



## BALDWIN COUNTY PLANNING RETREAT

September 26, 2023  
310 West Clinton Street  
Gray, GA  
9:00 AM

---

### MEMBERS PRESENT

Emily Davis  
John Westmoreland  
Kendrick Butts  
Sammy Hall  
Henry Craig

### OTHERS PRESENT

Andy Welch  
Carlos Tobar  
Dawn Hudson  
Cindy Cunningham

### Call to Order

Chair Davis called the meeting to order at 9:25 a.m.

### Administrative / Fiscal Matters

Commissioner Sammy Hall requested that the Agenda be rearranged to address first the items that would take less discussion. Commissioner Henry Craig agreed.

AMBULANCE SERVICE — County Manager Carlos Tobar stated he had sent everyone a summary of proposals and scoring which was based 60% on cost and 40% on qualifications. He stated the top two scorers were Atrium Health (scored 97) and Patriot EMA (scored 78).

Mr. Tobar requested authorization be given at tonight's Called Meeting to begin contract negotiations with Atrium Health.

Commissioners discussed the number of ambulances that would be available; possible negotiations for an additional ambulance; peak times of use and response time.

Assistant County Manager Dawn Hudson reported the proposal included the provision of three ambulances because that's what Grady provided under their contract. Attorney Andy Welch stated since the RFP included a "minimum" of three ambulances further discussion could be held regarding additional ambulance(s).

Attorney Welch stated the contract should be awarded based on material terms in order to be transparent to all bidders and the public. He stated all bidders should be contacted and asked to respond to the cost for an additional ambulance if the County determines that four ambulances are needed. However, the decision on the award must be based on the RFP that all bidders responded to. Attorney Welch stated the County is obligated to make the decision on information received.

Commissioners discussed a time period of the proposed contract which will be for one year with automatic renewal unless either party notifies the other that they do not intend to renew the contract. Attorney Welch recommended evaluating the performance of the provider over the year to see how they perform and suggested obtaining periodic updates on response times.

Commissioners stated the information will be presented at tonight's called meeting with a recommendation to accept the proposal from highest scoring provider and to begin contract negotiations.

### BOARD OF ELECTIONS

Commissioner Henry Craig reported there are only twenty-four counties in the State that have probate judges that serve as elections superintendent. Probate Judge Blackwell no longer wishes to serve as Elections Superintendent; he wants to focus on the duties he was elected to perform as Probate Judge. Conducting elections has become much more complicated and time consuming in order to comply with all the regulations. Commissioner Craig stated he felt the County should begin the process of looking into the establishment of a Board of Elections while Judge Blackwell is here to provide guidance. He reported that in the future the State will

manate counties to have a board of Elections, and he thinks it is best to move forward before the State mandate. Commissioner Craig stated that if the County is going to pursue a Board of Elections this year, now is the time to begin the process since the change will require local legislative action. He said he sent Commissioners and staff examples of how other counties have implemented their Board of Elections. Commissioner Craig recommended ACCG staff provide assistance to the County regarding this matter.

Commissioner Sammy Hall suggested a committee of two Commissioners; Probate Judge Blackwell and ACCG representatives meet to determine the best way to go about establishing a Board of Elections. Commissioner Kendrick Butts asked how the members of the Board of Elections would be elected. Attorney Andy Welch responded members are not elected they are appointed, and the language creating the body will control how this would happen. He stated the legislation must be clear as to how appointments are made, removed and how a replacement is made. He stated the basis for removal must be measurable and language should be included that has been used as a quantifiable standard.

Attorney Welch agreed ACCG would be a great resource since they have experience in this, and the probate judge will also bring immeasurable knowledge. The Local Delegation will pass this so the legislation needs to be introduced as soon as possible. Legislation has to be signed by the Governor this February.

Commissioners Kendrick Butts and John Westmoreland agreed to serve on a Planning Committee along with Probate Judge, ACCG representatives and the County Attorney for the establishment of a Board of Elections.

Attorney Welch stated notice of the Committee Meetings must be published as public meetings, open to the public and minutes must be maintained as they are with all other public meetings of the County.

Commissioners Craig and Hall stated the committee should begin work on this matter as soon as possible with a report being made to the Board no later than the first meeting in December.

