MINUTES

DECATUR COUNTY BOARD OF COMMISSIONERS

COMMISSIONERS' BOARD ROOM

TUESDAY, NOVEMBER 26, 2019

PRESENT: CHAIRMAN PETE STEPHENS, VICE CHAIRMAN DENNIS BRINSON, COMMISSIONERS RUSTY DAVIS, GEORGE ANDERSON, GREG MURRAY AND STEVE BROCK, COUNTY ADMINISTRATOR ALAN THOMAS, COUNTY CLERK BEVERLY KING, COUNTY ATTORNEY BRUCE KIRBO AND NEWS REPORTER POWELL COBB.

INVOCATION AND PLEDGE OF ALLEGIANCE

Chairman Pete Stephens called the regular scheduled meeting to order at 7:00 p.m. After the call to order, Pastor Martin Williams gave the invocation and all those assembled pledged allegiance to the flag of the United States of America.

APPROVAL OF AGENDA

Commissioner Murray made a motion to approve the agenda as presented. Commissioner Anderson seconded the motion. A vote was taken and unanimously approved.

SPECIAL PRESENTATIONS

There were no Special Presentations.

PUBLIC PARTICIPATION

There was no Public Participation.

APPROVE MINUTES

Commissioner Davis made a motion to approve the minutes of the Commissioners' Meeting held November 12, 2019 as presented. Commissioner Murray seconded the motion. A vote was taken and unanimously approved.

OLD BUSINESS

Executive Session – Personnel. Commissioner Brock made a motion to go into executive session to discuss Personnel. Commissioner Murray seconded the motion. A vote was taken and unanimously approved.

After the executive session, the Commissioners assembled back in the board room. Commissioner Brock made a motion to go into regular session. Commissioner Murray seconded the motion. A vote was taken and unanimously approved.

Chairman Stephens stated the Commissioners discussed a board appointment during executive session. Vice Chairman Brinson made a motion to appoint Mr. Kevin Rentz to the Board of Tax Assessors to carry out Mr. Alan Davis' term. Commissioner Brock seconded the motion. A vote was taken and unanimously approved.

NEW BUSINESS

Consider Request for Eakin Road Closure – Clayton Penhallegon. Chairman Stephens recognized Mr. Clayton Penhallegon. Mr. Penhallegon came before the Board requesting their consideration of closing Eakin Road which adjoins his property. Mr. Penhallegon stated that the County has not maintained this road for a long time. Mr. Penhallegon gave a brief history of the road and the landowners that has property on Eakin Road. County Attorney Bruce Kirbo explained that there were procedures to go through in order to close a road, stating that the first step of the process is to have the Board of Commissioner approve to move forward with the road closure. After a brief discussion, Commissioner Brock made a motion to move forward with this process to close Eakin Road. Commissioner Davis seconded the motion. A vote was taken and unanimously approved.

Consider Approval of Resolution – Building Design Standards for Residential Dwellings. Chairman Stephens recognized County Administrator Alan Thomas. County Administrator

Thomas stated that ACCG and the Georgia Municipal Association are requesting that Georgia's counties and cities adopt the resolution that is presented to you, in support of the ability to establish residential design standards locally to help preserve the aspect of local control. This will help to allow the elected officials to be empowered to enforce locally established building design standards for residential dwellings, for the purposes of economic growth and the safety and welfare of the citizens of Georgia and in particular of Decatur County. County Administrator Thomas recommended the Board approve this resolution. Commissioner Davis made a motion to approve this resolution. Commissioner Brock seconded the motion. A vote was taken and unanimously approved.

Consider Approval of Resolution – Naming a Designated Officer for Sales Tax Information. Chairman Stephens recognized County Administrator Thomas. County Administrator Thomas Stated this resolution authorizes Georgia Department of Revenue Commissioner to provide certain confidential sales tax information to the designated officer of counties and other local governments. County Administrator Thomas stated that the period for these requests may not exceed one year and that the designated officer shall maintain the confidentiality of such information. County Administrator Thomas recommended the Board approve this resolution and name a designated officer. Commissioner Anderson made a motion to approve this resolution and assign County Administrator Alan Thomas as the designated officer. Commissioner Murray seconded the motion. A vote was taken and unanimously approved.

