

MINUTES
BOARD OF COMMISSIONERS REGULAR MEETING
MARION COUNTY, GEORGIA
VIA VIDEO and TELECONFERENCE DUE TO COVID-19 RESTRICTIONS
May 12, 2020 – 5:00 PM

PRESENT: Those present on the video call (ZOOM meeting ID 920 0430 2647) were Chairman George Neal, Commissioner Steve Young, Commissioner Jody Grimsley, Commissioner Matthew Gunnels, Commissioner Norman Royal, County Attorney Wayne Jernigan, County Manager Justin Strickland and County Clerk Sylvia Russell.

CALL TO ORDER: Chairman Neal called the meeting to order at 5:01 PM. Commissioner Young gave the invocation.

APPROVE MINUTES:

Commissioner Gunnels made a motion to approve the minutes from the April 14, 2020, Regular Meeting of the Board of Commissioners and the April 29, 2020, Special Called Meeting. Commissioner Royal seconded the motion and the motion passed unanimously.

PUBLIC HEARING:

Chairman Neal called to order a Public Hearing at 5:06 PM to discuss a requested variance for 2021 Pineville Road for Commercial usage (used automotive sales) in an Agricultural Zone. Citizens were given an opportunity to speak for or against the requested variance. No one spoke for or against.

Chairman Neal concluded the public hearing and called the regular session back in order at 5:08 PM

PUBLIC COMMENTS:

- a. **Carol Streeter, 778 Moody Rd.:** Request of Commissioners regarding Sheriff and a Building/Zoning Matter. *(Note: Ms. Streeter initially did not respond when asked to present her request. She responded when given a second opportunity at 7:09 PM.)*

Ms. Streeter reported that she was assaulted again three Sundays prior and the Sheriff refused to do anything. She requested an incident report from the Sheriff's office and was told she must submit an open records request. She stated that she submitted the open records request and has not received anything. Commissioner Royal asked Mr. Jernigan what responsibility the Commission has in this matter. Mr. Jernigan advised the Commission has none – it is a matter for the courts.

Ms. Streeter asked the Commission to look at Moody Road and see that it needs repairs. Her car has been damaged due to the road condition and she is getting quotes for repairs.

OLD BUSINESS

- a. **Water Bond Refunding:** Commissioner Royal asked if the Commission can be assured we will be at a 2.5% interest rate or below and requested confirmation that the County does not pay any fees if we do not get desirable rates. Bryan Huskey of Stifel, Nicolaus & Company responded yes, it is reasonable to expect an interest rate of 2.5% or lower subject to underwriting and credit review, and confirmed there are no fees if the Commission does not proceed with refunding.

Commissioner Young made a motion to approve to award a contract to Stifel, Nicolaus & Company, Inc. for:

- i. \$25,500.00 for private placement, OR
- ii. 1% of par value of bonds for underwriting fees (estimated \$38,796.48)
for the purpose of serving as underwriting agent, or private placement agent for refunding of water fund revenue bonds.

Commissioner Grimsley seconded the motion and the motion passed unanimously.

- b. **County Manager Ordinance:** The Commission reviewed an Ordinance Establishing The Position Of County Manager for Marion County, Georgia, and Defining The Powers And Responsibilities Thereof. Commissioner Gunnels asked for Mr. Jernigan's input. Mr. Jernigan stated that if the ordinance passes, it is law. Failure to comply will subject commission to being sued by citizens. The same applies for the Financial Ordinance. He suggested that Commission pass a simple ordinance to create position of County Manger to be subject to instruction by the Commission.

Chairman Neal asked how the Commission can accomplish creating a county manager spot in a less restrictive manner. Mr. Jernigan said the Commission can pass an ordinance to create the position subject to instruction and requirements of the Board of Commissioners. A separate set of instructions and requirements can be made part of the county manager job profile. Mr. Jernigan advised the same guidance applies to the Financial Ordinance and we need to let our CPA approve it.

Commissioner Young asked if we can incorporate the proposed ordinance language into the duties of the county manager. Mr. Jernigan said we can. Chairman Neal asked Mr. Jernigan to draft a simple ordinance and write out how the instructions would look.

Commissioner Grimsley stated we need to ensure the county manager is protected from the Board of Commissioners interfering with his duties.

Commissioner Young made a motion to ask Mr. Jernigan to draft a simple ordinance establishing a county manager position and draft a separate position description with daily duties to be added into county manager's counseling packet. Commissioner Royal seconded the motion and the motion passed unanimously.

- c. **Courthouse Paint:** The Commission considered a contract to pay 5th Avenue Paint Company up to a maximum amount of \$51,800.00 for the purpose of painting the exterior of the Marion County Courthouse. The previously reviewed bid has been updated to include a 3-year warranty. Commissioner Gunnels asked if the courthouse should be painted when underlying repairs are needed. Commissioner Grimsley suggested getting a carpenter to make repairs first, then ask for new bids to paint the courthouse with warranties. Mr. Jernigan agreed a paint job will not last if the defective wood is not replaced. He suggested the Commission look into wood alternatives, like Hardie board, that can last 50+ years and holds paint better.

Chairman Neal directed County Manager Strickland to obtain quotes on repairs as mentioned by Mr. Jernigan and table the contract to paint the courthouse until carpenter work is done.