#### TRANSPORTATION SPECIAL PURPOSE LOCAL OPTION SALES TAX (TSPLOST)

Staff reported a flyer is going out with water bills providing information to educate citizens on the upcoming TSPLOST election. The information will be for educational purposes only — date of election and projects to be done.

Commissioner Craig recommended that Commissioners and staff address civic groups such as Rotary and Kiwanis and also make a presentation at Eggs & Issues.

#### GPS IN COUNTY VEHICLES

Assistant County Manager Dawn Hudson reported she has obtained pricing to install GPS in County vehicles and all heavy equipment except for vehicles of the Sheriff's Department. She reported Verizon presented the lowest cost of \$20,000 per year. Commissioner Craig asked how quickly this could be done, and Ms. Hudson estimated that it would take a couple of months. Chair Emily Davis asked if employees would be informed of this. Attorney Welch stated this should be added to the County personnel policy that vehicles may or may not be equipped with GPS equipment. Commissioner Hall asked if there should be a certain value of equipment that has GPS and asked if the County wants to do this at \$20,000 / year.

Commissioner Hall stated the only benefit to the County is for investigative purposes, and this information would be used when a report of misuse is noted.

Assistant County Manager Hudson reported it would be only for a few months this year, and costs would have to be included in the upcoming budget. She stated she will present a more accurate cost to the Board at a later date.

#### UPDATE ON CAMERAS AT COUNTY FACILITIES

Assistant County Manager Dawn Hudson reported that after the senior center and water department warehouse got vandalized the County began the process of installing security cameras at County facilities. She stated the Collins P. Lee will be added later during its construction. She reported the County has the capability to capture frames etc. as long as it is done before the film is recorded over. The cameras are on a seven-day loop after which time the previous period is recorded over. Commissioner Westmoreland asked the cost for installing the cameras. Ms. Hudson responded the cost will be \$10,000 for senior center & \$10,000 for water department warehouse. County Manager Tobar clarified the vandalism was to the 4H bus parked in front of Senior Center.

## PROPERTY STANDARDS ORDINANCE

County Manager Tobar reported the comment received at the previous public hearing was made by Tina Behne and related to the enforcement of only rental properties.

Commissioners discussed the fact that if an inspector finds property to be substandard a landlord could possibly evict renters. Apprehension was also expressed about other unintended results of the ordinance.

Commissioner Butts stated he has had people call him that the landlord kicks them out anyway if tenant complains. Commissioner Craig stated the County does not have a standard to make this legal and effective.

County Manager Tobar stated he felt this is a life and safety issue.

Attorney Andy Welch stated portions of the ordinance should be removed such as inadequate lighting, inadequate sanitary facilities, inoperable locking doors and windows and others portions need further clarification as they seem subjective, i.e. defects in railings, dilapidation, mold or fungal growth, HVAC not working properly, leaking pipes, inadequate sewer and water ventilation, bedbugs/roaches.

Commissioners further discussed the ordinance and some stated they did not agree with the extent of the ordinance.

County Manager Tobar stated he would take the Attorney's suggestions and narrow down the Ordinance before bringing it back to the Board.

Commissioner Craig stated the County hasn't had landlords at a public meeting to make suggestions of what needs to be corrected, and he felt this would be a good idea.

Attorney Welch stated the County cannot require landlords to get a permit or license in order for properties to have to be inspected. However, landlords that are not willing to make repairs know if they do renovations they must get a permit & inspection. He stated the language regarding inspections specifies that it must be complaint driven; owner has to be notified in advance; secure a warrant to inspect in order to protect landlords' rights

Commissioners discussed the definition of complaint driven. Attorney Welch responded that after a complaint is received an officer goes and talks to complainants and seeks a warrant for inspection.

County Manager Tobar stated he and Attorney Palmer have been working on procedures to address this. Commissioner Hall stated everything should be documented related to each situation so if the County has to go to court they will have taken proper steps and have records of what a landlord was told must be done.

Attorney Welch stated some cities / counties place a public nuisance sign at the property; take pictures and have a person that puts a notice up signs an affidavit.

Sewer Tap - Discussion was held regarding a sewer tap made into the County system without paying a tap-on fee. Attorney Welch stated this is theft of public services and failure to pay a tap-on fee is a violation.

