

WHITE COUNTY BOARD OF COMMISSIONERS

MINUTES OF THE CALLED MEETING HELD

TUESDAY, DECEMBER 9, 2014 AT 8:00 A.M.

The White County Board of Commissioners held a Called Meeting on Tuesday, December 9, 2014 at 8:00 a.m. in the Board Room of the White County Administration Building. Present at the meeting were: Chairman Travis Turner, Commissioner Terry Goodger, Commissioner Lyn Holcomb, Commissioner Edwin Nix, Commissioner Craig Bryant, County Manager Michael Melton, County Attorney Bill House, Finance Director Vicki Mays, and County Clerk Shanda Murphy.

Chairman Turner called the meeting to order.

Mr. Tom O'Bryant, Director of Community & Economic Development presented a summary of The Waterfront Group's violations of the White County Mountain Protection Ordinance in the Lake Laceola Subdivision. Mr. O'Bryant explained that stop work orders had been issued on the affected lots, County Staff had met with Waterfront Staff to discuss violations, the County had consulted with a forester, the final plat for Phase 3 of the development had been submitted as incomplete, and a proposed remediation plan had been submitted by Waterfront.

Mr. Bill Blalock, of Stewart Melvin, & Frost, spoke on behalf of Waterfront Group. Mr. Blalock referenced the different components of the proposed remediation plan which had been submitted to the County by Waterfront Group – including the commitment of 16+ additional acres of green space, the donation of timber to the community, and the reforestation plan. He stated that he recommended that the Board of Commissioners allow County Staff and the County Attorney to review the proposed remediation plan.

Commissioner Bryant asked for clarification- if a different contractor had done the clearing which resulted in the violations than had done the other clearing previously. Representatives of Waterfront Group stated that a different contractor from Union County had been used on for the clearing that resulted in the violations as opposed to local contractors who had been used for previous clearing. Commissioner Bryant asked why representatives from Waterfront Group had spoken to Chief Magistrate Judge Joy Parks about the violations. It was stated that she had represented the seller (Mr. Barry Blalock) when Waterfront purchased the development. Commissioner Bryant stated that Judge Parks had now recused herself from potentially hearing the code violations due to the conversations. Commissioner Bryant asked how much the value of the lots (where violations had occurred) had increased as a result of the clearing. Mr. Blalock stated that a valuation had not been done on the lots pre / post-clearing, therefore he did not have the answer to that question. Mr. Blalock did indicate that there is question as to whether lots 212 and 221 do fall under the Mountain Protection requirements.

Chairman Turner asked how long Waterfront was willing to stand behind the livelihood of the tress being replanted. It was stated by Waterfront that the remediation plan was based on Georgia Forestry's best management practices which should insure the sustainability of the plantings.

December 9, 2014 – Called Meeting Minutes (continued)

Chairman Turner stated that an established commitment timeline would go a long way in the Board of Commissioners consideration of a remediation plan.

Commissioner Goodger asked the reason for the blatant violations at this point in the development – with not only the clearing violations but also with permits not being obtained and plans not being submitted as had been done on the prior portions of the project. Waterfront stated that in the case where the violations occurred a contractor was unsupervised and did not complete the work as intended. He stated the contractor was Nelson Tree Service and they were not aware of the Mountain Protection requirements and performed the clearing as they had in other counties.

Commissioner Nix stated that the violations have occurred and now the focus needs to be on how to fix the problem in order to protect the mountain and satisfy the community.

Commissioner Holcomb stated that it is difficult to handle a situation where the attitude may have been to ask for forgiveness rather than permission. He said that the results of the reforestation would not be seen in this lifetime and there needed to be careful considerations made.

Chairman Turner stated that an independent forester obtained by the County would be reviewing the proposed remediation plan along with County Staff. He recognized Waterfront's contributions to White County through taking a stagnant development and converting this to a viable development which will be on County tax rolls, as well as Waterfront's use of local contractors which has benefited the local economy. He further stated that the current circumstance is unfortunate; however the County and Waterfront must come to a common ground on how to remediate the issue.

Chairman Turner opened the floor for any public comment regarding the Mountain Protection Ordinance violations by Waterfront Group in the development of Lake Lacey.

