

REGULAR MEETING, BOARD OF COMMISSIONERS

GLYNN COUNTY, GEORGIA, HELD THURSDAY,

MAY 7, 1992 AT 8:30 A.M.

PRESENT: Chairman Rev. E. C. Tillman
 Vice Chairman Robert H. "Bob" Boyne
 Commissioner William E. Dismer
 Commissioner Jack Hardman
 Commissioner W. Harold Pate
 Commissioner Joe Smith

ABSENT: Commissioner Karen Moore

ALSO PRESENT: Administrator Charles T. Stewart
 County Attorney Gary Moore

Opening Ceremony

Chairman Tillman opened the meeting by calling on Commissioner Boyne for the invocation, followed by Pledge of Allegiance to the Flag.

Emergency Medical Services Week.

On behalf of the Commission, Chairman Tillman presented a proclamation to Fire Chief Carl Johnson recognizing "Emergency Medical Services Week" in Glynn County.

Consent Agenda Items Approved.

A motion was made by Commissioner Smith and seconded by Commissioner Hardman approving the following Consent Agenda Items, as recommended by Staff:

Taxes on TPI Aircraft - Tax Commissioner authorized to accept \$14,387.04 as payment in full for taxes due on seven (7) aircraft formerly owned by TPI.

* * *

Contract with Brunswick Job Corps approved which would allow Glynn County to provide off-Center work experience to Job Corps students, and Chairman authorized to execute same.

* * *

Easement Along Santa Maria Street - The following resolution adopted to correct the record relative to the location of a drainage and sewer easement along a portion of Santa Maria Street.

RESOLUTION

BE IT HEREBY RESOLVED by the Glynn County Board of Commissioners that in abandoning Santa Maria Street between Rivera Drive and Mendendez, El Dorado Subdivision, St. Simons Island, Georgia, Glynn County reserves a twenty-five foot (25') drainage and sewer easement which is centered (12.5" each side) on the existing sanitary sewer main.

* * *

Aye: Commissioners Smith, Hardman, Boyne, Pate, and Chairman Tillman.

Abstaining: Commissioner Dismer.

Motion adopted.

Minutes Approved.

A motion was made by Commissioner Smith and seconded by Commissioner Boyne approving minutes of Regular Meeting held April 16, 1992, subject to any corrections that might be needed.

Unanimously adopted.

Brunswick College Paving Contract.

Dr. Dorothy Lord, President of Brunswick College, asked the Commission to serve as agent for a Department of Transportation Contract covering paving of two parking lots and revisions to the campus entrance at Altama Avenue. She noted that although DOT had agreed to make funds available for these projects, their policies required acceptance of such contracts by the local governing authority. Dr. Lord stated that no cost would be incurred by the County.

On behalf of the Finance Committee, a motion was made by Commissioner Pate and seconded by Commissioner Boyne approving this request and authorizing the Chairman and Clerk to execute the appropriate contracts with DOT, provided that such action would not impact the funding of local County road projects from DOT.

Unanimously adopted.

Nina, Pinta and Santa Maria Replicas to Visit Glynn County.

Millie Wilcox, President of the St. Simons Island Chamber of Commerce, presented an update on activities scheduled to take place on Monday and Tuesday of the following week when replicas of the Nina, Pinta and Santa Maria would arrive at St. Simons Island and travel to the Brunswick City Docks.

Mrs. Wilcox announced the end of her presidency of the St. Simons Chamber of Commerce at the end of May, and thanked the Commission for the good working relationship she had enjoyed with them during this time.

Bill Taylor Discusses Staff Support and Beach Nourishment.

Bill Taylor thanked the Commission for supporting members of the County Staff. He also asked them to look at the credibility of the petition being circulated against the Beach Nourishment Project, and said he thought the question of whether or not a referendum should be held on this topic was entirely up to the Commission to decide.

Ken Plyman Discusses Youth Activities.