## MASTER METERING

Assistant County Manager Dawn Hudson presented background information on master metering. She stated that through review of water billings there was a large amount of outstanding debt specifically in trailer parks. She stated a tenant moves in and during the first month the tenant has a huge water bill; tenant moves and the same thing occurs with next tenant. The County looked into what other counties do about this problem and it is handled through master metering. Ms. Hudson stated there are landlords who won't repair water lines, and the cost is passed on to the tenant; tenant then moves and leaves a large water bill. Attorney Welch stated a complaint was filed with EPD on this matter. There is no Georgia Regulation concerning Master Meters.

Commissioners discussed the fact that the lines in some of the older parks were installed by the County many years ago. If the County moves the water meters back to the right-of-way, who is going to be responsible for the cost of running water lines from the meters to the house.

Attorney Welch responded this situation could vary among mobile home parks. Were easements given? Are there prescriptive easements that the County installed public utilities and maintain them?

Commissioner Westmoreland stated his concern is who will pay for moving meters and to what extent is the County providing new meters and connections to mobile homes from meters. Attorney Welch stated the County could not provide connections to homes because it is in essence a gratuity; running lines onto private property would be a gratuity. Attorney Welch stated the County would need a narrowly defined easement to put in new meters and lines. There will be a large cost to the County; however, the benefit is the upgrade to the water system.

Attorney Welch recommended Commissioners adopt the proposed change in the policy as discussed. He stated the County should continue what it is currently doing. If a park is on a master meter, it will stay on master meter. An easement would need to be acquired from the property owner for the County to run new lines and place new meters that can be read by the County. He stated a report will be needed from the Water Superintendent regarding information on all mobile home parks to include the number of parks, meters and associated costs.

Attorney Welch stated he recommends the County adopt the revision to the policy that he drafted and set up alternative means of addressing situations. Future trailer parks will follow the new policy.

### PUBLIC WORKS DEPARTMENT PROJECTS

County Manager Tobar asked for clarification on what the Public Works Department can do.

Commissioner Hall stated that department needs to spend time on roads. He stated more time is being spent other projects, and the department should concentrate more on our roads. Commissioner Hall stated he is not in agreement with installing disposal boxes in the ground at convenience centers. It is the responsibility of Waste Management to keep boxes emptied. Commissioner Westmoreland agreed that it is not necessary to put boxes in ground because in a year or so those boxes will have to be replaced. He stated Waste Management trucks are also tearing up slabs at the centers. Commissioner Hall stated he feels Waste Management is not giving adequate response to County concerns. Attorney Welch stated he will review the Waste Management contract.

Commissioners Hall and Westmoreland stated the Public Works Department should concentrate on roads primarily and not so much on other projects; i.e., taking down trees along right of ways unless the trees are dead. Bushes and trees at intersections and overhanging limbs and trees should be cut down.

Commissioner Westmoreland asked if the County should hire more people for that department. Assistant County Manager Hudson stated Commissioners can look adding more positions during the budget process.

### SMITH SIBLEY HOUSE

Commissioner Craig stated he voted against the purchase of the property when this was brought to the Board years prior. The house on the property is deteriorating and after nine years nothing has happened at the industrial site. Now, the County Manager is discussing removing lights and cabinets out the house because they are of value.

Commissioner Craig recommended having an appraisal done on the house to see what the value is. Commissioner Butts responded that he feels it would be hard to sell a house in middle of development park. Commissioner Westmoreland discussed whether there is a way to deed the property to the Development Authority. Attorney Welch responded the County can put restrictions and covenants on the property.

Commissioner Craig stated he would like to know the value of the property as-is. Commissioner Hall responded he does not think an industry will locate there with the house as part of it.

Development Authority Director Jonathan Jackson stated he thinks it is inconceivable to cut this house out and build an industrial park around it. He believes it is deterring progress at the site. He reported a great deal of money has been spent on engineering and getting the property ready for development. Mr. Jackson stated he is aware of nothing to support that the house is good, and he would suggest getting rid of the house or donating anything valuable from the house and taking it down.

Mr. Jackson discussed the impediment the Authority faces of not owning the property and having to market it with third party involvement. He stated prospects want to move quickly and

discretely on sites, and the involvement of the third party slows things down. He stated he wants to get the property back on tax digest.

Attorney Welch stated since the property was purchased with SPLOST funds, regulations mandate the County must own the property. Commissioner Hall stated Commissioners want to have some control of what type industry locates there.

