

Baldwin County Commissioners  
Regular Meeting  
December 14, 2010  
6:00 p.m.

The Regular Meeting of the Baldwin County Commissioners was held Tuesday, December 14, 2010 at 6:00 p.m., Baldwin County Courthouse, Suite 319, 121 North Wilkinson Street, Milledgeville, Georgia, with Chairperson Linda Fussell presiding.

Members Present: Emily C. Davis  
Linda Fussell  
Sammy Hall  
Faye Smith  
Bubba Williams

Also Present: David McRee  
Ralph McMullen  
Linda Zarkowsky  
Cindy Cunningham  
Michael Childs

Call to Order

Chairperson Linda Fussell called the December 14, 2010, Regular Meeting to order at 6:00 p.m.

Public Hearing

Chairperson Linda Fussell stated a public hearing will now be held regarding a proposed amendment to the Baldwin County Code of Ordinances.

County Manager Ralph McMullen opened the public hearing to consider a proposed amendment to the Baldwin County Code of Ordinances. He stated the purpose of the hearing is to present details of the proposed amendment and to solicit public input. Mr. McMullen reported notice of the public hearing was published and copies were given to Commissioners and were also made available for public review prior to the meeting.

Mr. McMullen reported that during the 2010 legislative session the Governor's Comprehensive Water Stewardship Act (SB 370) was passed and signed into law. He stated this act requires cities and counties to adopt an outdoor watering ordinance which prohibits various outdoor watering uses between the hours of 10:00 a.m. and 4:00 p.m. He stated the local ordinance must be in effect on January 1, 2011. Mr. McMullen presented details of the proposed ordinance. He stated the ordinance is patterned after a model ordinance prepared by ACCG, and the proposed ordinance has been reviewed by the County Attorney. Mr. McMullen asked if there were comments from the audience and /or Commissioners regarding the proposed amendment. Mr. Eric Buckley asked for clarification of terms regarding limitations and exemptions. Discussion was held regarding various terms and definitions pertaining to the outdoor watering limitations. There were no further comments.

Commissioner Bubba Williams made a motion to approve the ordinance amending the Baldwin County Code of Ordinances as presented to revise the standards for outdoor watering of landscape to comply with state mandates. The motion was seconded, and it passed unanimously.

The public hearing was closed at this time.

A copy of the amendment is herewith attached and made an official part of the minutes at pages \_\_\_\_\_ and \_\_\_\_\_.

#### Approval of Minutes

Commissioner Emily C. Davis made a motion to approve the minutes of the November 16, 2010 Regular Meeting as presented. The motion was seconded, and it passed unanimously.

#### Property Tax Refund

Chief Appraiser Phyllis Lavender stated the Board of Tax Assessors received a request from the property owner at 121 Sandy Beach Road for a tax refund. She reported Mr. McMullen presented this request and subject information to the Commissioners at their last meeting. However, at that time Commissioners requested additional information pertaining to this request. Ms. Lavender presented detailed information regarding the circumstances involved with the request for a property tax refund of \$658.94. She reported the refund request was denied by the Board of Assessors based on her conversations the Department of Revenue and their explanation of corrections made due to factual errors.

After discussion, Commissioner Sammy Hall made a motion to deny the request for a tax refund for property at 121 Sandy Beach Road since he felt there was no error in fact by the Tax Assessors office, and the property owner did not file an appeal in the legal timeframe. The motion was seconded, and it failed by the following vote:

Aye: Hall, Smith

Nay: Davis, Williams, Fussell

Commissioner Bubba Williams made a motion to issue the tax refund in the amount of \$658.94 to property owners of 122 Sandy Beach Road. The motion was seconded, and it passed by the following vote:

Aye: Williams, Davis, Fussell

Nay: Hall, Smith

Ms. Lavender requested that Commissioners make appointments to the Board of Assessors prior to the expiration of current terms of February, 2011.