Ken Plyman suggested that arrangements be made to accommodate activities of teenagers, including the County Police designating an officer to monitor opening of Massengale and/or

Neptune Parks at night for this purpose. He also asked the Commission to consider providing a red light and crossing guard on Newcastle Street Extension in front of Selden Park when the new pool was completed and open for use.

Chairman Tillman suggested that Mr. Plyman discuss his ideas with Recreation Director Cynthia Williams and Police Chief Carl Alexander. He noted that the Commission had hopes of a full traffic light being installed at the Selden Park entrance soon.

Brunswick Women's Club to Place Improvement on Courthouse Ground.

Betty McGregor announced that the Brunswick Women's Club had raised approximately \$4,000 which they wanted to invest in a community project, and she asked the Commission to allow them to invest these funds in an appropriate object, such as a bird bath or small statue, to be placed on the Courthouse grounds.

A motion was made by Commissioner Boyne and seconded by Commissioner Smith approving the concept of allowing the Women's Club to purchase an appropriate decorative item for the Court House grounds, and authorizing Building Official Vernon Lewis to work with these ladies to develop a specific proposal which would be presented back to the Commission for final approval.

Unanimously adopted.

Rentavision's Service to the Community.

Bob Hymson, Local Manager for Rentavision, outlined his company's policies for providing cablevision service to new areas.

George Skarpalezos, and Attorney Foster Lindberg on behalf of Harry Driggers, complained about Rentavision's failure to provide service to certain developments.

Commissioner Boyne asked Mr. Hymson to work with Mr. Driggers and Mr. Skarpalezos in developing a satisfactory solution to this problem. All members of this group said they were amenable to this suggestion, and they immediately convened in the adjacent conference room to begin their discussion.

Candidates Recognized.

Chairman Tillman extended a special welcome to the following citizens who had qualified to run for public office during the 1992 elections.

Gladys Martin Lyde - County Commission, District Five
 Fred Tullos - Commissioner At Large, Post Two
 Kathy McClusky - Commissioner At Large, Post Two
 Don Sullivan - Commissioner, District Two
 Jim Anderson - Commissioner, District One

Fencing at Jail.

On behalf of the Inter-Agency Criminal Justice Task Force, a motion was made by Commissioner Dismar and seconded by Commissioner Smith that the Finance Committee be asked to obtain costs on fencing around window areas at the jail, and submit recommendations back to the full Commission for consideration.

Unanimously adopted.

Finance/Purchasing Items.

On behalf of the Finance Committee, a motion was made by Commissioner Pate and seconded by Commissioner Boyne, approving the following actions.

- 1) Award of bid on a 250 GPM Quick Attack Pumper for Fire Department deferred for consideration by the Finance Committee at their May 26th meeting.
- 2) Bid of Kings Colonial Ford of Brunswick, GA in the amount of \$10,353.92, accepted on One (1) Short Wheel Base Pickup Truck for Sanitation.
- 3) Bid of Speedy Catering in the amount of \$1.44 per meal accepted for providing meals for the Summer Lunch Program.
- 4) Staff authorized to re-advertise sale of four (4) package monitor/defibrillators surplus by the Fire Department.
- 5) Bid on Prescription and Non-Prescription Drugs for Inmates and County Employees awarded to City Drug Store at a cost of Average Wholesale Price plus five percent (5%).
- 6) Chairman authorized to execute Engagement Letter with DeLoach & Company, Certified Public Accountants, allowing them to perform FY 91-92 audit of the County's records by renewing the third year of a three (3) year contract, at a price not to exceed \$34,750.

Unanimously adopted.

Tax Anticipation Notes.

A motion was made by Commissioner Boyne and seconded by Commissioner Hardman adopting the following resolution for the purpose of authorizing Staff to bid the sale of \$5,700,000 Glynn County General Obligation Tax Anticipation Notes (TANS), Series 1992.

