

**WHITE COUNTY BOARD OF COMMISSIONERS**

**MINUTES FROM REGULAR MEETING HELD**

**MAY 1, 2007, AT 4:30 P.M.**

The White County Board of Commissioners met in a regular session at 4:30 P.M. in the Grand Jury Room of the White County Courthouse, Cleveland, Georgia. Present were: Chairman Chris R. Nonnemaker, Post 1 Commissioner Joe R. Campbell, Post 2 Commissioner Craig Bryant, County Manager Alton Brown, Chief Financial Officer Vickie Neikirk, and County Clerk Jean Welborn.

Chairman Nonnemaker called the meeting to order. After the pledge to the flag, Dean Dyer brought the invocation.

Upon motion made by Commissioner Campbell, seconded by Commissioner Bryant, the minutes from the Regular Meeting held April 3, 2007 and Called Meeting held April 6, 2007 were adopted.

The Board of Commissioners proclaimed:

- 1) Wednesday, May 9, 2007 as **“BILLY HARGROVE DAY IN WHITE COUNTY”** in honor of his 106<sup>th</sup> birthday; and
- 2) Saturday, May 26, 2007, as **“POPPY DAY IN WHITE COUNTY.”**

Upon motion made by Commissioner Bryant, seconded by Commissioner Campbell, the following items were unanimously passed under the consent agenda:

- 1) Authorized the execution of Agreements for the Drug Task Force Grants and Agreements;
- 2) Authorized the expenditure of up to \$9,100 from contingency for the purchase of in-house credit card payment and property tax web renewal software and hardware for use in the Tax Commissioner’s Office.
- 3) Awarded bids for the Park and Recreation Reel Mower to Georgia Turf and Tractor for an amount not to exceed \$35,947, which was budgeted.
- 4) Adopted the attached GIS Department fee schedule.
- 5) Adopted the following Resolution amending the budget for FY 2006-2007 in Geographic Information Systems Department, which would not create any changes in the overall budget for the Department:

**“WHITE COUNTY BOARD OF COMMISSIONERS**

**RESOLUTION NO. 2007-21**

**A RESOLUTION**

**WHEREAS**, there is a need to amend White County's Budget for the Fiscal Year 2006/2007;

**NOW, THEREFORE**, the Budget of White County is hereby amended to allow the changes as set out on the attached Exhibit A.

Minutes from Regular Meeting held May 1, 2007, Continued

**RESOLVED**, this 1st day of May 2007.

**WHITE COUNTY BOARD OF  
COMMISSIONERS**

s/Chris R. Nonnemaker  
Chris R. Nonnemaker, Chairman

s/Joe R. Campbell  
Joe R. Campbell, Post 1

s/Craig Bryant  
Craig Bryant, Post 2

ATTEST:

s/Jean Welborn  
Jean Welborn, County Clerk

Minutes from Regular Meeting held May 1, 2007, Continued

- 6) Authorized the Developer to pave a portion of Gus Abernathy Road from Highway 356 to Monroe Ridge, with the paving and road preparation to be in accordance with county standards and at developer's expense.
- 7) Awarded bid to Tugalo Construction in an amount not to exceed \$71,198 for the leveling and plant mix resurfacing of Mountain View Drive and Vista Drive.
- 8) Approved the substitution of Thomason Road in place of Dockery Road and Narrow Lane on current Triple Surface Treatment Contract.
- 9) Authorized the execution of Contract with Department of Transportation on Aggregate Surface Course Materials for County Unpaved Roads.

**NEW BUSINESS:**

Vickie Neikirk, Chief Financial Officer, presented the monthly financial report. (See copy attached.)

Upon motion made by Commissioner Bryant, seconded by Commissioner Campbell, it was unanimously voted to award the contract for the replacement of the Town Creek Road Culvert to the sole bidder, Square Deal Enterprises, Inc., for the amount of \$58,165.

