

**THE REGULARLY SCHEDULED MEETING OF THE
CRAWFORD COUNTY BOARD OF COMMISSIONERS
TUESDAY, 16 AUGUST 2016**

**THE MEETING OF THE CRAWFORD COUNTY BOARD OF COMMISSIONERS WAS CALLED
TO ORDER AT 6:05 P.M.**

The following members were present: Mr. Paul Chapman (Chairman), Mr. Bobby Blasingame (Vice-Chairman), Mr. John Thomas, Mr. Justin Spillers and Mr. Sterling Braswell.

INVOCATION GIVEN BY MR. JUSTIN SPILLERS

AGENDA APPROVAL

Mr. Chapman asked for a motion to approve the agenda. Mr. Spillers made a motion to approve the agenda. Mr. Blasingame seconded and the motion carried 5-0.

FIRST ON THE AGENDA

Approval of Minutes: *Regularly Scheduled Meeting of 02 August 2016*

Mr. Chapman asked for a motion to approve the minutes from the regularly scheduled meeting of 02 August 2016. Mr. Spillers made the motion to approve the minutes. Mr. Blasingame seconded and the motion carried 5-0.

Approval of Minutes: *Called Meeting of 10 August 2016*

Mr. Chapman asked for a motion to approve the minutes from the called meeting of 10 August 2016. Mr. Braswell made the motion to approve the minutes. Mr. Blasingame seconded and the motion carried 5-0.

SECOND ON THE AGENDA

Public Hearing: *Proposed FY 2017 Budget*

Mr. Kelly presented the Board the proposed FY 2017 County Budget. He went on to say that the budget was balanced at \$ 6,999,796 which was a 3.34% increase or \$ 226,272 over the FY 2016 budget.

Mr. Chapman asked if there were any questions or comments. There were none.

THIRD ON THE AGENDA

Old Business: *LMIG – FY 2017*

Mr. Kelly presented the Board with the following list of proposed road projects as follows:

Proposed Projects
LMIG 2017 List

\$505,143

Project #	Road Name	Traffic Rating	Road Rating 0 - 60	Surface Type	LMIG PORTION Materials/contract	County	Total Project Cost	Length
1	Dixon Road	160	41	DBL Surface	137,636	0	137,636	3.25
2	Dixon Road	160	41	Asphalt (1.25")	247,100	0	247,100	3.25
3	Dixon Road	160	41	Asphalt (1.50")	286,714	0	286,714	3.25
4	Rowell	105	Dirt	WDG + Rock	267,833	0	267,833	2.25
5	Rowell	105	Dirt	Triple Surface	139,600	0	139,600	2.25
6	Tanglewood	135	Dirt	WDG + Rock	38,563	18,000	56,563	0.80
7	Billy White to Colbert	40	Dirt	WDG + Rock	111,962	0	111,962	1.00
8	Billy White	5	26	Asphalt (1.5")	34,880	0	34,880	0.45
9	Gunter Mill Road	75	35	Overlays	4,000	0	4,000	1.50
10	Gunters Mill	75	35	Asphalt (1.0")	71,760	0	71,760	1.50
11	Orchard Ridge	75	36	Asphalt (1.25")	24,794	0	24,794	0.30
12	Orchard Ridge	75	36	Asphalt (1.0")	20,625	0	20,625	0.30
13	Hollis Road	15	Rock	Asphalt	120,437	0	120,437	0.90
14	Hollis Road	15	Rock	Triple Surface	Not Recommended	0	0	1.00
15	Rackely Road	15	Dirt	Rock Only	6,000	0	6,000	1.70
16	Spring Hill Church Road	110	43	Asphalt	77,280	0	77,280	1.25
17	Spring Hill Church Road	110	43	Triple Surface	39,734	0	39,734	1.25
18	Stagecoach Lane	35	Dirt	Asphalt	18,150	0	18,150	0.20
19	Davis Drive	20	Dirt	Rock Only	7,725	0	7,725	0.70
20	Road Maintenance Mat	n/a	n/a	Various	County Match	65,000	65,000	n/a
21	Mule Creek Road	25	Dirt	WDG + Rock	84,000	0	84,000	1.10
22	Walkers Chapel	160	30	DBL Surface	60,878	0	60,878	1.70
23	Deerwood Estates			Asphalt	21,000	0	21,000	cul-da-sac

He requested the Board members select the projects they would like to see completed and return those selections to the County Manager for tabulation. The results would be presented at the next Regular Scheduled Meeting of the Board of Commissioner.

