

BOARD OF COUNTY COMMISSIONERS"
MINUTES OF MEETING
SEPTEMBER 19, 1990 ---PUBLIC HEARING

COMMISSIONERS PRESENT:
S. DONNELL WHITFIELD
JAMES M. DILLARD
ELLIS MELVIN
TRUMAN GRANT
MONROE COX

PRESENT AND ACTING:
ADMINISTRATIVE ASSISTANT, GAIL O'BRYAN
COUNTY ATTORNEY, BILL A. CORBIN
SHERIFF, WILLIAM G. (BUDDY) SMITH

THE MEETING WAS CALLED TO ORDER BY SHERIFF SMITH AND FOLLOWED WITH PRAYER BY COMMISSIONER WHITFIELD AND PLEDGE OF ALLEGIANCE TO THE FLAG.

APPROXIMATELY 150 CITIZENS WERE PRESENT AT THE PUBLIC HEARING.

COMMISSIONER WHITFIELD STATED THE PURPOSE OF THE MEETING WAS TO HOLD A PUBLIC HEARING ON THE PROPOSED UTILITY COMPANY FRANCHISE ORDINANCE AND ASKED ATTORNEY CORBIN TO EXPLAIN TO THE PUBLIC THE STATUS OF THE PROPOSED ORDINANCE.

COUNTY ATTORNEY BILL CORBIN EXPLAINED THE PURPOSE OF THIS MEETING WAS TO CONSIDER THE ADOPTION OF AN ORDINANCE WHICH GRANTS FRANCHISES TO UTILITY COMPANIES AND ALLOWS THEM TO ASSESS CUSTOMERS. HE REPORTED, THE BOARD PREVIOUSLY CONSIDERED COMMENTS FROM THE PUBLIC AND AT A MEETING HELD ON SEPTEMBER 14TH, HAD AGREED THAT 2 CONDITIONS BE MET BEFORE ADOPTION OF THE ORDINANCE.

1. THE ISSUE BE PLACED ON THE NOVEMBER 6, BALLOT AND MUST BE APPROVED BY THE VOTERS OF THE UNINCORPORATED AREAS OF CALHOUN COUNTY.
2. TO BRING A DECLARATORY ACTION SUIT IN CIRCUIT COURT TO DETERMINE THE VALIDITY OF THE ORDINANCE.

COMMISSIONER WHITFIELD EXPLAINED THAT THE 1990-91 BUDGET HAD BEEN CUT EXTENSIVELY IN ORDER TO MINIMALLY FUND SERVICES FOR THE COMING YEAR. HE STATED THE CHOICE IS OUT OF THE BOARD OF COUNTY COMMISSIONERS HANDS DUE TO STATE MANDATES AND NO REVENUES. HE SAID THE PEOPLE OF CALHOUN COUNTY ARE GOING TO HAVE TO VOTE IN ORDER TO DECIDE IF THEY WANT THE FOLLOWING SERVICES FOR FY 91-92:

FIRE PROTECTION, LIBRARIES, COUNTY EXTENSION, VETERANS SERVICE OFFICER AND SENIOR CITIZENS TRANSPORTATION.

MANY QUESTIONS WERE POSED REGARDING FIRE CONTROL, RIGHT OF WAYS FOR TRANSMISSION LINES, CAP ON FRANCHISE FEE, SPECIAL FIRE DISTRICT TAXES, INDEBTEDNESS OF COUNTY, BUDGET CUTS AND SERVICES PROVIDED BY THE CITY OF BLOUNTSTOWN AND ALTHA.

MUCH OPPOSITION WAS EXPRESSED CONCERNING THE TAX BEING PLACED ON THE UNINCORPORATED AREAS AND NOT ON THE CITIES. ATTORNEY CORBIN STATED THE COUNTY HAS NO AUTHORITY TO IMPOSE A TAX ON CITY RESIDENTS, HOWEVER, THE CITY AND COUNTY COULD GET TOGETHER AND POSSIBLY ENTER INTO AN INNER LOCAL AGREEMENT AGREEING FOR BOTH ENTITIES TO PLACE A TAX FOR SERVICES, THEN BOTH CITY AND COUNTY RESIDENTS COULD VOTE ON THE ISSUE.

AFTER MORE DISCUSSION. COMMISSIONER WHITFIELD STATED THE BOARD HAD TENTATIVELY ADOPTED FY 90-91 BUDGET AT 10MILLS, HAVE PLACED THE FRANCHISE FEE ISSUE ON THE NOVEMBER 6, 1990 BALLOT, AND IF PASSED, WILL BRING A DECLARATORY ACTION SUIT IN CIRCUIT COURT TO DETERMINE VALIDITY OF THE ORDINANCE.

THERE BEING NO FURTHER BUSINESS, THE BOARD DID ADJOURN.