It was explained to the Board of Commissioners that the Charles Smithgall Humane Society Animal Shelter had been closed from February 21 through March 29, 2007, making it necessary for the County to incur an additional \$848.00 in veterinary expenses because of the closure. Alton Brown asked the Board of Commissioners if they wanted to deduct this additional expense of \$848.00 from the next contract payment to Smithgall Woods Humane Society. Chairman Nonnemaker stated that his feeling was that the County had a contract with them; and, if they could not provide the services required by the contract, then the amount should be deducted. Upon further discussion and upon motion made by Commissioner Campbell, seconded by Commissioner Bryant, it was unanimously voted to deduct half of the \$848.00 or \$424.00 from the next check to Smithgall Woods Humane Society.

Commissioner Bryant gave a report on the Bean Creek Water System project. Commissioner Bryant stated that he had talked with them yesterday; that they had all the permits applied for; that, hopefully, construction should begin at the end of May; that he understood that the D.O.T. had given permission to run the water line on the bridge at Highway 75, however, they could not use the box culvert on Duncan Bridge; that they would have to go underneath there. Commissioner Bryant stated that the Water Authority was going to use its money to attempt to get the water lines from Duncan Bridge to Highway 17 before tapping into the grant money.

Jere Westmoreland asked if the water line was to come from Helen. Chairman Nonnemaker stated that it was not; that it was coming from the Cleveland line or the County line. Mr. Westmoreland stated that it would be a lot cheaper and easier to come through Helen. Commissioner Bryant stated that they had talked about this; that they were told that there was so much rock up there that they estimated that it would be cheaper to go from Duncan Bridge up to the project than it would to go from Helen down to the project. Mr. Westmoreland stated that it would be no trouble to come from the golf course down to Bean Creek; that you could throw a rock through there.

Chairman Nonnemaker stated that they could go down Highway 356. Mr. Westmoreland stated that that route would be more out of the way; that the big water line came right through Helen; that they would just have to connect onto that at the golf course and go on down to Bean Creek. Commissioner Bryant stated that they had discussed that route; that

he was told that supposedly there was too much rock in there and that they could do more with the other route. Mr. Westmoreland stated that there was no rock down through there. Commissioner Bryant stated that he would bring up the discussion again at the Water Authority meeting next Thursday.

**ANNOUNCEMENTS:**

The Board of Commissioners announced that the May work session would be held on Tuesday, May 29, 2007, beginning at 8:30 A.M. due to the Memorial Day Holiday.

The Board of Commissioners announced the regular June meeting would be held on Tuesday, June 5, 2007, beginning at 4:30 P.M.

**CITIZEN PARTICIPATION:**

Teresa Stansel addressed the Board of Commissioners. Ms. Stansel stated that her comments would be in two parts and concerned the buffer issues, amendments to the Part V Criteria; that the proposed amendment that EPD had on the table at this time had a 30-day extension on the comments as of last week; that she would like to inquire at to the Board of Commissioners' official position regarding that amendment.

Commissioner Bryant stated that he had not seen the amendment. Commissioner Campbell stated that he would personally be in favor of the County accepting a 50-foot buffer; that he had not seen any scientific or other reasons to expand the buffer to 75, 100 or 150 feet; that he, personally, did not want to take any more property rights from people; that he thought a 50-foot buffer would protect the water sources and not cause any problems; that he, personally, would be in favor of this. Commissioner Bryant stated that he would not have a problem with that.

Chairman Nonnemaker stated that the proposal that they were looking at, even though he had not gone through the latest draft yet, did reduce the buffer size.

Ms. Stansel stated that it (the draft amendment) reduced the buffer size contingent upon the buffer being recorded on property deeds; that the county would have to implement certain programs, such as an education program, water monitoring program, and other programs that would be costly to the county; that it was a trade off. Ms. Stansel stated that the draft amendment redefined the perennial stream that would be required to have a 50-foot buffer north of the 7-mile radius of the water intake; that there were some very impressive components to the compromise; that White County funded \$3,000 for the coalition to get the buffer size reduced.

Ms. Stansel asked the Board of Commissioners if they were aware that the coalition and its attorney had stated their position was supportive of the amendment as it was drafted; that she had received about 100 phone calls within the last two weeks and that she had not talked to one person in White County who supported this 50-foot buffer from water runoff that was the size of her finger.

