, Commissioner Sosebee inquired as to what it would take to get it working as he had also had complaints where Mr. Webb was referring to during public commentary.

Chairman Helton requested Z. Ratcliff approach the podium where he explained he has this project included in approximately 50 miles of striping to be done as well as to place no passing lines on Aska Road.

Chair Helton looked to Commissioner Johnson for any comments. Commissioner Johnson stated he would likely regret saying anything; however, he wanted to clarify for people in attendance, the approving invoices. Commissioner Johnson went on to state he felt that this was one of the reasons he was elected; in the past two years, the Board of Commissioners has gone from no one knowing who was signing what to at least three people signing checks.

Commissioner Johnson went on to state at any given time, any person can request to see what checks are signed but "in no way form or fashion will I sit up here and read 40 or 50 checks for people to hear what we are writing them for." Commissioner Johnson stated he feels that is what he and other members of the board were elected to do and the people placed their trust in them to do that. Commissioner Johnson continued to state at any time he did not know that anyone has any problem giving any copy of any checks, "I would hope not". Commissioner Johnson stated he wanted to clarify this due to having heard it at the past three meetings.

Additionally, Commissioner Johnson stated he would never joke again with anyone, saying "please don't approach this bench and ask me to joke with you". Commissioner Johnson explained joking is his nature, but he would not do this ever again; Commissioner Johnson stated he was using his microphone and he would like for everyone to know there was no way he would sit in a Board Meeting and read 40 or 50 checks unless another member of the Board would like to read them. Commissioner Johnson continued by stating all three members of the Board approve the checks, at least two people are looking at over \$4500, he feels the board has come a long way the past and continue to progress and get better.

In closing, Commissioner Johnson stated, "I just wanted to let everyone know how I feel, I just can't sit here and bore people and read off 50 checks. You can request them anytime, talk to her and she will get them. If 50 people, maybe 100 out of 24,000 or if 12,000 were requesting, I might consider it. We have come a long way, there is nothing to hide from what I've seen. 50 checks would take a long time out of this meeting. Friends have asked me, what do ya'll do at those meetings? This meeting is not for entertainment. This is to conduct business to the best of our ability and I will not bore you, if you want to know what they are requesting it?"

Chairman Helton inquired as to if the Commissioners felt an Executive Session was needed, both stated they did not.

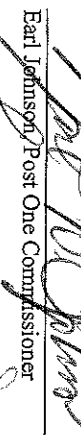
**EXECUTIVE SESSION:**

N/A

**CLOSING:**

With no further business, Chairman Helton called for a motion to adjourn at 7:16 PM. Commissioner Sosebee made first the motion to adjourn. Motion made second by Commissioner Johnson; motion passed by unanimous decision.

  
Stan Helton, Chairman

  
Earl Johnson, Post One Commissioner

  
Larry Joe Sosebee, Post Two Commissioner

Attest:

  
Denise M. Duncan, County Clerk