RESOLUTION OF THE BOARD OF COMMISSIONERS
OF GLYNN COUNTY
(Tax Anticipation Notes, Series 1992)

WHEREAS, Article IX, Section V, Paragraph V of the Constitution of the State of Georgia of 1983 provides that the governing authority of any county of the State of Georgia may incur debt by obtaining temporary loans in each year to pay expenses, provided that (i) the aggregate amount of all such loans shall not exceed 75% of the total gross income from taxes collected in the last preceding year, (ii) such loans shall be payable on or before December 31 of the calendar year in which such loans are made, (iii) no such loans may be obtained when there is a loan then unpaid obtained in any prior year, and (iv) the aggregate of any such temporary loans or other obligations for current expenses shall not exceed the total anticipated revenue for such calendar year; and,

WHEREAS, during the calendar year 1991 the total gross income of Glynn County from taxes collected aggregated not less than \$11,317,760 and, pursuant to said constitutional provisions, Glynn County is authorized to borrow not more than 75% of said amount, i.e., \$8,488,320, during calendar year 1992; and,

WHEREAS, the aggregate amount of any temporary loans for current expenses of Glynn County for calendar year 1992

shall not exceed the total anticipated revenue of Glynn County for 1992; and,

WHEREAS, at December 31, 1992, no temporary loans made in prior years remained unpaid; and,

WHEREAS, it is anticipated that deficits will be incurred by Glynn County in cash flow during calendar year 1992 and that up to \$5,700,000 will need to be borrowed on a temporary basis to cover such deficits;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Glynn County, Georgia, that Glynn County is hereby authorized to borrow up to \$5,700,000 on a temporary basis in order to cover shortfalls in anticipated tax revenues during calendar year 1992, any such borrowings to be due and payable on or before December 31, 1992;

BE IT FURTHER RESOLVED that a Notice of Sale of \$5,700,000 of Glynn County's Tax Anticipation Notes, Series 1992 (the "Notes"), shall be disseminated by the financial advisor for Glynn County in substantially the form presented to this meeting, and the Finance Director of Glynn County shall be and is hereby authorized to make a verbal award on the scheduled sale date to the responsible bidder whose bid results in the lowest net interest cost to Glynn County;

BE IT FURTHER RESOLVED that the Board of Commissioners shall ratify such verbal award at its meeting on May 21 and shall take such further action at said meeting as shall be deemed necessary in order to issue and deliver the Notes.

* * *

Unanimously adopted.

House Move Permit Granted to Jerry Kennedy.

Larry Taylor, Deputy Director of Zoning & Development Review, presented Staff recommendation for approval of request of Jerry Kennedy for permit to move four single family residences from West Oak Street to Franklin Avenue and Ogg Avenue, including variance to allow these twenty-six foot four inch structures, which exceed the maximum sixteen foot width requirement, to be moved along County rights-of-way, subject to the following conditions:

1. That a bond or letter of credit be posted in the amount of \$12,220.00 for the purpose of insuring that the value of each residence be increased by \$3,055.00 to meet the minimum eighty percent of the value of other residences in the area;
2. That the residences be increased by a minimum of fifty square feet in floor area to meet the minimum eighty percent requirement of the residences in the immediate area; and
3. That all utility companies and appropriate county agencies sign written approval prior to the issuance of the permits.

Mr. Kennedy was present on behalf of his application.

There being no opposition, a motion approving this request, as recommended by Staff above and subject to compliance with the conditions listed, was made by Commissioner Boyne and seconded by Commissioner Smith.

Aye: Commissioners Boyne, Smith, Dismar, Hardman and Chairman Tillman.

Abstaining: Commissioner Pate.

Motion adopted.

Appointment of Solid Waste Management Advisory Committee.

A motion was made by Commissioner Smith and seconded by Commissioner Hardman to defer appointments to the newly created Solid Waste Management Advisory Committee so that additional nominees could be solicited.

Unanimously adopted.

Electrical Advisory Board Appointment.

Chairman Tillman announced that Donald Strickland had resigned from the Electrical Advisory Board, and selection of a new member to fill this vacancy was in order. He presented report from Staff indicating that local electrician Tony Thaw had volunteered to serve in this capacity.

Commissioner Hardman nominated Mr. Thaw.
Commissioner Dismar nominated Jack Hope.
Commissioner Pate nominated Gerald Moody.

