

**City of Walthourville
Mayor and Council Meeting Minutes
February 13, 2024**

I. Call to Order: The meeting was called to order at 6:11 PM by Mayor Sarah B. Hayes. The regular meeting was late starting due to the Work Session going over the allocated time.

II. Roll Call: The roll was taken by the City Clerk with the following members present:

Mayor Sarah B. Hayes	Mayor Pro Tem Luciria L. Lovette
Councilman Mitchell Boston	Councilman Patrick Underwood
Councilwoman Bridgette Kelly	Councilman Robert Dodd

The attendance of the council constituted a quorum.

Attorney Luke R. Moses was present.

III. The Invocation was given by Mayor Sarah B. Hayes.

IV. The Pledge of Allegiance was recited in unison.

V. Adoption of City Council Agenda: The motion to approve was made by Councilwoman Kelly and the second was added by Councilman Boston.

Vote: 5-0: Motion Carried Unanimously.

VI. Adoption of City Council Minutes: The motion to approve the regular meeting minutes from the January 23, 2024 meeting was made by Councilman Boston and the second was added by Councilman Dodd.

Vote: 4-1: Motion Carried.

Members voting favorably: Councilmembers Boston, Underwood Kelly and Dodd.

Member opposing: Mayor Pro Tem Lovette.

VII. Presentation

None

VIII. Agenda Items

1. LCPC

Ms. Lori Parks

Public Hearing for Rezoning Petition 2024-001-W. Ms. Parks presented a zoning request on behalf of Mr. Melving B. Bellmon to rezone 0.40 acres +/- from AR-1 (Agricultural Residential) to C-3 (Highway Commercial) for a barbeque restaurant. The property is located at the intersection of Dunlevie Road and Bobbie Street. Ms. Parks stated that applicant was Bruce Bellmon, he was born and raised in Allenhurst, Georgia in the Pray and Martin families. He moved to Atlanta in 1984 and cooked at several fine dining restaurants for over 40 years.

Ms. Parks additionally stated that there are unique conditions that support approval or denial because the property is located at the entrance of an established single-family subdivision and proximate to existing single-family residences. LCPC recommended disapproval.

Public Hearing was open for citizens in support of, or against the rezoning.

Citizens Opposing:

- Ms. Brenda Withers stated she supports businesses coming to Walthourville. However, her home is adjacent to the proposed rezoning, and she feels a business will affect her home. She is fearful that foot traffic through her yard will increase, and patrons will be dropping trash in her yard. She also added that noise will be a factor. She is asking the Mayor and Council to disapprove.

Citizens Supporting:

- None. The applicant was not present, nor was anyone on her behalf.

Councilman Underwood stated he resides in the subdivision behind the proposed rezoning, and he has spoken to the residents in the area and they oppose the rezoning.

The public hearing was closed and the motion to disapprove was made by Councilwoman Kelly and the second was added by Mayor Pro Tem Lovette.

Vote: 5-0: Motion Carried Unanimously

2. LCPC Ms. Lori Parks
Mobile Home Permit for Sanders Road Parcel 0-51 C003 for a double wide manufactured home. The owner is Hinesville Home Center and city water and sewer will be connected. The property is zoned AR-1 (Agricultural Residential) which allows double or single wide homes. Type B skirting will be used which is vinyl treated lumber. The motion to approve was made by Councilman Dodd and the second was added by Councilman Boston. Vote: 5-0: Motion Carried Unanimously

3. LCPC Ms. Lori Parks
Mobile Home Permit for 9 Jones Court Parcel-051 A064 for a double wide manufactured home. The owner is Hinesville Home Center and city water and sewer will be connected. The property is zoned SFMH (Single-Family Manufactured Homes) and this allows double or single wide homes. Type B skirting will be used which can consist of vinyl treated lumber or masonry material. The motion to approve was made by Councilman Dodd and the second was provided by Councilwoman Kelly.