Consider Authorization to Engage JMCM Consulting for the Assistance to Firefighter Grant Program. Chairman Stephens recognized County Administrator Thomas. County Administrator Thomas stated this is the consulting firm that was previously successful in obtaining the grant for the self-contained breathing apparatus for the Fire Department. County Administrator Thomas stated this is a new agreement to engage JMCM Consulting to enter another application on behalf of the Fire Department. County Administrator Thomas stated that if they are not successful in obtaining this grant award for the County, there is no fee. County Administrator Thomas recommended the Board approve this request. Commissioner Davis made a motion to approve this request. Vice Chairman Brinson seconded the motion. A vote was taken and unanimously approved.

Consider Approval of Error and Releases Report from Tax Commissioner. Chairman Stephens recognized County Administrator Thomas. County Administrator Thomas presented the Board with an Error and Releases report from the Tax Commissioner for their consideration of approval. Commissioner Murray made a motion to approve this report. Commissioner Brock seconded the motion. A vote was taken and unanimously approved.

Consider Board Appointment – Georgia Pines Community Service Board. Chairman Stephens recognized County Administrator Thomas. County Administrator Thomas stated that he received a letter from Georgia Pines Community Mental Health Board stating that currently Mr. Larry Nichols serves as the Decatur County representative on that Board and that his term will end January 31, 2020. Georgia Pines Community Service Board is requesting that Mr. Nichols or another representative be appointed by this Commission. County Administrator Thomas recommended the Board reappoint Mr. Nichols to serve another term. Commissioner Brock made a motion to reappoint Mr. Nichols. Commissioner Anderson seconded the motion. A vote was taken and unanimously approved.

COMMISSIONERS / ADMINISTRATOR'S REMARKS

All the Commissioners thanked everyone for coming to the meeting and wished everyone a Happy Thanksgiving. The Commissioners thanked Mr. Rentz for his willingness to serve on the Board of Tax Assessors.

Chairman Stephens asked everyone to be in prayer for Georgia Representative Jay Powell's family. Chairman Stephens announced that GED graduation for Decatur County Prison will be held December 19, 2019 at 10:00 a.m. and encouraged everyone to attend.

There being no further business, the meeting, on motion by Commissioner Murray, was duly adjourned. Commissioner Brock seconded the motion. A vote was taken and unanimously approved.

Approved:

Chairmar

Attest:

RESOLUTION

Supporting Locally-Established Building Design Standards for Residential Dwellings

WHEREAS, locally elected officials work in partnership with citizens to establish "building design standards" in single and double-family dwellings, which reflect the character of the community and have a positive impact on economic development efforts and competitiveness; and

WHEREAS, appropriate local design standards and land use policies, established by local citizens in each community, create a diverse, stable, profitable, and sustainable residential development landscape; and

WHEREAS, state legislation eliminating locally-tailored approaches to design standards would harm self-determination of citizens to establish community standards; and

WHEREAS, local community partners support the use of building design standards to protect property values, attract high quality builders, and block incompatible development; and

WHEREAS, building design standards assure residents and business owners that their investments will be protected, and that others who come behind them will be equally committed to quality; and

WHEREAS, local business leaders value the studying, surveying, crafting, and defining of a community vision and development strategies, and recognize design standards as an integral part of those endeavors to attract residents, businesses, and the much-coveted trained workforce; and

WHEREAS, development and redevelopment efforts should reflect the community and its vision while simultaneously creating a sense of place imperative for attracting new economic prospects; and

WHEREAS, local officials are elected to make decisions about the look and feel of their communities, and local business owners recognize the need for their elected officials to be empowered to enforce building design standards to make today's thriving community areas tomorrow's historic districts; and

WHEREAS, citizens' ability to continue to set community values and local elected officials to enforce building design standards in single or double family dwellings, for the purposes of economic growth and the safety and welfare of the citizens of Georgia and in particular of Decatur County.

NOW, THEREFORE, BE IT RESOLVED by the Decatur County Board of Commissioners that this governing body voices its support of Locally-Established Building Design Standards for Residential Dwellings.

BE IT FURTHER RESOLVED that a copy of this Resolution be delivered to each member of the Georgia House of Representatives and Senate representing Decatur County, and made available for distribution to the public and the press.