#### Resolution Calling for Election for SPLOST

County Manager Ralph McMullen stated legal requirements have been met for the Special Purpose Local Option Sales Tax extension to include meetings with the City of Milledgeville and approval of a Resolution and Intergovernmental Agreement by both the City and County.

Mr. McMullen presented a Resolution calling for the election for the extension of the Special Purpose Local Option Sales Tax.

Mr. McMullen presented a Resolution imposing a County one percent sales and use tax, specifying the purposes for which the proceeds are to be used, specifying the period of time for which the tax shall be imposed, specifying the estimated cost of the facilities to be funded from the proceeds of the tax, seeking approval to issue General Obligation debt, requesting the Election Superintendent to call an election of the voters of Baldwin County to approve the imposition of such sales and use tax, approving the form of ballot to be used in the election, and for other purposes.

Vice Chair Faye Smith made a motion to approve the Resolution Calling for the Election for SPLOST as presented. The motion was selected, and it passed unanimously.

A copy of the Resolution is herewith attached and made an official part of the minutes at pages \_\_\_\_\_ and \_\_\_\_\_.

### Consulting Engineer for Airport

Finance Director Linda Zarkowsky stated the Department of Transportation Aviation Division requires that the County engage the services of an airport consultant for planning, design and construction of improvements to the Airport. This request for proposals from consulting firms and the selection process must be done every five (5) years in order to remain eligible for DOT airport contracts. She reported the County has gone through the consultant selection process as required by DOT, and seven responses were received.

Ms. Zarkowsky reported the selection committee reviewed the proposals and now recommends that the County stay with the existing firm, D.A. Jones Engineering, LLC due to the fact that the firm is familiar with the Airport and has significant survey data and history that will save the County any extra expense with the upcoming fence project and clearing plan.

Commissioner Bubba Williams made a motion to accept the committee recommendation to select the firm of D.A. Jones Engineering for the consulting engineer for the Baldwin County Airport. The motion was seconded, and it passed unanimously.

### Appointment to Library Board of Trustees

Chair Fussell reported a letter was received from the Library Board of Trustees requesting the appointment of Ms. Audie Wilson to serve on the Library Board of Trustees

Vice Chair Faye Smith made a motion to appoint Ms. Audie Wilson to serve on the Library Board. The motion was seconded, and it passed unanimously.

### Appointment of County Legislative Coordinator

Chairperson Linda Fussell reported that in order to facilitate information exchange and increase county involvement in the legislative process, ACCG is asking each county to designate a County Legislative Coordinator (CLC).

Chairperson Fussell discussed the primary responsibilities of the County Legislative Coordinator.

She stated the County Legislative Coordinator is designed by the County Commission Chair, and she presented a Resolution to appoint County Clerk Cindy Cunningham as the County Legislative Coordinator.

Vice Chair Faye Smith made a motion to adopt the Resolution appointing County Clerk Cindy Cunningham as County Legislative Coordinator. The motion was seconded, and it passed unanimously.

A copy of the Resolution is herewith attached and made an official part of the minutes at pages \_\_\_\_\_ and \_\_\_\_\_.

### Oconee Community Service Board Request for Property

County Manager Ralph McMullen reported the County has received a letter from the Oconee Community Service Board requesting that the Board of Commissioners donate, transfer or sell property that is adjacent to the Oconee Community Service Board's current property located at 1361 Orchard Hill Road.

Mr. Tyrone Evans of the Oconee Center addressed the Board regarding the request.

Commissioner Emily C. Davis made a motion for the Board of Commissioners to consider selling the land to the Oconee Center. The motion was seconded and it passed unanimously.

Accounts Payable List Dated December 14, 2010

Commissioner Sammy Hall made a motion to approve the Accounts Payable list dated December 14, 2010. The motion was seconded, and it passed unanimously.

Adjournment

Commissioner Sammy Hall made a motion that the Board of Commissioners meeting be adjourned at 7:10 p.m. The motion was seconded, and it passed unanimously.

Respectfully submitted,

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Linda Fussell  
Chairperson

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Cynthia K. Cunningham  
County Clerk