Vote: 5-0: Motion Carried Unanimously

4. LCPC Ms. Lori Parks
Business License Request for ABL Tax Services. Ms. Parks stated the owner is Ms. Andrea Brown Lewis and her business will be located at 1512 Talmadge Road, and she will be providing full tax service to clients and no clients will be coming to her residence. The owner of the residence is Carolyn Walthour and she provided a letter of support that she approved for the business to be located at the home. Mrs. Brown-Lewis

was present and she spoke and said she would be doing taxes via online and phone conversations. The motion to approve was made by Councilman Boston and the second was added by Councilman Dodd. Vote: 5-0: Motion Carried Unanimously

5. City of Walthourville Mayor Sarah B. Hayes
Keep Liberty Beautiful Proclamation. Mayor Hayes asked the KLB Representative to please stand. She read the Proclamation designating Friday February 16, 2024 as Arbor Day in the city. The motion to approve was made by Mayor Pro Tem Lovette and the second was added by Councilman Dodd.

Vote: 5-0: Motion Carried Unanimously.

6. City of Walthourville Councilman Mitchell Boston
City Millage Rate. Councilman Boston stated he felt the city needed to act on setting a millage rate for the city. He is aware that meetings were previously held but from what he has researched these meetings were not official to establish a millage. Councilman Boston said the city's finances were exceeding the revenue that the city was receiving. He referenced as an example the city's Solid Waste (landfill) bill for January 2024. He stated the city's landfill bill was around \$11,000 and the fees collected for the landfill was roughly \$7,000 and that left a \$4,000 deficit and each month the city is losing money. Just this expense alone, with a deficit of \$4,000 monthly x 12 that equals \$48,000 annually that the city has to absorb.

Attorney Moses stated the council must set a rate for taxation before it can advertise the meetings. He further stated, "We can't just say, 'We're advertising to determine whether or not we're going to implement a millage rate' or 'we're going to implement a millage rate but we're going to tell the citizens the number at the end of the three meetings'". "We have to determine what the millage rate is and include that in the advertisements that go in the paper."

Councilman Dodd stated he spoke with Mrs. Glenda Roberts in the Tax Assessor's Office, and she reported if the city has all the meetings and a definitive rate set and if they can meet the March 31, 2024 deadline to have all submitted information the city can begin collection in 2025.

Attorney Moses stated the city would need to reach out to the Tax Commissioner because they would have to collect the millage and the city would need to know the amount the Tax Commissioner would charge for collection. All these components would need to be factored in.

Mayor Hayes stated most importantly the city will need to speak with Mr. Virgil Jones, Tax Commissioner, to determine the city's rate and that she would make contact with him.

Councilman Boston stated he had communicated with City CPA, Mr. Matthew Caines who informed him that 1 mill equals \$1,000.

Councilwoman Kelly inquired about the three meetings needed to adhere to the March 31, 2024 deadline. Attorney Moses stated the city could have more than one meeting daily. The motion to set the dates to establish the city's millage rate was made by Councilwoman Kelly and the second was added by Mayor Pro Tem Lovette. The following dates and time were set for March 14th, at 5:00 PM and 7:00 PM and March 22nd at 5:00 PM with all meetings being held at the Walthourville Fire Department. Vote: 5-0: Motion Carried Unanimously.

7. City of Walthourville

Mayor Sarah B. Hayes

City Fire Fee. Mayor Hayes stated the city implemented a Fire Fee of \$25.00 per household within the city limits who receives Fire Service in December of 2023. Currently, as of this meeting the fire fee has not been collected; therefore, this places the city in a deficit with the projected revenue the city should be collecting. The Fire Fee was suppose to start in January and here we are in February and we still don't have the Fire Fee. She additionally stated, "The fire fee is not something that anyone looks forward to doing," but it is necessary to keep the general fund from being overextended.

Councilman Boston said, "I think that we need a fire fee in order to get through this year, because a budget was passed with the fire fee. And currently not having a fire fee, we're not in compliance with the budget." He added, "I think it should be more equitable. I don't agree with a flat rate for everyone because we have commercial industry and residential households and different properties have different circumstances such as various square footage, different fire risk, but most importantly we need to act immediately.

