



# HALL COUNTY BOARD OF COMMISSIONERS VOTING MEETING MINUTES

June 26, 2014 AT 6:00 P.M.

Hall County Government Center 2<sup>nd</sup> Floor  
2875 Browns Bridge Road, Gainesville, GA 30504

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## 1. **Call to Order:**

Chairman Mecum called the meeting to order at 6:04

## **Present:**

Chairman Richard Mecum and Commissioners Billy Powell, Scott Gibbs and Jeff Stowe

Commissioner Craig Lutz was present by phone.

Also present were County Administrator Randy Knighton, Assistant County Administrator Marty Nix, Commission Clerk Lisa Ritchie and County Attorney Bill Blalock.

## 2. **Approve Agenda:**

Motion by Commissioner Gibbs, seconded by Commissioner Powell and voted, unanimously, to approve the Agenda.

## 3. **Invocation:** Pastor Mike Taylor, Pastor of Flat Creek Baptist Church/Volunteer Chaplain with Hall County Fire Services

## 4. **Pledge of Allegiance:** Led by Commissioner Jeff Stowe

Motion by Commissioner Stowe, seconded by Commissioner Powell, and voted, unanimously, to Recess for Special Called Meeting to conduct the third public hearing on the proposed FY 2015 Budget and Millage Rate Adoptions.

## 5. **Recess for Special Called Meeting to conduct the third public hearing on the proposed FY 2015 Budget and Millage Rate Adoptions:**

### a. Presentation of proposed FY 2015 Budget and Millage Rate

County Attorney Bill Blalock called on Finance Director Vickie Neikirk for a presentation on the proposed FY 2015 Budget and Millage Rate.

County Administrator Randy Knighton addressed the Board and stated that the budget process was a challenging one. Throughout the process, the Board of Commissioners continuously communicated with staff and considered many options. The Board of Commissioners direction was to entail a further reduction to the operational budgets of an additional 2%, a property tax millage roll back from 6.25% to 5.989%, and a proposed cost of living increase, for all full time county employees of 3%: all of which are included in the proposed budget.

Vickie Neikirk addressed the Board and gave the FY 2015 Budget and Millage Rate Proposal Presentation. Mrs. Neikirk presented some of the highlights as follows:

## Meeting Summary

- General Fund millage rate roll back to 5.989
- No furlough days
- 4% County paid retirement contribution will be continued in FY 2015
- A Cost of Living Increase of 3% for all full time employees. This will be the first COLA increase since 2008
- Revenues will be offset by the use of reserves and a reduction of expenditures of 4%

Mrs. Neikirk presented the proposed General Fund Budget. The proposal is for an increase of 3.71% over the FY 2014 budget. Mrs. Neikirk went through each fund. The FY 2015 total All Funds Proposed Budget is \$188.4 Million.

Mrs. Neikirk added that a Victim Witness Program budget of 5% is included into fines. Monies are expended for purposes of Rape Response, Gateway House, The Children's Center, Edmondson-Telford Center, and Hall County Solicitor.

Mrs. Neikirk concluded by stating that "every effort has been made to maximize taxpayer dollars."

Commissioner Gibbs stated that it speaks volumes to be able to roll the millage back and not raise taxes. Commissioner Gibbs said that it could not have been done without the assistance of the Elected Officials and Hall County Staff. Commissioner Gibbs said that the 3% cost of living increase was well deserved.

Commissioner Powell acknowledged his appreciation of the staff and the public input process. He said that the process was a genuine collective process. It is a compromise of everyone giving and taking to reach this balanced budget without a tax increase. Commissioner Powell stated that he was very pleased with the proposal, and he appreciated the hard work of The County Administrator, the Assistant County Administrator, the Finance Director, and all of the staff who worked on the proposal.

Commissioner Stowe agreed with Commissioner Powell's statement.