Old Business: *Budget/Millage Rate Adoption Calendars*

Mr. Kelly presented the Board with a calendar that outlined the meeting schedule for adopting the budget and millage rate. He stated it would be necessary to have two (2) called meetings dates over the next two weeks in order to complete the adoption process. The Board had no objections.

FOURTH ON THE AGENDA

New Business: *Water Connection – City/County*

Mr. Kelly requested the Board consider entering into an intergovernmental agreement with the city to connect the city and county water systems together. He went on to say that the two systems meet on opposite sides of Highway 128 and could be connected at that point. By connecting the two systems it would give both governing authorities the ability to borrow/sell water to each other should repairs be necessary to the supporting wells. The cost of the connection to include a meter is estimated at \$41,000.00.

Mr. Chapman suggested the City could pay for a portion of the estimated expense. He requested the County table the issue until the City could take up the issue at their next scheduled meeting.

The Board had no objections.

New Business: *Flag Pole – Chief Pate*

Mr. Kelly stated that the Chief would like to set a flag pole in the field behind his offices. The Board requested he mark the spot and have the Jug Fest organizers approve the area to insure it does not conflict with their activities.

New Business: *Development Authority – General Fund Budget Increase*

Mr. Chapman requested the Board members consider purchasing a parcel of property on behalf of the Development Authority in exchange for an annual agency payment of \$ 25,000 that was cut from the FY 2017 budget. He submitted a summary of actions that outlined the various terms and conditions of the proposed purchase as follows:

The County:

- A. *Not permitted to incur direct debt without voter approval;*
- B. *Not permitted to exercise the power of eminent domain (to condemn) for purely economic development purposes;*
- C. *May enter into intergovernmental agreements (IGA) with the Development Authority for matters or services which the County is otherwise authorized to undertake by law (e.g. - the provision for industrial land and buildings, utilities, or safety services, such as fire or water.);*
- D. *The County has near-term possible uses (e.g. - fire station, attendant water facilities) for a portion of the property to be acquired (117.4 acres) but not the remainder; and*
- E. *The Assessors can enter into Agreements with the County, and others, which are binding as to taxation of specific properties contemplated under a transaction.*

The Authority:

- A. Not permitted to exercise the power to condemn;
- B. Can finance acquisitions for industrial land, seller-financed or through revenue bonds; and
- C. May also enter into IGAs with County for any activity the Authority is authorized.

Current Owner:

- A. Has a long term farming lease through 2028 on the property to be acquired (and optioned?) which must be addressed prior to closing;
- B. Has a CUVA in place that would result in penalties absent an exception and is unwilling to sell or option if forced to incur the penalties; and
- C. Is willing to finance the sale of the 117.4 ac property and negotiate an option to sell the remaining 350 acres, purchase price \$5,750.00 per acre for both, \$300K down @ 3.75 % Interest for 60 months with a balloon, no prepayment penalty.