Chairman Nonnemaker stated that he had not seen that component of the legislation; that he knew that they were stymied; that the EPD was ruling with an iron thumb; that the Governor was having a hard time intervening on this. Chairman Nonnemaker stated that they have always said that no one liked the 150-foot buffer.

Ms. Stansel stated that the people would like to control this because the County had home rule, which took her to the second component of the issue. Ms. Stansel stated that she would like the Board of Commissioners to consider declaring a resolution to declare a state of emergency for White County to control the natural resources in the area based upon the Chattahoochee Forest; that the Chattahoochee Forest was a fire hazard; that she had a GAO (Government Accounting Office) report that she placed in public record about a year ago; that it was commissioned under Senator Coverdell; that North Georgia

and North Carolina were the worst fire hazards in the entire country. Ms. Stansel presented an example of a resolution out of New Mexico to the Board of Commissioners; that they did this six years ago; that they had a problem with the Helia (?) Forest there; that they petitioned the forest service; that they didn't clean up the fuel wood there; that the county issued a declaration of emergency which superseded any regulatory EPD ruling; that they took back control of their natural resources; that they opened up the national forest, segment by segment, and allowed people to go in and take the fuel wood, clean it up, so it was not so much of a fire hazard.

Ms. Stansel stated that in White County we were sitting next to a tinder box. Ms. Stansel stated that the document that she was presenting was a template; that it had already been tested for six years.

Commissioner Campbell stated that for years the people of White County had always been good stewards of their water; that White County's water had a better quality now than it was 50 or 20 years ago; that they had no industry that put any pollutants in the county's segment of the Chattahoochee River; that after it gets past White County, and especially after it gets past the Gwinnett County dam, they start having all the problems; that from there to Atlanta, it was even worse. Commissioner Campbell stated that it might take something like this sample resolution to say that White County had done a good job and that White County could look after its part; that they should clean up their portion before trying to tell White County how to look after White County's part; that enough was enough; that Florida and Alabama were trying to tell us what we could do up here because when the water gets there, it was horrible; that he felt that it was time to take a stand and would like to do it unanimously; that he thought there would be some repercussions; that he thought they could prove that they had been good stewards of the water and could continue to do so.

Ms. Stansel stated that she would be glad to make a rough draft of a resolution if the Board of Commissioners wanted her to. Commissioner Campbell stated that he would appreciate her doing this and that they would look at this at the next work session.

Commissioner Bryant stated that concerning Ms. Stansel's first topic of discussion, he was opposed to any further regulations. Ms. Stansel asked if he would be willing to sign a petition to that effect, opposing the contingencies to the buffer reduction. Commissioner Bryant stated that he did not have a problem with that. Commissioner Campbell stated that he did not have a problem with that either.

Jere Westmoreland expressed his concerns with impervious surfaces, stating that the Chattahoochee National Forest was covered up with leaves, knee deep; that their water was getting away from them. Mr. Westmoreland stated that they could burn those woods at a certain time of the year when the sap goes down and a certain way, starting at the top of the mountain and burning down against the draft; that in the spring, new growth would come; that it takes common sense.

Chairman Nonnemaker stated that one of the problems was that there was so much state and federal lands in White County that the County could not control them. Chairman Nonnemaker expressed his concerns with any resolutions that would adversely affect the County's ability to obtain grants; that they had a \$500,000 grant on the Bean Creek Water project to provide water to that area; that you had to take some of these grants because the taxpayers of White County could not afford to take on all these projects alone; that the state and federal agency grants, including the D.O.T. contracts, go away if you don't abide by state regulations; that he would love to say that they did not want any more state money but where would the money come from.

Minutes from Regular Meeting held May 1, 2007, Continued

Upon motion made by Commissioner Campbell, seconded by Commissioner Bryant, the meeting was adjourned.

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Chris R. Nonnemaker, Chairman

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Joe R. Campbell, Post 1

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Craig Bryant, Post 2

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Jean Welborn, County Clerk