Chairman Mecum said that it was an interesting process putting the pieces together and taking them apart again. The Chairman said that he viewed the process as checks and balances... the Commission as the balance and staff as the checks. Both are necessary for a success. Chairman Mecum thanked the staff. He said that many people believe that the County should be run as a business. Chairman Mecum said that Government is not a business. A business is run to make a profit. The Government is run to provide services. Without the employees there is no service to provide. The Chairman said that he really appreciates the employees and Department Heads for hanging in there without a raise for six years.

The Chairman said that Hall County is 12<sup>th</sup> out of 27 of the largest Counties in Georgia Government. Out of the 27, Hall County ranks 26<sup>th</sup> in it's Millage Rate.

Commissioner Lutz said there are a lot of great things about the proposal. He continued on by saying that he does not think it is perfect, and does plan to make motions to amend the proposal and make it a budget that he feels comfortable voting for.

- b. Public Hearing to receive comment on proposed FY 2015 Budget and Millage Rate adoptions

Mr. Blalock called for public comment on the proposed FY 2015 Budget and Millage Rate adoptions.

## Meeting Summary

Chairman Mecum stated the rules of the Public Hearing.

The following people addressed the Board:

- Tom Bivalow, 5985 Nacoochee Trail, Flowery Branch – appreciates that the Millage Rate is going down but states that it went down because of the property tax increase to lake dwellers.
- Torrie Bennett, 2123 Pine Tree Circle, Gainesville was against any funding for a BMX track, or for the rowing venue.
- Alice Schneider , 6204 Old Stringer Road, thanked the Commissioners for the roll back and for taking citizen's input. Ms. Schneider inquired about school taxes.
- Patricia Scarlett Ferguson, Pine Tree Circle, stated that she is being forced to sell her dream home.
- Amanda Dean, 7441 Town Hall Terrace, Houshton , thanked the Commissioners for the inclusion of a Juvenile Court Judge position.
- Mandy Harris, 1459 Douglas Drive, Gainesville, stated that the roll back was made possible by the increases to lake property owners.
- Tom Spraylee, 792 Lakeshore Drive, spoke about the lake property assessments.
- Curtis Iocco, 2253 Karen Lane, Gainesville, said lake property assessments are unfair and he would like to see a cap on property taxes.
- Darlene Dunlap, 1635 Riverside Drive, Gainesville, discussed lake property assessments.
- Joshua Morris, 2679 Ocony Circle, Gainesville, said the assessments are not controlled by the County Commission. He said that he believes that people should not be taxed on the value of what they own. Mr. Morris said this is a matter of the State Legislators and he hopes that the County Commission and citizens will approach the State Legislators and ask them to find a way to make taxes consumption based.
- Morris Gilreath, Price Road, Gainesville, said Government was too big and that employees of the Government should not receive increases.
- Phil Atrick, said the roll back was only possible because of the tax increase to the lake front property owners.
- Rick Wilbanks, 5628 Nags Head Circle, Gainesville, said lake owners were funding the budget; and would appreciate it if the payment of these taxes could be paid over a period of time.
- Doug Aiken, 6230 Brady Road, thanked the Commission for the roll back.

Mr. Blalock closed the Public Hearing.

Chairman Mecum closed the Special Called Meeting.

### **6. Close Special Called Meeting**

Motion by Commissioner Powell, seconded by Commissioner Stowe and voted, unanimously, to reconvene the regularly scheduled meeting.

### **7. Reconvene Regularly Scheduled Meeting**

### **8. Adoption of Resolution approving FY 2015 Budget**

Meeting Summary

Motion by Commissioner Gibbs, seconded by Commissioner Powell to adopt the Resolution approving the FY 2015 Budget

Motion by Commissioner Lutz to defund the rowing venue monies and apply those monies to parks in the County. Motion died, due to lack of a second.

Motion by Commissioner Lutz to decrease the funding for the new Juvenile Court Judge by what the State Stipend should be for that Judge and not have the positions filled until the State comes through with their portion. Motion died, due to lack of a second.

The Commission continued with the original motion to adopt the Resolution.