Adopted this 26th day of November, 2019

Chairman

ATTEST:

County Clerk



AUTHORIZATION TO ENGAGE JMCM CONSULTING

SCOPE OF WORK

JMCM Consulting (CONSULTANT) will work with the CLIENT to prepare a project plan and application for the Assistance to Firefighter Grant Program.

The CLIENT will provide CONSULTANT all the information needed to develop the project proposal. CONSULTANT will work with the CLIENT to identify the CLIENT's greatest needs and advise projects that have a higher likelihood of funding (based on the AFGP Program Guidance and CONSULTANT's experience).

Once the "Authorization to Engage JMCM Consulting" and the CLIENT's information worksheets are received, CONSULTANT will begin work on the application.

SUBMISSION OF APPLICATION

Once the final application is loaded to FEMA's AFGP portal, the CLIENT will be notified and be given the opportunity to review the application before it is submitted.

- -- Upon approval of the application, the CLIENT may submit the application OR the CLIENT may authorize the CONSULTANT to submit on their behalf.
- --CLIENT understands they are responsible for the content of the application.

This agreement will remain in effect for the current and subsequent years, until cancellation by either party by written notification.

JMCM Consulting STANDARD TERMS AND CONDITIONS

1. GENERAL

- 1.1 Each of the parties warrants its power to enter into this agreement and has obtained all necessary approvals to do so.
- 1.2 Each party acknowledges that this agreement and the conditions contain the whole agreement between the parties and that it is not relied upon any oral or written representations made to it by the other or its employees or agents.
- 1.3 CONSULTANT is not the employee of the CLIENT and affirms that NO CONFLICT OF INTEREST exists.
- 1.4 CLIENT asserts that the CONSULTANT is authorized to act as a representative of the applying entity and may represent them on any and all matters regarding this application.

2. CLIENT'S RESPONSIBILITIES

- 2.1 Designate one (1) representative of the department that has the authority to provide information and instructions to the CONSULTANT.
- 2.2 Provide CONSULTANT with all information needed to develop the project proposal, including, but not limited to, financial records, operation records, budgets, revenue sources, incident records and all other information requested by the CONSULTANT pertaining to this project.
- 2.3 CLIENT certifies information provided to the CONSULTANT is accurate and correct and will not hold CONSULTANT responsible for inaccurate or incomplete information provided by the CLIENT.
- 2.4 Obtain consents and approvals necessary to prepare the project proposal and submit the application.
- 2.5 Notify CONSULTANT when CLIENT learns of any development that affects scope or timing of CONSULTANT's services.
- 2.6 CLIENT agrees to follow procurement laws as defined by FEMA and CLIENT'S governmental authority.

3. PERIOD OF SERVICE

- 3.1 CONSULTANT will prepare the project proposal to submit for funding consideration to the Assistance to Firefighter Grant Program during the published application period.
- 3.2 Once the application period is published, the CLIENT will be promptly notified.
- 3.3 The CONSULTANT will assist with the project until the closeout documents are submitted and approved.

4. PROJECT COSTS

- 4.1 CONSULTANT will provide professional project development and administrative services for 5% of the federal funded grant amount. Once the total cost of the project is determined, the Department will be notified of this amount.
- 4.2 CLIENT understands that project development services are provided at no charge.
- 4.3 CONSULTANT'S fee is NOT included in the project request and CANNOT be paid from grant funds received.
- 4.4 CONSULTANT fee must be paid from CLIENT'S FUNDS as a fee for professional services.
- 4.5 Upon calculation of total project cost, the CLIENT will be provided a PROJECT COST ESTIMATE worksheet.

5. CONSULTANT'S WORK PRODUCT, MATERIALS AND INFORMATION

- 5.1 All tangible items prepared by CONSULTANT, such as project narratives or information or (without limit) other materials created or provided pursuant to this contract by the CONSULTANT are considered intellectual property and shall be and remain the CONSULTANT's property and copyright. CLIENT may retain copies for reference, but reuse on another project or distribution to a third party without CONSULTANT's written consent is prohibited.
- 5.2 CONSULTANT shall not unreasonably withhold or deny written permission for the CLIENT to disclose the narrative created by the CONSULTANT to the CLIENT's attorneys, accountants, auditors or other professional agents for the purposes of conducting usual audits and other business of the CLIENT.
- 5.3 CLIENT agrees they will not copy, share or distribute information contained in the project proposal or grant application with anyone other than the aforementioned.
- 5.4 CLIENT agrees that if the CONSULTANT's work product is distributed or shared without the CONSULTANT's permission, CLIENT will be responsible for payment of the 5% professional services fee.
- 5.5 CLIENT agrees that if a project application is created and submitted pursuant to this Agreement is denied, and the CLIENT does not retain the CONSULTANT to assist with resubmission of this project; and CLIENT resubmits any or part of the information contained in the CONSULTANT's work product, such an act will be considered a continuance of the of this original agreement; therefore professional fees will be due to the CONSULTANT if the project is successfully awarded funding in the same manner as this original agreement.
- 5.6 CONSULTANT will not at any time divulge or allow to be divulged to any person any confidential information relating to the business or affairs of the Client.

