

MINUTES OF THE REGULAR MONTHLY MEETING OF THE WILCOX COUNTY COMMISSIONERS HELD ON OCTOBER 4TH, 2022 AT 6:30 P.M. IN THE COMMISSIONERS MEETING ROOM IN THE WILCOX COUNTY COURTHOUSE.

Those present for the meeting were as follows:

Mel Powell	Chairman
Jowan Johnson	Vice Chairman
Clay Reid	Commissioner
Lanier Keene	Commissioner
Toni Sawyer	County Attorney
Michael Pomirko	County Manager
Indya Tisdol	County Clerk
Larry Brown	EMA/Fire Coordinator
Janice Brown	Coroner & Abbeville Fire Chief
Richard Rhodes	Cedar Creek
Janet Mauldin	Superior Court Clerk

Chairman Mel Powell called the meeting to order.

Vice Chairman Jowan Johnson gave the invocation.

All gave the Pledge.

Commissioner Clay Reid made a motion to approve the prior month's minutes. Commissioner Alfonza Hall seconded the motion that carried unanimously.

Superior Court Clerk, Janet Mauldin, stated that the Historical Project for scanning would begin the first of next week.

Sheriff Rodgers stated that his department was just trying to maintain and that there were some items on the agenda to discuss later with Michael.

Richard Rhodes discussed the requirements for the AMG grant that was applied for in December of 2021 in the amount of \$300,000.00 for Cedar Creek Fire Station. The county is only responsible for matching 5%. With inflation, the county's portion will be a bit more because the cost of the truck has increased to 340,000 to 350,000.00. There is a 24 month period of performance, but an extension could be requested. However, requesting an extension does not guarantee it will be approved. There is a 16 month wait on chasses, at the moment. The tanker would help with the ISO rating. The ponds are finished being surveyed by the hydrologists. ISO has a three month wait on their hydrologist surveying the ponds. The dive team is still functioning and with training and will be done in house with Skip Sterling. There are constant

communication issues, stated Richard Rhodes. Richard informed the commissioners that 911 calls go to his cellphone, and he then has to send out a text.

Commissioner Lanier Keene motioned to move forward with the AMG grant and pay the matching 5% with SPLOST funds. Vice Chairman, Jowan Johnson, seconded the motion that carried unanimously.

Chairman Mel Powell stated that a public hearing was held in regards to the budget for fiscal year 2023 prior to the regular monthly meeting.

Commissioner Clay Reid made a motion to approve the upcoming budget for fiscal year 2023. Commissioner Lanier Keene seconded the motion that carried unanimously.

Michael Pomirko, County Manager, informed the Board of Commissioners a motion was needed to start the process of purchasing a new ditching motor grader that had been discussed in prior meetings.

Commissioner Clay Reid made a motion to purchase a new motor grader. Vice Chairman, Jowan Johnson seconded the motion that carried unanimously.

County Manager, Michael Pomirko, informed the commissioners that only three bids were submitted for the last project on Walker Road. Scruggs, Griffin, and Reeds Construction Company were the three submitted bids. Reeds Construction Company was the least expensive at \$323,641.00.

Commissioner Alfonza Hall motioned to proceed as needed with the project on Walker Road as long as D.O.T signs off as well. Commissioner Lanier Keene seconded the motion.

Under the American Rescue Plan, there was conversations about executing on a few projects said Michael Pomirko, County Manager. Three F 150s are to be purchased, one for EMS and two for the Sheriff department. The current Tahoe at EMS would move to the Sheriff department. Woody Folson didn't answer after Michael called them four times. Way Brothers was contacted as well. Brannen Motors was the least expensive and quoted for \$139,500.00. The vehicle project was initially budgeted for \$117,000.00. Michael stated he is waiting on quotes for decal, lights, and striping which the Sheriff and Charles, EMS Director will provide. The remaining amount needed for the vehicles would come out of SPLOST. The vehicles are currently priced at \$22,500.00 to fulfill them without any packages added to it.