Commissioner Gibbs stated that the School tax was not under the control of the Commission. The vote that the Commission makes is only to add the tax to the bill. Commissioner Gibbs thanked the citizens of the County and said as more people move to Hall County, more services are needed. More services mean more operating expenses. Commissioner Gibbs said that the County continues to provide the same level of services, while adding more services to the courts and other areas.

The Commission continued the previous Motion by Commissioner Gibbs, seconded by Commissioner Powell and voted to approve the Resolution approving the FY 2015 Budget.

VOTE: 4 to 1

AYES: Chairman Mecum, Commissioners Powell, Gibbs, and Stowe

NAYS: Commissioner Lutz

MOTION CARRIED.

**9. Adoption of Resolutions setting millage rate as follows:**

Vickie Neikirk addressed the Board.

- a. Part I of IV: County unincorporated and incorporated areas of Braselton, Buford, Clermont, Flowery Branch, Gainesville, Gillsville, Lula and Oakwood (millage rate = 5.989)

Motion by Commissioner Gibbs, seconded by Commissioner Stowe and voted, unanimously, to set the County unincorporated and incorporated millage rate at 5.989%.

Vickie Neikirk addressed the Board.

- b. Part II of IV: Unincorporated Hall County Fire District (millage rate = 2.40)

Motion by Commissioner Powell, seconded by Commissioner Stowe

## Meeting Summary

Motion by Commissioner Lutz to add an amendment to add the City of Oakwood pending Oakwood delivering their fire insurance rebate check to the County, seconded by Commissioner Powell. Commissioner Powell stated that there are favorable discussions about this item but there are more details to be worked out prior to Commissioner Powell being comfortable with supporting it at this time. Commissioner Stowe stated that the County uses SPLOST funds to fund Capital needs. The City of Oakwood receives SPLOST fund distributions. If the County could work together with the City of Oakwood, Oakwood could send SPLOST dollars on a prorated share to help cover the Counties capital needs. Commissioner Lutz stated that Oakwood has offered to relinquish their rebate check to the County if Oakwood can be included in the 5.989% millage as well. The Commission voted.

VOTE: 1 to 4

AYES: Commissioner Lutz

NAYS: Chairman Mecum, Commissioners Powell, Gibbs, and Stowe

MOTION FAILED.

The Commission continued the original vote, unanimously, to approve the Unincorporated Hall County Fire District millage rate at 2.40%.

Vickie Neikirk addressed the Board.

- c. Part III of IV: Incorporated Hall County Fire District (millage rate = 3.83)

Motion by Commissioner Stowe, seconded by Commissioner Powell, Commissioner Stowe explained the millage separation due to the insurance premiums that are set to help with fire services, and voted, unanimously, to set the County incorporated Hall County Fire District millage rate at 3.83%.

Mrs. Neikirk addressed the Board.

- d. Part IV of IV: Hall County School District (millage rate = 18.90)

Motion by Commissioner Gibbs, seconded by Commissioner Powell, Commissioner Lutz stated that there was a Georgia Supreme Court decision that binds the Commission to the vote and he would like to have that added to the minutes after the fact. (Supreme Court of Georgia – 201 Ga. 815; 41 S.E.2d 398; 1947 Ga. LEXIS 330) The Commission voted, unanimously, to approve the Hall County School District millage rate at 18.90%. Chairman Mecum reminded everyone that the School Board gets 70% of the tax and Hall County gets 30%.

### **10. Approve FY 2014 Budget Adjustment Resolution**

Vickie Neikirk addressed the Board. She said that this Resolution is to allow the Finance Department to amend any Budgets at the end of the fiscal year. By law, departments cannot be over their budget at the end of the year. The Finance Department must make amendments as necessary. Mrs. Neikirk proposed that she would come back to the Commission with a list of necessary amendments.

## Meeting Summary

Motion by Commissioner Stowe, seconded by Commissioner Powell, Commissioner Lutz added the condition that the Finance Department would come back and present the changes to the Commission. The Commission voted, unanimously, to approve the FY 2014 Budget Adjustment Resolution.

Chairman Mecum called for a five minute break.

Chairman Mecum called the meeting back to order.