6. PAYMENT

- 6.1 If CLIENT receives an AFGP award, CONSULTANT will submit an invoice for payment, due within 30 days of the award date.
- 6.2 If CLIENT fails to make payment within thirty (30) days of receipt of invoice, a late fee of \$25 per month will be applied. In addition CONSULTANT may give written notice to suspend services until paid in full or payment arrangements have been made.
- 6.3 CONSULTANT's compensation shall not be reduced by any amounts.
- 6.4 If payment is not made within 180 days, CONSULTANT reserves the right to draft the fee from the CLIENT'S bank account, unless alternate payment arrangements have been made.
- 6.5 This agreement may be terminated without cause by either party before completion of services; however 100% of the professional services will be payable within the terms set forth in the agreement.

7. SERVICES UPON PROJECT FUNDING

- 7.1 CONSULTANT agrees to provide the following services for the CLIENT upon receipt by the CLIENT of an official grant award notification. These services will be provided to the extent agreed upon between the CONSULTANT and the CLIENT.
 - 7.1.1 CONSULTANT will assist CLIENT with submission of necessary performance reports or other documentation as required by AFGP.
 - 7.1.2 CONSULTANT will assist CLIENT with submission of required documents to complete/close the awarded grant.
 - 7.1.3 If requested, CONSULTANT will assist CLIENT with development and/or review of equipment specifications.
 - 7.1.4 CONSULTANT will assist CLIENT with understanding procurement requirements as defined by FEMA and CLIENT'S local jurisdiction.
 - 7.1.5 CONSULTANT will provide support and assistance when applicable with any audits related to the grant award and project.

8. MISCELLANEOUS

- 8.1 The agreement shall be governed by the laws of the State of Alabama and Chambers County, Alabama.
- 8.2 Failure on the part of the CONSULTANT to remedy any breach of its obligations hereunder within a reasonable time following written notice from the CLIENT which refers to this clause; specifies the breach with full particulars; indicates how the breach is to be remedied and specifies the CLIENT's opinion of a reasonable time for remedy.

8.3 CLIENT agrees that CONSULTANT reserves the right to withdraw from the project if the CLIENT fails to follow his/her advice or engages in conduct which makes continued administration of the project difficult or if the CLIENT directs the CONSULTANT to engage in conduct which CONSULTANT perceives as unethical or illegal or in direct conflict to AFGP program guidance or federal grant management policies.

IN WITNESS WHEREOF, the CLIENT has signed and approved engaging JMCM Consulting for the purpose of developing and submitting an application to the Assistance to Firefighter Grant Program. Signature certifies that Standard Terms and Conditions have been read and agrees to all conditions.

Client certifies that the person signing this contract has the authority to contractually obligate the department for the professional services set forth in this agreement. If this statement is determined to be untrue, the person signing this contract understands they will be personally responsible for all fees associated with this agreement.

JMCM Consulting

Cindy Tubbs Monroe, Owner Cindy Tubbs Monroe

PO Box 252

Five Points, Alabama 36855

(334) 864-0094 Office Fax (334) 864-0147

Signature: Pete Slypton

Email: b2rook09@gmail.com

Title: Chairman Board of Commissioners

Third Party Authorization for Account Access

This document serves as authorization for JMCM Consultants (hereafter JMCM) to access, operate and make necessary changes to the named entity's account in the following systems for the purpose of managing the entities grant(s):

This includes the following systems:

- ✓ FEMA Grant Outcomes (GO) web portal (go.fema.gov)
- ✓ Assistance to Firefighter Grant web portal
- ✓ System for Award Management (sam.gov/SAM/)

Required information:

- Providing the username and password to JMCM Consultants
- > Providing the email address associated with the account.
- Name one (1) primary contact (with name, email, phone number) for the entity that JMCM will work with.
- Notifying JMCM whenever any change is made to the account such as entity's bank account, point of contact, or password.