Vice Chairman, Jowan Johnson asked what was the turnaround time on the vehicles. County Manager, Michael Pomirko said that they can be ordered in December.

Commissioner Clay Reid motioned to order the vehicles from Brannen Motors. Vice Chairman, Jowan Johnson seconded the motion.

Pineview and Rochelle were present for the last LOST meeting. Abbeville and Pitts neither were nor present. Chairman, Mel Powell, asked if the cities understood the stall was between Abbeville and Rochelle and if the cities and county did not come to an agreement then the all parties would lose the tax. Everything needs to be completed before December and sent to the revenue department. Chairman Powell elaborated on how much impact everyone would take from losing the revenue if no agreement was made.

Mr. O'Quinn, ACCG representative was present to discuss the importance of the LOST. An agreement must be made prior to January, being submitted no later than December. Under the law, every 10 years you have to renegotiate to distribute tax to the county and qualifying municipalities or agree to keep percentages as they are. The Local Option Sales Tax is the 5<sup>th</sup> penny of sales tax after the states get the first 4 pennies of sales tax that is paid to the state. After the state receives the first four pennies then there is LOST, SPLOST, TSPLOST, and ELOST which is dispersed as directed. If an agreement is not made by deadline in December then the parties involved would have to wait a year and a half until voters vote again and after that, January 1<sup>st</sup> of the following year, the tax will no longer be collected. Currently, there are about 30 other counties in the same situation as Wilcox County and the municipalities. 60 days after the initial letter is mailed, the law states that you have sought non-binding arbitration or mediation. Each party would have to gather their facts and figures so that the mediator or whomever could make a proposal. Although, the mediator would make a proposal, all parties involved would still have to agree on the numbers. It is up to the elected officials to make a decision. There is a list of arbitrators and mediators to choose from on the ACCG and GMA website. Important factors for deciding on numbers are the population that is served, tax collected, and service delivery agreement. The prison is inflating numbers as far as population because there are no services going directly to the inmates other than water which the city of Abbeville is being compensated for. Also, you can factor in help from the Fire Departments in the city limits county wide. The LOST is to pay for services provided and reduce property taxes and rollback the mileage rate. Revenue figures and expense figures should be thoroughly scanned and researched before going to arbitration or mediation. Mr. O'Quinn ended by saying that if the tax lapses then everyone's property tax is going up to plug in the hole.

Commissioner Lanier Keene asked who sets the percentage after the lapse. Mr. O'Quinn said the process would have to start the process over. The voters just vote for it to be collected. The elected officials have to come to a mutual agreement on numbers. County Attorney, Toni Sawyer, asked Mr. O'Quinn for clarification that non-binding mediation/arbitration or other dispute resolution methods. He stated that a judge cannot determine numbers unless everyone agrees. Commissioner Lanier Keene asked who would be responsible for paying if it came down to going to mediation. Everyone would split the cost of mediation answered Mr. O'Quinn. Mr. O'Quinn emphasized that all parties should analyze what the SPLOST is really being used for.

He said the law also says that an agreement can be made for 5 years and percentages can also change as time goes on during the 10 year term. County Manager, Michael Pomirko said that he suggested to Abbeville's lawyer that we agree on a 5 year term, but she was concerned with how laws are always changing. There was much more discussion about LOST.

Larry and Adam are looking for weak spots throughout the county. The GEMA project on drainage is a grant that could help us out.

Commissioner Clay Reid motioned to enter into executive session for personnel. Commissioner Lanier Keene seconded the motion that carried unanimously.

Commissioner Clay Reid motioned to adjourn executive session. Vice Chairman Jowan Johnson seconded the motion that carried unanimously.

With their being no further business, Commissioner Clay Reid motioned to adjourn the meeting. Commissioner Lanier Keene seconded the motion that carried unanimously.



Chairman, Mel Powell

County Clerk, Indya Tisdol