### **11. Public Comment – Agenda Items Only (2 minutes per speaker/10 minutes maximum)**

None.

### **12. Consent Agenda:**

Motion by Commissioner Stowe, seconded by Commissioner Powell and voted, unanimously, to approve the Consent Agenda.

- a. Approve June 12, 2014 Voting Session Minutes
- b. Approve June 9, 2014 Executive Session Minutes
- c. Approve June 9, 2014 Work Session Minutes
- d. Approve Expenditure of Funds to Purchase Upgrade of Current Software System
- e. Approve Amendment to Current Intergovernmental Agreement with the City of Gainesville regarding the Community Service Center
- f. Approve the FY 2015 Coordinated Transportation Grant Contract and Authorize the Commission Chairman to sign all associated grant documents
- g. Approve Memorandum of Agreement (MOA) with Jackson County establishing the Gainesville-Hall Metropolitan Planning Organization (GHMPO) as the transportation planning agency for the Gainesville and Atlanta Urbanized Areas in western Jackson County.
- h. Approve authorization for County Attorney to proceed with the collection of \$5,362.50 Irrevocable Letter of Credit for Sidewalks in Village at Deaton Creek Subdivision Phase 2B Unit 3. Commission District 1.
- i. Approve the Acceptance of \$122,400.00 Irrevocable Letter of Credit for Sidewalk Construction in Bluffton Subdivision. Commission District 3.
- j. Approve IFB 004-35 – Fire Sprinkler System Annual Contract
- k. Approve IFB 008-35 – Landscape Services Annual Contract
- l. Approve IFB 011-35 – QA/QC Engineering/Construction Testing Annual Contract
- m. Approve IFB 013-35 – Vehicle Striping and Sign Annual Contract
- n. Approve IFB 015-35 – Prescription Drugs & OTC Sundry Items Annual Contract

### **9. Other Business:**

- a. Chicopee Woods Greens Committee
  - Reappointment of Keith Morris – Full Commission

Motion by Commissioner Gibbs, seconded by Commissioner Powell, and voted, unanimously, to approve the reappointment of Keith Morris to the Chicopee Woods Greens Committee.

- b. Avita Community Partners

Meeting Summary

- Full Commission Appointment
- Appoint Deborah Mack – Full Commission

Motion by Commissioner Powell, seconded by Commissioner Stowe, and voted, unanimously, to appoint Deborah Mack to Avita Community Partners and table the full Commission Appointment.

- c. Gainesville Hall MPO Citizens Advisory Committee
- Commissioner Lutz Appointment
  - Reappointment of Doug Smith – Commissioner Powell
  - Commissioner Gibbs Appointment
  - Commissioner Stowe Appointment
  - Appoint Charles Alvarez - Commissioner Stowe Appointment

Commissioners Gibbs, Stowe, and Lutz asked to table their appointments to Gainesville Hall MPO Citizens Advisory Committee.

Motion by Commissioner Gibbs, seconded by Commissioner Stowe and voted, unanimously, to approve reappointment of Doug Smith and appointment of Charles Alvarez to the Gainesville Hall MPO Citizens Advisory Committee.

- d. Hall County Library Board
- Reappointment of Nancy Sulhoff - Commissioner Powell

Motion by Commissioner Powell, seconded by Commissioner Stowe and voted to reappoint Nancy Sulhoff to the Hall County Library Board.

VOTE: 4 to 1

AYES: Chairman Mecum, Commissioners Powell, Gibbs, and Stowe

NAYS: Commissioner Lutz

MOTION CARRIED.

- e. Department of Family and Children Services
- Reappointment of Beka Havice Beccue – Commissioner Stowe

Motion by Commissioner Stowe, seconded by Commissioner Powell and voted, unanimously, to reappoint Beka Havice Beccue to the Department of Family and Children Services.