JMCM agrees they will not disclose the username, password, or any individual information to anyone except the primary contact without written permission from the primary contact or person authorized to conduct business for the entity (for example Board Chairman, President, Fire Chief, City Manager, City Clerk, etc.)

It is understood, the entity is responsible for the accuracy of information entered into each of these portals. JMCM will enter information that is provided and approved by the entity. Entity reserves the right to request changes to this information at any time. JMCM will not be held responsible for any errors or omission of information.

This authorization will remain in effect until revoked in writing by the entity. All request for revocation should be addressed hard copy to:

Cindy Monroe, President, JMCM Consulting, LLC. PO Box 252, Five Points, Alabama 36855.

By: Cindy Tubbs Monroe, President
JMCM Consulting, LLC
PO Box 252, Five Points, AL 36855
(334) 864-0094

Department:

RESOLUTION REQUESTING SALES TAX INFORMATION FROM THE GEORGIA DEPARTMENT OF REVENUE PURSUANT TO O.C.G.A. § 48-2-15(d.1) AND NAMING A DESIGNATED OFFICER FOR ALL RELATED PURPOSES

WHEREAS, Georgia Code (O.C.G.A.) § 48-2-15, as amended in 2018, authorizes the Commissioner of the Georgia Department of Revenue (hereinafter the "DOR Commissioner") to provide certain confidential sales tax information to the "designated finance officer or taxing official" of counties and other local governments; and

WHEREAS, more specifically, O.C.G.A. § 48-2-15(d.1) authorizes the DOR Commissioner to provide to a local government's designated officer, upon request, certain information relating to vendors that have submitted sales tax reports within the period of time set forth in that request; and

WHEREAS, O.C.G.A. § 48-2-15(d.1) further allows the local government's designated officer to request that the DOR Commissioner validate, from time to time, the political subdivision to which sales taxes are being remitted by taxpayers with a business location within that local government's boundaries; and

WHEREAS, Decatur County desires to obtain the sales tax information described in the above Georgia Code Section;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Decatur County, as follows:

1. The Board of Commissioners hereby designates the following finance or tax official as Decatur County's Designated Officer for all purposes described in O.C.G.A. § 48-2-15(d.1):

Alan Thomas	[name and title of county official]
County Administrator	 -
	[address]
	a l'address
P.O. Box 726 Bainbridge,	<u>GA</u> [address]
229-248-3030	[telephone number]
athomas@decaturcountyga.	goviemail addressi

- 2. The Board of Commissioners hereby requests that the DOR Commissioner (or his/her designee) furnish to the above-named Designated Officer all vendor sales tax information described in O.C.G.A. § 48-2-15(d.1)(1) for Decatur County for the following time period: 12/1/18 to 11/1/19. [may not exceed one year; earliest beginning date is 7/1/18]
- 3. In accordance with O.C.G.A. § 48-2-15(d.1)(2)(B) and following receipt of the information described in Paragraph 2, above, the Designated Officer is hereby authorized to request validation by the DOR Commissioner of the political subdivision to which one or more vendors/taxpayers with a business location in Decatur County have remitted sales taxes for the designated period, with such validation request to contain the business name and location address of each such vendor/taxpayer and such other information as may assist the DOR Commissioner in responding to such validation request;
- 4. The Designated Officer shall use such information only in the discharge of his/her duties and shall maintain the confidentiality of such information as required by O.C.G.A. § 48-2-15(d.1); and

5. The Board of Commissioners shall comply with all confidentiality requirements of O.C.G.A. § 48-2-15(d.1), including, but not limited to, the requirements that 1) such information may only be discussed by members of the Board of Commissioners in executive session and 2) members of the Board of Commissioners shall recuse themselves from such executive session discussions in the event of a conflict of interest as described in the above Georgia Code Section.

BE IT FURTHER RESOLVED, that this Resolution shall become effective upon its approval by the Decatur County Board of Commissioners, and the official named above shall remain Decatur County's Designated Officer for all purposes under O.C.G.A. § 48-215(d.1) until further action of the Board of Commissioners.