A motion was made by Commissioner Smith and seconded by Commissioner Hardman to defer action on this appointment so that Staff could readvertise for additional nominees.

Unanimously adopted.

RDC Agency Services Advisory Council.

Chairman Tillman announced that notice had been received from the Regional Development Center that terms of the four current members of the Agency Services Advisory Council would expire June 30, and the Board of Commissioners was asked to make new appointments. He conveyed Staff report that current Advisory Council member Walter Belton, Jr. wanted to be considered for reappointment, and Donalyn M. McTier also wanted to serve.

A motion was made by Commissioner Dismar and seconded by Commissioner Boyne deferring action on these appointments and asking Staff to run further advertisements in the local newspaper in an effort to acquire the names of additional citizens who would like to serve on this advisory group.

Unanimously adopted.

Personnel Action.

A motion was made by Commissioner Boyne and seconded by Commissioner Smith approving Staff recommendation to extend injury leave for the following employees, and refer Ms. Dixon's request for vacation pay to the Personnel Committee for recommendation.

M. E. Amick, Fire Department
K. Connally, Police Department
A. Dixon, Public Works

Unanimously adopted.

Inter-Agency Criminal Justice Task Force Assignment.

Pursuant to recommendation from Administrator Stewart, Chairman Tillman assigned the Inter-Agency Criminal Justice Task Force to review the impact House Bill 1607 would have on the local judicial system.

Budget Schedule.

Administrator Stewart announced kickoff of the budget process with a meeting on Monday, May 11, 1992, at 5:00 p.m. to discuss general ideas on the budget.

Administrator's Military Leave.

Administrator Stewart announced that he would be on military leave in Panama City for ANG annual summer training camp activities June 8 through 19, 1992.

Overtime Pay for Police Officers.

A motion was made by Commissioner Boyne and seconded by Commissioner Hardman approving recommendation presented by Administrator Stewart that four Police Officers who worked eight hours overtime each on Beach Patrol the previous weekend be paid time and a half, or four extra hours, from the Discretionary Fund, and authorizing the Personnel Committee to meet and work with Administrator Stewart, Police Chief Alexander and Fire Chief Johnson either Friday or Monday in developing safety valve exceptions to Fair Labor Standards Act to cover instances such as this one.

Unanimously adopted.

* * *

A motion was made by Commissioner Boyne and seconded by Commissioner Dismer authorizing the County Police Department to assist the City of Brunswick with crowd control during two visits of historic ship replicas to the City Docks during the coming week.

Unanimously adopted.

Overtime in Sheriff's Department.

A motion was made by Commissioner Boyne and seconded by Commissioner Hardman approving Staff recommendation to amend the budget by deleting purchase of a van for the Sheriff's Department, and placing that money into the Discretionary fund to cover cash flow shortage brought about by unbudgeted overtime incurred in that Department.

Unanimously adopted.

Commissioner Boyne asked that County Attorney Gary Moore call either the Sheriff or his Chief Deputy and explain the necessity of this transaction.

Opening of Blythe Island Regional Park Beach.

Commissioner Smith asked when the Blythe Island Regional Park Beach would be opened for the season.

Public Works Director Keith Flanagan responded that this beach would be opened for public use as soon as the new bathhouse construction and beach reconstruction were completed. Administrator Stewart said he would investigate the status of life guard recruitment for this facility.

Opinion of County Attorney on Referendums.

Pursuant to previous request from Commissioner Dismer, County Attorney Gary Moore presented a memorandum relating to referendums and how they could be held, as follows.

"May 6, 1992

M E M O R A N D U M

TO: GLYNN COUNTY BOARD OF COMMISSIONERS
 FROM: GARY MOORE, COUNTY ATTORNEY
 RE: REFERENDUM

I have been asked by you to give you a written memorandum of opinion relating to referendums and how they can be held by the Glynn County Board of Commissioners.