A representative from Waterfront Group stated this was the first time the Company had faced this type of violation. He attributed the issues to the Project Manager being "stretched too thin". He assured the Board that there was no intention to cause these violations; they reacted as soon as they were made aware of the issues, and the clearing was far more than they had authorized to take place.

Chairman Turner stated that staff would be in contact with Waterfront Group.

Mr. Bill House, County Attorney, recommended that the Board of Commissioners move on the issue as quickly as possible through further study the remediation plan, advise of any changes that they desire, and compare with forester recommendations. He stated that he would be happy to work with Mr. Blalock in any way that would be beneficial.

Chairman Turner asked for any further public comments. With there being none the floor was closed.

December 9, 2014 – Called Meeting Minutes (continued)

Upon a motion made by Commissioner Goodger, seconded by Commissioner Holcomb there was a unanimous vote to re-issue a certificate of deposit to United Community Bank in the amount of \$168,900.00 for a one (1) year term at .15% interest. The Board asked that options with Money Market accounts be examined for future use.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Nix there was a unanimous vote to adopt the following resolution (County Resolution No. 2014-11):

WHITE COUNTY BOARD OF COMMISSIONERS

COUNTY RESOLUTION NO. 2014-11

**A RESOLUTION AUTHORIZING THE REIMBURSEMENT OF
GENERAL FUND FROM 2012 SPLOST PROCEEDS**

WHEREAS, the construction of the White County Law Enforcement Center was financed by bonds issued through the White County Industrial Building Authority in 2010;

AND WHEREAS, the debt service associated with the 2010 Bonds was designated to be paid from both the 2008 SPLOST which ended October 31, 2014 and the 2014 SPLOST which commences November 1, 2014;

AND WHEREAS, the White County Board of Commissioners elect to pay the January 1, 2015 bond payment in the amount of \$1,001,543.75 from the 2014 SPLOST Proceeds thereby allowing for additional projects to be funded by proceeds remaining in the 2008 SPLOST Account;

AND WHEREAS, in order to pay the January 1, 2015 bond payment from the 2014 SPLOST Proceeds, the expense will be taken from the County General Fund and reimbursed as 2014 SPLOST proceeds are collected.

NOW, THEREFORE, the Finance Director is authorized to process the January 1, 2015 bond payment in the amount of \$1,001,543.75 from the County General Fund and to reimburse General Fund with 2014 SPLOST proceeds received on a monthly basis, with no 2014 SPLOST funds being dedicated to any other project, until such a time that the full amount has been reimbursed – with this time period estimated to be approximately five months.

RESOLVED this 9th day of December, 2014.

WHITE COUNTY BOARD OF COMMISSIONERS

s/Travis C. Turner
Travis C. Turner, Chairman

s/Terry D. Goodger
Terry D. Goodger, District 1

December 9, 2014 – Called Meeting Minutes (continued)

s/Lyn Holcomb
Lyn Holcomb, District 2

s/Edwin Nix
Edwin Nix, District 3

s/Craig Bryant
Craig Bryant District 4

Attest: s/Shanda Murphy
Shanda Murphy, County Clerk

-End of Resolution-

Sheriff Neal Walden briefed the Board on the possibility of law enforcement agencies being required to utilize body cameras. He stated that his office would be researching possible grants for this equipment and he estimated the potential cost to be in excess of \$30,000.00. He also discussed the possibility of purchasing a vehicle tag scanner for approximately \$20,000.00.

Upon a motion made by Commissioner Holcomb, seconded by Commissioner Bryant there was a unanimous vote to adjourn the meeting.

The minutes of the December 9, 2014 Called Meeting are hereby approved as stated this 5th day of January, 2015.

WHITE COUNTY BOARD OF COMMISSIONERS

s/Travis C. Turner
Travis C. Turner, Chairman

s/Terry D. Goodger
Terry D. Goodger, District 1

s/Lyn Holcomb
Lyn Holcomb, District 2

s/Edwin Nix
Edwin Nix, District 3

s/Craig Bryant
Craig Bryant, District 4

s/Shanda Murphy
Shanda Murphy, County Clerk