Suggested Course:

1. The first hurdle, to avoid the Current Owner incurring CUVA penalties, would require acquisition by the County of the 117.4 acres.
2. Rather than have multiple agreements, I recommend a single contract, to which the County, Authority, and the Board of Tax Assessors are parties (and parts relating to their obligations are intergovernmental in nature) and to which Current Owner is also a party. The contract would have provisions that:
 - a. The Current Owner would sell the 117.4 acres to the County, and that sale would be financed by the Development Authority through its own funds and an owner-financing structure (takes care of hurdle no. 2 relating to incurring debt by County).
 - b. The 117.4 acres would be sold to the County; the County would retain the small portion (or rights to reacquire) that it anticipates for its needs, then transfer the remainder to the Authority for development.
 - c. The Authority would receive an option to acquire the remaining 350 acres, at a set price, for a period of year (5, 6, 7 years? whatever is required) which would put the Current Owner past the CUVA period, and the Authority would not exercise the Option prior to that time unless the County had need of a portion of the optioned property.
 - d. The terms of the financing the remaining purchase price of the 117.4 acres via note, security, etc. through the Development Authority would be set forth in the contract.
 - e. The Assessors would agree that the County's acquisition of the 117.4 acres meets the requirements of O.C.G.A. § 48-5-7.4(n) (2) so that there is no penalty on the 117.4 and that there would be no penalty on the option of the 350 acres granted to the Authority.
 - f. The gratuities issues can be addressed in the bargain and services language between the County and Authority in the contract without the need for multiple DSD, cancellations, etc.
3. End results under one contract: the County takes title to the 117.4 acres at closing retains a portion (or rights to require a portion), then transfers to the Development Authority. Authority grants a DSD to the Current Owner and provides a note for remainder. The Option at closing on the 350 acres in place. Title for 117.4 (or slightly less) would be in the name of the Authority, the CUVA will have been recognized as eliminated due to acquisition by the County, no breach as to the Option.

This course assumes that the farming lease can be cancelled by agreement; if not, actual condemnation by the County could be an alternative, but would require more diligence and steps, and result in more expenses for the County, Authority, and Current Owner. We can also "tweak" this recommended course to accommodate any specific considerations of the Commissioners, Authority, or Current Owner.

Mr. Chapman asked for a motion to proceed with the purchase of the property on behalf of the Development Authority.

Mr. Spillers requested the Board table the request and allow him time to research the issue more thoroughly.

The Board had no objections and table the discussion until the next regularly scheduled meeting of the Board of Commissioners.

New Business: *Tanglewood Drive – Intergovernmental Agreement*

Mr. Chapman requested the Board consider entering into an agreement with Peach County in order to improve Tanglewood Drive. He stated that both Peach and Crawford County residents use the road for ingress and egress to their property but the majority of the road is located in Crawford.

He asked the County Manager and County attorney to prepare an agreement for the BOC for their consideration and preview for the next regularly scheduled meeting.

The Board members had no objections.

FIFTH ON THE AGENDA

Executive Session: *Privileged consultation with legal counsel pertaining to pending or threatened litigation, claims, administrative proceeding or settlements. [O.C.G.A. Section 50-14-2]*

Mr. Spillers made the motion to enter into executive session. Mr. Braswell seconded and the motion carried 5-0. Board enters at 6:38 p.m.

Mr. Braswell made the motion to exit executive session. Mr. Spillers seconded and the motion carried 5-0. Board exits at 6:52 p.m.

Mr. Blasingame made a motion to settle the Carol Jackson complaint in the amount of \$25,000.00. Mr. Braswell seconded and the motion carried 5-0.

Adjourn:

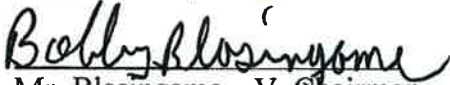
There being no further business, Mr. Chapman asked for a motion to adjourn the 16 August 2016 Regular Meeting of the Board of Commissioners. Mr. Spillers made the motion. The motion was seconded by Mr. Thomas. Motion carried 5-0 and the Board adjourned at 6:55 p.m.

APPROVAL OF MINUTES

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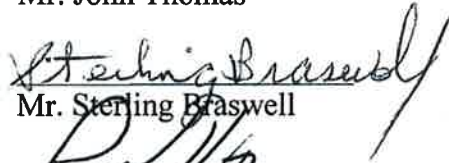
Mr. Paul Chapman - Chairman



Mr. Blasingame - V. Chairman

Mr. Justin Spillers

Mr. John Thomas



Mr. Sterling Braswell



Attest - County Manager