Mr. Jackson reported that every time he answers RFI he has to identify that the property is not owned by Development Authority. He stated he has followed up with prospects about why the site wasn't selected, and the issue of the Development Authority not owning the property always comes up. Commissioners stated they need to have a list of things that are wrong with the site from both the Development Authority and prospects.

Mr. Jackson stated wetlands keep it from being marketed as a mega site. He stated wetlands credits are very expensive; but the Development Authority has this situation handled. He stated the house is the most clearly defined problem.

Attorney Welch recommended getting an appraisal. Other aspects of the house such as demolition, donation of useful items to non-profits or possibly using the house as a training tool for the fire department can be considered after appraisal information is received. He recommended looking at other options as to how the County can assist the Development Authority with this matter by giving the Authority more tools to work with. He stated a policy statement could be adopted by Commissioners regarding this. Mr. Welch continued he doesn't think the County can transfer ownership to the Development Authority but would look at legal options to make the property more viable.

Commissioner Craig felt the County should be looking at more opportunities and activities for retirees / seniors such as making facilities available to seniors at no charge. County Manager Tobar responded the proposed park at the Government Building will have low impact stations that can be utilized by seniors.

Green Lights for Veterans — Commissioner Craig stated NACo is inviting the nation's counties to join Operation Green Light and show support for veterans by lighting buildings green from November 6-12. Shining a green light will let veterans know they are seen, appreciated and supported. He requested a Proclamation be placed on the October 3<sup>rd</sup> Agenda supporting Operation Green Light.

## AIRPORT HANGARS

County Manager Tobar reported there are multiple plans related to the Airport. He stated the Five-year Comprehensive Plan Economic Development section, which was discussed at public hearings, includes additional hangars. He stated Commissioners voted on the CIP, and a work session was held specifically on the east apron project. Approval of the CIP is a requirement for compliance in order to receive FAA funds. He reported that before the West Apron project was completed until now, negotiations have been ongoing between developers who have rights of first refusal on additional hangar construction.

Commissioner Hall stated currently there are only place holder agreements so negotiations can continue for lease agreement for construction of hangars. County Manager Tobar reported there is only enough property for five hangars. Commissioner Hall said he felt the five hangars should be constructed where there is space now; There is no guarantee the County will get money for the lower section.

Commissioners discussed whether there are legal binding agreements on the two additional hangars and if a possibility exists to the County for legal issues. County Manager Tobar responded there are only place holder agreements.

Attorney Welch stated he would prefer to review the entire ordinance and do further research on all documents. He reported the Land Use Ordinances are not applicable to public property owned by government entity. He said the County does not have to follow its own ordinance relevant to the Airport. He discussed what procedures must be followed; but, now he is of opinion that it does not apply to the airport or the Board's decisions pertaining to airport.

Commissioners discussed the grant for the east apron project for a ramp where planes pull off and park. The Plan designating that apron is associated with building hangars. Whenever you approve an apron, a building follows. Attorney Welch stated the Board can vote to change the airport plan if they chose not to build the apron.

Commissioners expressed concern regarding the removal of trees on the east end. County Manager Tobar stated a landscape architect has designed a plan for the replanting of more appropriate trees and vegetation where the trees have been removed.

Attorney Welch concluded by stating presuming there are no legal issues, and the County does not have to adhere to the Land Use Plan, at this time he does not see any benefit to the County in dis-banning the Airport Advisory or returning any grant funds. It is the Board's decision whether or not to continue or amend the plan.

**EXECUTIVE SESSION**

Commissioner Henry Craig made a motion to adjourn into Executive Session at 3:30 p.m. to discuss threatened litigation. Commissioner Kendrick Butts seconded the motion and it passed unanimously.

**RECONVENE PLANNING MEETING**

Commissioner Henry Craig made a motion to reconvene the regular Planning Retreat Meeting at 3:40 p.m. Commissioner Kendrick Butts seconded the motion and it passed unanimously.

**ADJOURNMENT**

Commissioner Sammy Hall made a motion to adjourn the Board Planning Retreat Meeting at 3:40 p.m. Commissioner Kendrick Butts seconded the motion and it passed unanimously.

Respectfully submitted,



Emily C. Davis  
Chair



Cynthia K. Cunningham  
County Clerk