- f. Hall County Environmental Management Systems Citizen Advisory Committee
- Reappointment of Robert Eidson – Chairman Mecum
  - Reappointment of Frank Armstrong - Chairman Mecum
  - Reappointment of Tommy Sandoval – Commissioner Lutz
  - Reappointment of Chris Fetterman – Commissioner Lutz
  - Reappointment of Barbara Griffeth – Commissioner Powell
  - Appoint Perry Barnett – Commissioner Powell
  - Reappointment of Candy Robinson – Commissioner Gibbs
  - Reappointment of Tim Wilbanks – Commissioner Gibbs

## Meeting Summary

- Reappointment of Doug Forrester – Commissioner Stowe
- Commissioner Stowe Appointment
- Reappointment of Jeff Stowe - Ex-Officio – Full Commission

Motion by Chairman Mecum to approve the following Commission nominations to the Hall County Environmental Management Systems Citizen Advisory Committee:

- Chairman Mecum nominated Robert Eidson and Frank Armstrong
- Commissioner Lutz nominated Tommy Sandoval and Chris Fetterman
- Commissioner Powell nominated Barbara Giffeth and Perry Barnett
- Commissioner Gibbs nominated Candy Robinson Tim Wilbanks
- Commissioner Stowe nominated Doug Forrester and tabled the other appointment
- Commissioner Lutz nominated Commissioner Stowe as the Ex-Officio

Second by Commissioner Gibbs and voted, unanimously, to approve the nominations.

### **14. Public Hearing to consider applications to amend the Zoning Map of Hall County as stated:**

- a. Application of Anna N. Jennings for a Use Subject to County Commission approval on a 1.8± acre tract located on the south side of Antioch Campground Road at its intersection with Antioch Campground Road; a.k.a. 1198 Antioch Campground Road; Zoned R-I; Tax Parcel 10108 000004. Proposed Use: Transient Occupancy of a Vacation Home. Commission District 2.

Bill Blalock read the application for Anna N. Jennings.

Planning Director Shrikanth Yamala addressed the Board. Mr. Yamala said that Ms. Jennings requested to withdraw the application.

Motion by Commissioner Gibbs, seconded by Commissioner Powell and voted, unanimously, to withdraw this item from the Agenda.

- b. Application of Chang W. Jung to rezone from AR-III to S-S, a 0.96± acre tract located on the east side of Florence Drive, 345± ft. south of its intersection with Browns Bridge Road; a.k.a. 2815 Florence Drive; Tax Parcel 08015 005028D. Proposed Use: Inventory parking. Commission District 2.

Mr. Blalock read the application for Chang W. Jung.

Mr. Yamala addressed the Board. Mr. Yamala said that the Planning Commission requested denial of this application.

Mr. Blalock opened the floor to public comments.

The following citizens spoke in opposition to this application:

Debbie Gill, 2973 Bentley Park Circle  
Douglas Young, 2890 Florence Drive



Meeting Summary

Patricia Warden, 2816 Florence Drive

Motion by Commissioner Powell, seconded by Commissioner Stowe and voted, unanimously, to deny the application and stated that Mr. Jung will be able to reapply in six months.

- c. Application of Patton Land Surveying to amend conditions of an existing R-I zoning, on a 15.884± acre tract located on the east side of Ellison Farm Road at its intersection with Tanners Mill Road; a.k.a. 3939 Ellison Farm Road; Tax Parcel 15028 000005A. Proposed Use: Reduce the heated floor area requirements. Commission District 1.

Mr. Blalock read the application for Patton Land Surveying.

Mr. Yamala addressed the Board.

Mr. Blalock opened the floor to public comments.

The following citizens addressed the Board:

- Chris Patton, 419 Bradford Street, Gainesville, addressed the Board in favor of the application. He stated that there would not be any vinyl siding to the façade of any of the homes.
- Frank, 4012 Silver Stone Drive, addressed the Board in opposition of the application.

Motion by Commissioner Lutz, seconded by Commissioner Powell and voted, unanimously, to approve the application of Patton Land Surveying with the condition noted by Commissioner Stowe that there not be any vinyl siding.

- d. Application of Jennings Bryan for a Use Subject to County Commission approval on a 0.33± acre tract located on the north side of Browns Bridge Road, 190± ft. northeast of its intersection with Skelton Road a.k.a. 2204 Browns Bridge Road; Zoned H-B; Tax Parcel 00122 001014. Proposed Use: Auto sales. Commission District 4.