Councilwoman Kelly stated, "I think we need some kind of fee, and we did say the Fire Fee and it will only be for this year, so I do support the Fire Fee." She also inquired asking when the millage takes effect, the fire fee will be discontinued, correct? Mayor Pro Tem Lovette said, "I'm not in support, because will confuse the citizens by starting off with a fire fee, which is only for the fire department. And then next year, we're going to bring a millage rate. And we're gonna impose that on the citizens. So, I'm not in support of imposing both of those at the same time on the citizens."

Councilman Dodd explained, "We won't start collecting until 2025. We'll be paying on it in 2024. "The previous council approved a \$25 fire fee. However, you guys did that, came up with that in the previous council, that's already done." "We, new councilmembers, inherited this situation, I think the question now is, how do we collect it?" Councilman Boston, added, "every month that we don't collect, that's \$65,000, roughly, that we are in the red." Mayor Pro Tem Lovette stated she still doesn't support a Fire Fee. Councilwoman Kelly asked the Mayor Pro Tem if she had any alternatives since she doesn't support the Fire Fee. The Mayor Pro Tem states she supports a Forensic Audit because everyone needs to know where the money is/went. She explained that the council opposes it, but it needs to be done." Councilman Boston said he did not support a forensic audit because he felt the issue was one of "more going out than what's coming in." Mayor Pro Tem Lovette asked, how did we derive at that?" Councilman Boston pointed to solid waste costs, which the city has not collected enough to cover. He said the city sent 241 tons to the landfill in

January, which cost about \$11,700, but that the city had only collected about \$7,000 to pay that bill, leaving a \$4,700 deficit. Losing that much monthly, multiply that amount monthly time 12 and the city is drastically in arrears.

Councilman Dodd added that city departments like fire and police, are growing and that the city needs to pay its employees enough to keep them from looking for work in other cities. Mayor Hayes added that the city's fire coverage area has grown, "Allenhurst has over 800 homes now and they did not have that many, prior.

Mayor Hayes asked Fire Chief Nicolas Maxwell to present his presentation, again. Chief Maxwell said Walthourville's current number of fire customers are based on the number of city water customers. Although the city does provide water service to a few customers outside the city, Chief Maxwell said the fire fee had to be adjusted because the city was not able to send bills out for January and February. Mayor Hayes and Councilwoman Kelly pointed out that, while the fire fee is based on the number of people who have water connections with the city, other customers are on well water and have sewer-only connections.

Chief Maxwell said the fire fee would go to "everybody that gets a bill from the City of Walthourville for water utility and sewage that live in the city limits. Those are the only people we can bill this fire fee to." He further added that he does not suggest billing vacant land, that has no structure on it. The Chief also said the city does not charge nor collect regulatory fees for things like fire inspections. He said he was made aware of a situation pertaining to a business in the city that received a cease-and-desist notice from DHP (Georgia Department of Public Health) and we can't do anything to assist because I don't have an inspector." He is also aware that the council fire fee was not a perfect solution to the budget issue. "We could sit here and legitimately poke holes in the fire fee all day," he said. "But the reason we decided to go forward with the fire fee is because the fire department is a tremendous expense. And in order to fund that, you have to have a revenue source — whether it be dedicated to fire only or not — we had to find a revenue source to continue to provide fire services....We're not trying to sell a fire fee to residents for, 'you've gotten a service all these years for free; now you're gonna pay for it and get the same service.' We've made tremendous strides at the fire department in the past 6 to 8 months. Those things cost money and if the city collects and uses the fire fee prudently, the fire department will improve its capabilities which would lead to a better ISO Fire Safety Rating which will result in lower homeowners' insurance rates. The question was asked, "what if someone refuses to pay the fire fee? The Chief said the city could bill the property owner for the actual cost of the incident at their home, which could escalate in the tens of thousands of dollars. "What's likely to happen if you do that, and your insurance becomes aware that you chose not to pay \$26 a month, now you have a \$50,000 invoice from the city, they're probably gonna cancel your policy," Maxwell explained. "And they're probably not going to repair any of the damage that occurred. We're still waiting to hear back from some of the insurance adjusters that live in the area whether homeowners can expect to see a rollback in their premiums that are directly tied to the fire fee."