NEW BUSINESS

- a. **2021 Pineville Rd. Variance:** Commissioner Royal made a motion to approve a variance for 2021 Pineville Road for Commercial usage (used automotive sales) in an Agricultural Zone. Commissioner Young seconded the motion and the motion passed unanimously.
- b. **Employee Insurance Renewal:** The County currently pays \$18,882.01/month for health insurance offered through Anthem/BCBS. A 36.9% rate increase (new rate \$25,849.51/month) is being applied by Anthem/BCBS effective July 1, 2020. Broker James R. Everett of Denham, Edwards, and Foshee Insurance recommends moving coverage to United HealthCare of GA which will result in a 14% rate increase (new rate \$22,755.15/month) for health insurance coverage and rate decrease for Life, Dental, and Vision coverage. There will be no underwriting for the rollover (all employees/dependents will be covered immediately). Commissioner Gunnels made a motion to approve moving Health, Life, Dental, and Vision insurance coverage to United HealthCare of GA, option (2), for the plan year starting July 1, 2020. Commissioner Young seconded the motion and the motion passed unanimously.
- c. **Financial Policy Ordinance:** The Commission reviewed an Ordinance Establishing Financial Policies for Marion County, Georgia. Chairman Neal asked for clarification on what this policy is intended to accomplish (what are employees doing now?) and expressed concern about giving departments “free reign” on budget funds. Commissioner Grimsley noted we are on a check system and abuse is not likely. Commissioner Gunnels noted the Commission needs to trust the County Manager to manage. County Manager Strickland and Commissioner Grimsley responded that written guidelines are needed for employees to have clarity. Commissioner Young agrees there is a point where the Commission will need to trust people and having a document will help prevent abuse. Chairman Neal asked Mr. Jernigan to draft a procedure manual that can be implemented as an alternative to issuing an ordinance and asked that he have it ready within the next 30 days. County Manager Strickland agreed a procedure manual should be effective as long as it is approved by the Commission.

- d. **Elections Drop Box:** Commissioner Grimsley made a motion to approve use of a secure, video monitored Election Drop Box directly outside the Elections office at 100 E. Burkhalter Ave. for absentee ballots submitted for the June 9, 2020, election. Commissioner Gunnels seconded the motion and the motion passed unanimously.
- e. **Zoning Commission Reappointments:** Commissioner Young made a motion to reappoint the following Zoning Commission Members for a 5-year term beginning June 1, 2020:
- iii. Richard Waters
 - iv. John Daniel
 - v. Vance McCorkle
 - vi. Alfred Green

Commissioner Gunnels seconded the motion and the motion passed unanimously. The Commission recommended each member be made aware of the 5-year term (was listed as a 2-year term and corrected based on ordinance language).

- f. **Well #2 Repairs:** Commissioner Gunnels made a motion to approve a bid from Hammack Well, Inc., for repairs to Well #2 at the South Plant at an estimated cost of \$31,800.00 to be paid from SPLOST funds. Commissioner Grimsley seconded the motion and the motion passed unanimously.

Discussion:

- a. **Zoning Commission New Appointment:** The Commission discussed the need for a new appointment on the Zoning Commission to fill a vacancy left when Kevin Brown was required to resign after being elected as Mayor of Buena Vista. The selection process was discussed and confirmed as follows:

There are seven (7) positions on the Zoning Committee. Five (5) positions will be filled based on individual Commissioner nominations from their respective districts. Two (2) positions will be filled as “at large” with all Commissioners participating in the nomination process.

The current vacancy on the Zoning Commission is within District 1. Commissioner Royal made a motion to appoint Nick Swan to fill the vacancy on the Zoning Commission. Commissioner Gunnels seconded the motion and the motion passed unanimously.

REPORTS:

- a. Public Works & Water Department Report – ClearWater Solutions

ClearWater Project Manager Shane Cox outlined highlights of the report and pointed out the Roads team is working to recover from the rains last month. Commissioner Royal asked to ride Moody Road with Shane to view the condition.

b. County Manager's Report – Justin Strickland

County Manager Strickland reviewed his report and thanked all County officials and staff for helping the County handle the COVID-19 crisis. He noted that we have been communicating to the public via social media, email, phone and website updates and may consider opening county office to foot traffic on May 18th if nothing changes at the state level. He pointed out the following:

- Work continues on paving JP Hudson Road.
- A pre-construction meeting will be held next week for Firetower Road.
- An RFP has been issued for Civil Engineering Services for Jim Allen Road repaving.
- Airport Phase II construction scheduled to begin on June 1.
- A SPLOST III Joint Resolution (City/County) is anticipated for review at the June meeting.
- Marion County was selected for a GEFA Solar Resiliency Study.
- Marion County EMA received a Flint Foundation Grant in the amount of \$5,000.00 to purchase a handheld Thermal Imaging System.

EXECUTIVE SESSION – Pending Litigation

Commissioner Gunnels made a motion to go into Executive Session to discuss pending litigation. Commissioner Royal seconded the motion and the motion passed unanimously.

The Board of Commissioners went into Executive Session at 7:28 PM.

PUBLIC SESSION:

The Board came out of Executive Session and Chairman Neal called the Regular meeting back to order at 7:31 PM.

ADJOURNMENT:

Commissioner Gunnels made a motion to adjourn the meeting at 7:32 PM. Commissioner Grimsley seconded the motion and the motion carried unanimously.

Chairman George Neal, Jr.

Attest:

Sylvia Russell, County Clerk