Mr. Blalock read the application for Jennings Bryan.

Mr. Yamala addressed the Board.

Mr. Blalock opened the floor to public comments. There were none.

Jennings Bryan addressed the Board in support of the application.

Motion by Commissioner Stowe, seconded by Commissioner Powell and voted, unanimously, to approve the application of Jennings Bryan.

- e. Application of James Williamson to appeal the Hall County Planning Commission decision to deny his request to vary the right side yard setback from 10 ft. to 3 ft. on a 0.94± acre tract located on the east side Cascade Drive at its intersection with Cascade Court; a.k.a. 2872 Cascade Drive; Zoned R-I; Tax Parcel 08023 002084. Proposed Use: Carport. Commission District 2.

## Meeting Summary

Mr. Blalock read the application for James Williamson.

Mr. Yamala addressed the Board.

Mr. Blalock opened the floor to public comments. There were none.

Motion by Commissioner Powell, seconded by Commissioner Gibbs to approve the application and refund the appeal and application fees. Commissioner Stowe stated that he would remain with the Planning Commission's recommendation of denial. Commissioner Lutz requested further information regarding the reasoning for the request for refunding of fees. Commissioner Powell stated that the applicant made the first application without knowing he was supposed to get a variance as well. Mr. Williamson apologized to the Board. The money that Mr. Williamson would have used to appeal he used to get into compliance. He has also waiting the required six months for reapplication. The Commission voted, to approve the application and refunding the fees.

VOTE: 3 to 2

AYES: Chairman Mecum, Commissioners Powell and Gibbs

NAYS: Commissioners Lutz and Stowe

MOTION PASSED.

- f. Public Hearing to adopt the Capital Improvement Element/Short-Term Work Program Update.

Mr. Blalock introduced the Capital Improvement Element/Short-Term Work Program item.

Mr. Yamala addressed the Board. Mr. Yamala stated that this is the annual submittal to continue under a qualified local Government status.

Mr. Blalock opened the floor to public comments. There were none.

Motion by Commissioner Powell, seconded by Commissioner Gibbs and voted, unanimously, to approve the adoption of the Capital Improvement Element/Short-Term Work Program item.

### 10. **Report from County Attorney**

None.

### 11. **Report from County Administrator**

- a. Public Information Dates
  - Airport Study \$12,500.00

Mr. Knighton requested approval for a proposed Airport study. The study is a means in assisting with supporting the airport to determine what size planes can be landed. The proposal is for \$25,000.00 which will be shared with the City of Gainesville. The County's portion will be \$12,500.00.

Motion by Commissioner Powell, seconded by Commissioner Gibbs and voted, unanimously to partner with Gainesville on the Airport study.

## Meeting Summary

- Independence Day - Friday, July 4, 2014
- Fireworks show at Laurel Park – Friday, July 4, 2014 – the rain delay date is set for July 19.

Mr. Knighton stated his appreciation of the Commission, staff, and citizen input in the budget process. Mr. Knighton said that it was a very solid budget that will continue to offer a high level of service to the citizens of Hall County. Mr. Knighton acknowledged the appreciation of the staff for the 3% COLA increase.

### 12. Consider other business presented by members of the Commission

#### **District 1- Craig Lutz:**

No Report.

#### **District 2- Billy Powell:**

Commissioner Powell made a motion to nominate Ron House to fill an unexpired term to December 31, 2015, seconded by Commissioner Stowe and voted, unanimously, to approve the nomination.

#### **District 3- Scott Gibbs:**

No Report.

#### **District 4- Jeff Stowe:**

No Report.

#### **Chairman Mecum:**

- Early Voting begins Monday, June 30 and continues through July 18
- The Primary Election Runoff will be held on July 22nd

### 13. Adjourn

Motion by Commissioner Powell, seconded by Commissioner Gibbs and voted, unanimously, to adjourn the meeting at 8:00 p.m.