Glynn County cannot hold a referendum on any issue without specific authority in the law. I have been unable to find any specific authority for the Board of Commissioners to hold a referendum on the beach renourishment question. The question then becomes how can the Board of Commissioners obtain the authority to have such a referendum.

I see essentially three methods by which such authority could be had. First, have the General Assembly pass a general law (which would effect all of Georgia) that would allow the governing authority of any local government to pass a resolution proposing certain issues to the public on a binding referendum basis. The obvious difficulty here is that there may be Cities and Counties throughout the State of Georgia that would have no interest in such a referendum and would be uncomfortable with having such power. This might cause opposition to such a law.

The second possibility is to have the General Assembly enact local legislation effecting only Glynn County that would enable us to have such a referendum. In addition to being a very clean and unchallengeable way of getting this authority, this method has the advantage of excluding other local governments throughout the state who may have, for their own political reasons, some problem with its enactment on a state wide basis. This would be the most advisable way to proceed.

The third possible source of this power is for the Glynn County Board of Commissioners to enact a Home Rule Ordinance giving themselves the authority to hold such a referendum. Although this method has never been tested and approved by the Courts, it may theoretically be possible.

As I have stated to you previously a non-binding question can be submitted to the voters by the political parties without further enabling legislation (see my memo of January 13, 1992).

I hope this answers fully your questions on this matter."

Commissioner Dismer stated that the information contained in this information served the purpose for which it had been requested.

Sales Tax Funds Designated for Lanier Bridge Replacement.

On behalf of the Commission, Chairman Tillman approved suggestion made by Commissioner Boyne that Staff be directed to develop proposals for use of \$2.4 million previously designated for the Sidney Lanier Bridge Replacement, as follows:

- 1) Restoration of the Historic Court House to its original splendor, and
- 2) County Engineer and Public Works Director develop proposed new list of dirt road paving projects for the Commission's consideration, with special focus being placed on short unpaved streets in subdivisions where most of the streets have already been paved, and
- 3) That a special meeting be held to deal with this item when the above information has been developed by Staff.

Report From Moreland/Altobelli.

On behalf of the Consulting Engineering firm of Moreland/Altobelli, Dan Altobelli gave a brief overview of the status of Gwinnett County road projects his firm had participated in, followed by a status report on Glynn County's ongoing road projects.

Mr. Altobelli explained that construction plans for the two-phase MLK Boulevard Project were finished, and environmental documents had also been completed and submitted to State and Federal Agencies for approval. On the first phase of this project from Stonewall to Gloucester Street, he said County Attorney Gary Moore was working on right-of-way purchases - right-of-way certification should be accomplished in June - construction bid let in July - with the work getting underway in August. He said the second phase extending from Gloucester to Fourth Avenue should be under construction in late fall.

On the proposed L Street project, Mr. Altobelli related that the City Commission and residents wanted a five-lane section on L Street from Newcastle Street to the Causeway entrance, rather than parallel one-way corridors initially proposed by his firm. He said the cost of this project, which was already included in the State Work Program, was estimated at \$5 million, and the County's cost of acquiring right-of-way was approximately \$2 million. Mr. Altobelli said his firm would proceed with the next step on this project, which was preparation of the preliminary plans, when directed by the Commission to do so.

Mr. Altobelli answered questions posed by Kathy McClusky, Betsy Ellzey and Bob Drury, concerning public hearings and environmental testing for this project.

Recognition of Brunswick Firefighter.

In response to suggestion from Virginia Gunn, Chairman Tillman stated that the Board of Commissioners would convey special recognition to Brunswick Firefighter Bill Baker, who recently rescued three persons from a burning house.

Executive Meeting and Adjournment.

A motion was made by Commissioner Smith and seconded by Commissioner Boyne to go into executive session to discuss the following items, and then to adjourn the regular meeting.

Personnel Matters
Pending Litigation

Unanimously adopted.

BOARD OF COMMISSIONERS,
GLYNN COUNTY, GEORGIA

Rev. E. C. Tillman
Chairman

ATTEST:

Martha D. Tyre,
Deputy Clerk