Councilman Dodd said of the fire fee, that we think it should be fair for everyone. "I think if one pays, all should pay and it should not matter if you are a landowner or resident, you're still paying property taxes here, so you should. It doesn't matter even if you don't have a structure and you own land there, you should pay". Chief Maxwell explained that the city fire department would respond to medical calls and put out structure fires and small grass fires, but that EMS runs medical calls, and a major brush fire would be handled by Georgia Forestry firefighters. "We're trying to install a fee that will enhance the capabilities that only we provide," he said. "No other fire department, no other entity is responding to a fire in a structure in the city of Walthourville, other than the Walthourville Fire Department and our neighbors that come to help us out." Chief Maxwell additionally added that he has spoken extensively with Garden City's Fire Chief, and they have been very successful in collecting their Fire Fee, the citizens comply.

Councilman Underwood said he had heard enough. We have had Chief Maxwell here too many times and it is time for us to make a decision. He stated he wants to proceed with this because it's getting aggravating to him. Today is probably my last day talking about this. He suggested a flat rate of \$25.00 for the next 10 months. This discussion keeps going on and on and on. Also, he stated he was tired of talking about a Forensic Audit. Councilwoman Kelly voiced her concern about increasing the water rates this year and Mayor Hayes said this problem would be tackled, first. The Fire Fee wasn't collected in January and February of this year; therefore, to stay on targeted budget projections the Mayor and Council decided instead of \$25.00 that was suppose to be collected over 12 months, the fee would be \$31.60 and would be collected over 10 months through December 2024.

Attorney Moses asked City Hall if the Fire Fee would be on the March bill. City Clerk Moss stated the reasoning the city could not collect the fee was due to the computers at City Hall. The city's software company stated the city's computers are outdated and to collect the fee they would need to be upgraded. City Hall is operating on Windows 8. Ms. Moss stated City Hall was tasked with obtaining the cost of replacing the computers at City Hall and to replace 10 the cost would be \$25,500.00, one computer cost \$1,650.00 due to the malware and firewalls that have to be placed on them to prevent a cyber or ransom attack. Ms. Moss stated Mayor Hayes said due to the cost they could order one and within the next few months another one could be purchased. Ms. Moss added to the Mayor and Council, "I want to beg you all, please. I know we can get the one, but is there any way you all could give us two?" Councilman Boston said that was feasible, especially if the \$25,000 that was allocated for the Forensic audit be reallocated to purchase the computers at City Hall, that would allow City Hall to get the computers to be able to do their work. Councilman Underwood said, he wholeheartedly agreed. Councilman Dodd made the motion to reallocate the \$25,000 from the Forensic Audit to purchase the City Hall computers and the second was added by Councilman Underwood. Vote: 3-0-1: Motion Carried.

Councilmen Boston, Underwood and Dodd voted favorably.

Mayor Pro Tem Lovette voted no.

Councilwoman Kelly did not raise her hand, she stated she was in support of the fire fee but against the reallocation. Attorney Moses asked whether her vote was no or an abstention, Councilwoman Kelly said, "No, abstain, whatever you wanna call it", Mayor Hayes called again for the vote which was the same as before.

The motion to approve the Fire Fee of \$31.60 monthly beginning in March of 2024 and commencing in December of 2024 was made by Councilman Boston and the second was added by Councilman Underwood. Vote: 3-0-1 Motion Carried.

Members voting favorably was Councilmen Boston, Dodd and Underwood.
Mayor Pro Tem Lovette opposed.

Councilwoman Kelly stated, "I'm not voting because I already said what I had to say about it," abstaining or whatever you wanna say." She then asked if one computer was \$1,650.00 why were the computers so expensive? Mayor Hayes stated the \$25,000 entailed 10 computers, installation charges, software configurations and firewalls to prevent hacking and ransoms.

IX. Department Reports

City of Walthourville Departments

Water Department

Mr. Patrick Golphin

Mr. Golphin was absent due to being ill. Report was given by Shana T. Moss. The city will close Shaw Road on Thursday February 15th due to a Water/Sewer project. She stated the notice of the road closure and water service interruption has been advertised on WTOC, WSAV, the Coastal Courier, and the City Facebook and Website pages. Councilman Dodd complimented the City Hall Team on the public exposure and awareness.

Fire Department

Chief Nicolas Maxwell

Gave the Fire Department statistics and stated they have been busy. He referenced the train fatality and stated the fire department was immediately on the scene and the city's ATV vehicles that were purchased with USDA Grant Funds proved to be vital in the fatality search. Mayor Pro Tem Lovette asked if any of the firefighters had expressed a need for mental health counseling? Chief Maxwell stated Fire Chief Chaplain Richard D. Hayes had been contacted but all the firefighters stated they were fine.

Police Department

Chief Christopher Reed

Reported that he and Major Hook attended Chiefs Day at the State Capitol. They witnessed the legislature in session. He gave the departments statistics and reported about the log truck incident that occurred on February 5th and closed Talmage Road for about 4 hours. He reported the Officer that was injured in a vehicle accident in 2022 was still out and would be undergoing an additional surgery.

X. Mayor and Council Comments

Elected Officials

Parks and Recreation

Mayor Pro Tem Luciria L. Lovette

Reported about the fence at the Park and that it needed to be replaced.

Public Works

Councilman Mitchell Boston

Reported that Public Works was progressing. He reiterated the information he had stated previously about the Solid Waste (landfill) Bill and that the city was losing almost \$4,000 monthly. He stated he was still gathering information about the city's Sanitation Collection.

Youth Council

Councilman Patrick Underwood

Reported the city will host an Easter Egg Hunt on Saturday March 30th from 12:00PM-2:00 PM. He further added that no city funds would be used. The city will obtain sponsors and donations will be accepted. The event will occur at Johnnie Frasier Park and will be complete with a Easter Bunny and a Bounce House. Attorney Moses told Councilman Underwood that his office would be one of the sponsors.

Special Projects

Councilwoman Bridgette Kelly

Reported the city will be having its 50 Year Celebration and the events will be held in September. More information will be forthcoming.

Emergency Update

Councilman Robert Dodd

Stated he worked with Ms. Moss to obtain the city’s re-entry passes from GEMA. He suggested that only the critical workforce be given the passes in the event of an emergency/evacuation. There is an SOP that accompanies the passes, and the SOP is in City Hall.

Mayor’s Corner

Mayor Sarah B. Hayes

Reported the City’s 50th Year Celebration will be held in September, and she is asking each Councilmember to assist and participate. She suggested a Youth Weekend and asked Councilman Underwood to facilitate that weekend. She further suggested a Senior Citizens weekend or perhaps a Dirt Bowl (Basketball) Tournament.

XI. Citizens Comments

1. Ms. Gwendolyn Dykes commented on the Fire Fee. She stated she doesn’t mind paying her Fair Share, but why are we not figuring out the specifics of the Fire Fee and what everyone business and residential is having to pay.

2. Dr. Cathy Jennings commented that this was her first time attending a council meeting. She learned a lot of information tonight. She stated she would appreciate more information when the Mayor and Council have intentions of raising fees. She added that she learned tonight by attending that the city is discussing millage and property taxes, water rates were mentioned, and all of these things will affect all citizens. She also stated she works with computers and everything the lady (City Clerk) stated was correct. Computers are expensive and they must have firewall protection.

XII. Executive Session

Attorney Luke R. Moses

At 7:47 PM a motion to enter into Executive Session for litigation was made by Councilwoman Kelly and the second was added by Councilman Underwood.

Vote: 5-0: Motion Carried Unanimously.

At 8:14 PM a motion to exit Executive Session and re-enter Open Session was made by Mayor Pro Tem Lovette and the second was added by Councilman Underwood.

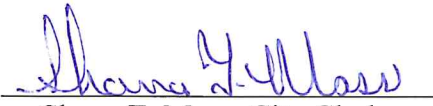
Vote: 5-0: Motion Carried Unanimously.

XIII. Adjournment:


Councilmembers

At 8:16 PM a motion to adjourn was made by Councilwoman Kelly and the second was added by Councilman Boston.

Vote: 5-0: Motion Carried Unanimously.



Shana T. Moss, City Clerk



Sarah B. Hayes, Mayor