BE IT FURTHER RESOLVED, that the Decatur County Clerk is hereby directed to provide a certified copy of this Resolution to the Georgia Department of Revenue via email (public.disclosure@dor.ga.gov) or to otherwise transmit a copy of this Resolution as may directed by the Georgia Department of Revenue.

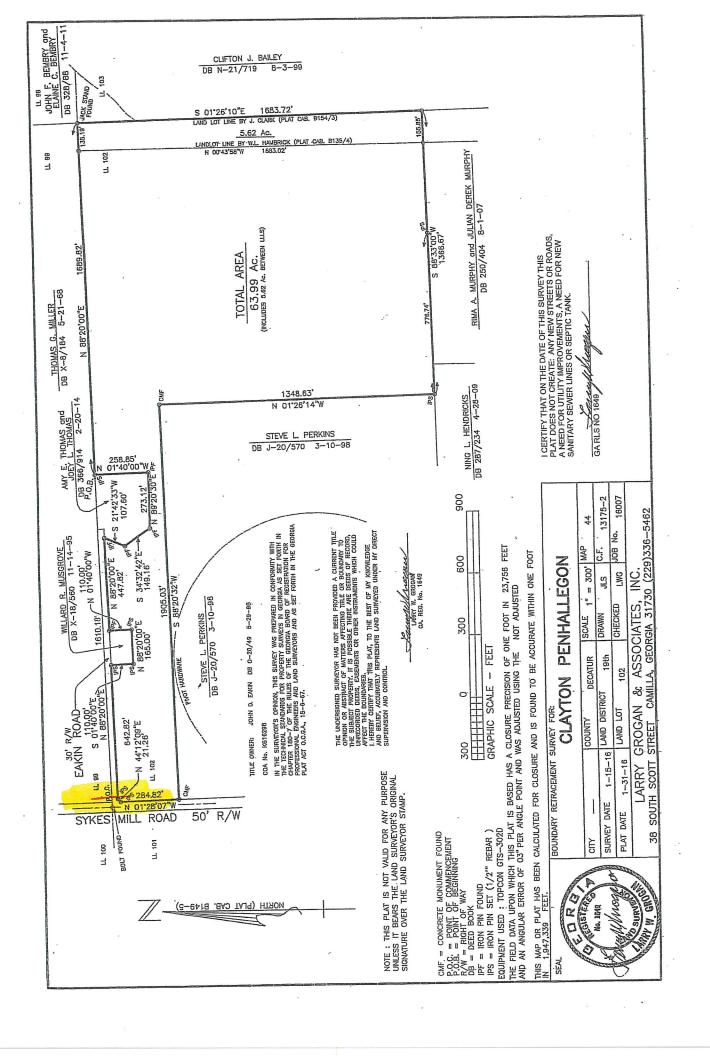
PASSED AND RESOLVED this 26th day of November, 2019.

DECATUR COUNTY BOARD OF COMMISSIONERS

Chairma

ATTEST:

(Affix Seal)



AFFIDAVIT OF CHAIRMAN OR PRESIDING OFFICER

1.

Pete Stephens, Chairman of the Decatur County Board of Commissioners, being duly sworn, states under oath that the following is true and accurate to the best of his/her knowledge and belief:

The Decatur County Board of Commissioners met in a duly advertised meeting on November 26, 2019 2. During such meeting, the Board voted to go into closed session. 3. 7:07 a.m./p.m. The executive session was called to order at 4. The subject matter of the closed portion of the meeting was devoted to the following matter(s) within the exceptions provided in the open meetings law: Consultation with the county attorney or other legal counsel to discuss pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the county or any officer or employee or in which the county or any officer or employee may be directly involved as provided in O.C.G.A. 50-14-2(1); Discussion of tax matters made confidential by state law as provided by O.C.G.A. 50-14-2(2) and (insert the citation to the legal authority making the tax matter confidential) Discussion of the future purchase, disposal of or lease of real estate as provided by O.C.G.A. 50-14-3(4); Discussion of deliberation on the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a county officer or employee as provided in O.C.G.A. 50-14-3(6); Other _____ as provided in _____ This 26th day of November Pete Stephens, Chairman Sworn to and subscribed Decatur County Board of Commissioners Before me this 2645 day of Movember, 2019 My commission expires: