

# Rabun County Alliance

formerly West Rabun Property Owners ~ Est. 2001



## Winter 2019 Newsletter

### *“Seeking Leadership and Accountability in Government”*

#### FROM THE EDITORS

We hope our members had an enjoyable holiday season and a productive start to the new year. And we wish we could report that the new year is looking promising for improved performance from our County government, given all the problems that emerged from its failure to agree with the city of Clayton on the Service Delivery Strategy agreement (*still no resolution; now in front of a judge!*). Unfortunately, we anticipate more problematic issues in 2019, and two articles in this issue will relate the details of our concerns. We start the process with cogent advice for our members.

The two articles describe potentially concerning issues regarding the offering of and vote on a new SPLOST program in March, and the lack of attention we believe the County has put on road improvements in recent years. Unfortunately, our past criticism of the County's faulty administration has had virtually zero impact on how it appears to be contemplating future actions.

What advice are we offering? We believe that the comments most likely to be heard by our Commissioners are those that come from the voters who put them in place. *Voters decide every four years whether they are getting good results from elected officials and can opt to replace them if they are not satisfied. Accordingly, we suggest that our members study the articles in this newsletter on SPLOSTs and Roads, decide if what is presented is concerning to them, and believe that absent commentary from voters, things will not change from how they have been done previously, they strongly consider expressing their concerns in writing or by email to the Commissioners Go to our website and, on the home page, click on “Action Alert.”* Also, this newsletter had to go to press before the February 28 “town hall” meeting with County officials. We hope you were able to attend.

*Please go on our website ([www.rabuncountyalliance.com](http://www.rabuncountyalliance.com)) in early March to read about our impressions of the status of these issues following the meeting, and see our final recommendation regarding the SPLOST vote on March 19, 2019.*

#### 2019 SPLOST: WHAT MIGHT VOTERS EXPECT?

The answer to the question above is *“more of the same,” and that is troubling*. The 2013 SPLOST (number 6) ends in late summer this year, and the County is planning to request on March 19 that voters approve a new SPLOST to continue for the next 6 years immediately following the end of SPLOST 6. As you are aware, these SPLOSTs add 1% more to the sales taxes collected on qualifying purchases for their duration. Let's begin the long list of concerns we have about this new SPLOST 7 being requested of voters.

1. First, with nearly 80% of SPLOST 6 having been completed, \$10.2 million of the \$20 million budgeted had been spent by June 30, 2018 (last official information published re SPLOST spending). If spending continues at the same rate until SPLOST 6 expires, spending will total \$12.6 million, leaving \$7.4 million to carry forward. SPLOST 7 is estimated to raise \$20 million budget for its 6-year life; that means SPLOST spending budgeted, including the remainder from SPLOST 6 and the entire SPLOST 7, would be \$27.4 million, and total SPLOST 6 spending over the same amount of time would have been \$12.6 million

So, question number 1: *Why wouldn't the County spend down the large remaining balance from SPLOST 6 before requesting a new SPLOST?* If spending continues at the same level, the new SPLOST wouldn't have to begin until early 2023, about 42 months after SPLOST 6 ends! *Or, if they must begin the new SPLOST immediately after the expiration of the current one because municipalities can't wait for the County to spend its excess funds, why couldn't they move more capital projects from general fund spending to the new SPLOST and describe them in writing?*

#### COMMUNITY CALENDAR:

visit the Chamber of Commerce at [gamountains.com](http://gamountains.com) for Rabun County events; visit [georgiapowerlakes.com](http://georgiapowerlakes.com) for helpful lake information from Georgia Power; visit [lakerabun.org](http://lakerabun.org), [lbca.net](http://lbca.net), and [seedlake.org](http://seedlake.org) for the various Association events; Men's Christian Fellowship meets every Friday, 8:00–9:30am (706-782-7425 for more info)

**April 13: Tallulah-Persimmon Fire Station Annual BBQ & Raffle (fundraiser).**  
\$10/plate, tickets at Reeves Hardware (Clayton) or call 706-782-3195

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Question 2: *Why should voters have to begin paying taxes in September, 2019 to build up a balance that wouldn't be needed for several years?*

Question 3: *Rather than rolling spending of unspent SPLOST 6 funds forward to fund SPLOST projects, can the County simply roll the funds back into its general funds? The answer is: if excess funds remain after all projects are completed and there is no county debt, the excess proceeds must go to the general fund of the county to reduce county property taxes. Because excess funds remain from other projects and the County has incurred plenty of debt, there is no way to make a transfer to general funds.*

2. *We strongly believe that past SPLOSTs have not complied with state regulations.* A ruling by the state's Attorney General requires that *project definitions and their purposes* "...be only so specific as to place the electorate on fair notice of the projects to which the tax will be devoted." This is problematic in two arenas.

First, the Merriam-Webster Dictionary definition of "project" is "A specific plan or design: SCHEME." Contrast that definition with the "projects" listed in SPLOST 6: "water and sewer; parks and recreation; solid waste management; senior center; fire; roads, streets and bridges." *Those are not projects; they are categories of projects.*

Problem number one: *Voters are not being given "fair notice of the projects to which the tax will be devoted."*

We have researched SPLOST project definitions listed by other counties, and following are some examples of how other counties have met this requirement:

"New Judicial Center building construction, new Judicial Center optional parking deck," (Athens-Clark County), "Park Development (New): Alexander Park Bridge Project, Beaver Ruin Wetlands Park, Dacula Park Gym and Senior Wing Expansion," (Gwinnett County), "Station 3 Renovations, Station 2 Re-Roofing, Staff Vehicles (2 of 10 obtained)," (Douglas County).

In contrast, here are the County's "projects" that will be on the SPLOST 7 ballot for voters to consider in March, 2019: "Sheriff's Building Improvements, Jail, Courthouse-Administrations Renovations, Water and Sewer, and Roads and Bridges." Improvements and renovations are (probably) projects, but without more detail, we know not what they involve, what to expect, or how large or small the "improvements and renovations" might be. Or what specific item will be improved or renovated. Or when they might be deemed to be "completed." And Jail, Water and Sewer and Roads and Bridges are clearly not projects voters could decide whether to support or not without more information.

*The above concerns are not the only problem with insufficient definitions.* Regulations permit transfers of monies from one approved project to another "as long as all projects are completed." *How does one know when the water and sewer "project" approved by voters is finished? Or the Jail "project." In fact, County officials are free to determine when a "project" is complete at their own discretion.* There have been examples of past transfers made when only a fraction of the transferring "project" budget had been spent.

Bottom line: Rabun County voters *are not properly advised on the ballot how the approximately \$20 million they will be taxed shall be spent*, as regulations require, *and the County retains flexibility to move monies wherever they desire as they deem projects to be completed.* *Even the broad categories of descriptions provided by the County do not seem to reflect intentions.* The initial balances allocated to the Roads, Streets and Bridges and Solid Waste Management "projects" (as approved by voters in March, 2013) were \$5 million and \$300 thousand respectively. *As of June 30, 2018 (58 months through SPLOST 6 and with only 14 months left until expiration), not a penny had been spent*

*on either "project."* Did you vote for SPLOST 6 in March, 2013? Does this reflect your expectations of what you voted for?

To further illustrate our concerns, the Clayton Tribune published an article in August, 2018 that carried interesting information. The article reported that County Administrator Darrin Giles said that new SPLOST projects would install a pod to the jail that would house an additional 100 inmates, at a cost of \$8 million, move the Sheriff's Office to a new location, at a cost of \$2 million, and would expand water infrastructure along Highway 441. How are these "projects" being presented on the officially-approved ballot to voters? *As, "Sheriff's Building Improvements (\$1 million), Jail (\$4 million), and Water and Sewer (\$5 million)." So the Clayton Tribune is given more information regarding SPLOST projects than are voters, who by law must be placed "...on fair notice of the projects to which the tax will be devoted." And note the 50% reduction in estimated cost for two of the projects.*

*And here is one final issue of concern: the audited statement for the fiscal year ended 6/30/2018 showed general unrestricted cash, cash equivalents and certificates of deposit totaling nearly \$10.4 million, which is over 42% of total 2018 fiscal year expenses, an extraordinarily healthy cash reserve. This, on top of a recently announced 11.6% increase in millage rates on property values (the County included in its justification for this very large millage rate increase the need to purchase many vehicles, which easily could have been included in the new SPLOST, but apparently are not!).*

*Because of these concerns, we strongly recommend that, absent more clarification being provided in the ballot by the County between the date of the publishing of this newsletter and the actual vote in March, voters consider rejecting the requested SPLOST 7 program. This might encourage County officials to go back to their desks and bring definition to the projects they seek voters to approve, in compliance with SPLOST regulations. And they might consider moving more capital projects from general fund spending to the abundantly rich SPLOST funding resulting from the major carryover from SPLOST 6.*

*LAST BUT DEFINITELY NOT LEAST: A former County official was quoted saying that "Outsiders pay over 70% of the SPLOST money collected by Rabun County, so it's not that big a deal for County residents." And the current County Administrator has reportedly repeated that assertion. To get reliable data, go to the website [www.gasplost.org](http://www.gasplost.org), where research by a highly-regarded professor at the University of Georgia shows that 74% of the funds collected in Rabun County come from Rabun County residents, versus 24% collected from people from other counties. Folks, it's your money, not money from outsiders, that is primarily funding SPLOST!*

## SPEAKING OF ROADS

As long-term members can attest, RCA has conducted a continuing effort to encourage County officials to pave the vast number of unpaved roads in the County. Why is this important? Four relevant reasons. First, stopping on pavement is much easier than stopping on gravel, and, given the proclivity of Georgia drivers to ignore speed limits, traveling on gravel roads is riskier. Second, with northern Georgia's rainy climate, combined with the County's practice of periodically scraping to remove potholes and ruts on gravel roads, a dramatic amount of sediment continually washes down our slopes, unfortunately much of it washing into our watersheds—harmful to our environment. Third, potential damage to passing vehicles increases as potholes and channels develop and deepen, problems that develop much more quickly on unpaved roads. Finally, all three of the foregoing can hinder response times for emergency vehicles. Alas, our efforts to encourage road paving have been largely ineffective and ignored.



Also troubling, we now have data that suggests the lack of focus on paving of unpaved roads has continued. According to a publication of the Georgia Resource Conservation & Development Council, in 2006, the Georgia Department of Transportation reported that “In Georgia, there are more than 88,000 miles of paved roads, and more than 28,000 miles of unpaved roads.” This report suggests that somewhere in the neighborhood of 76% of Georgia roads were then paved.

The last information we have on percentages of unpaved roads dates back to our Summer 2012 issue, which listed paving percentages for several counties. Rabun County then had the 3rd highest percentage of unpaved roads in the state (41%) behind White and Franklin Counties (47% and 42% respectively).

We do not have updated information on these numbers, but what we do have is a summary of paving activities in Rabun County in recent years. And the data indicates we have made little progress in reducing our percentage of unpaved roads. We were given a summary of recent paving results by a County official, and it is extremely discouraging. *In the 2011 to 2018 timeframe, 12.58 miles of unpaved roads were paved. Further, from 2013 until 2018, 32.3 miles of paved roads were repaved.*

Neither of these results indicate paving (or even repaving) of roads is a focus with County leaders. *SPLOST 5 had allocated \$7.54 million to the Roads, Streets and Bridges category, and while SPLOST 5 ended in September 2013, as of June 30, 2018 there remained an unspent total of \$1.39 million in that fund as of mid 2018. And as noted in the lead article, as of that same date, not a penny of the \$5 million allocated to the RS&B “project” in 2013 has yet been spent with nearly 80% of SPLOST 6’s timeframe gone. The money is there, but where is the focus on delivering the Roads and Bridges “project” voters approved?*

Folks, the money you have been taxed to fund various activities has been collected and is sitting in the bank. *But any determination on the part of the County to improve transportation venues from tax monies already collected from residents solely for transportation improvements has been largely absent!*

## PROPERTY TAXES

We have obtained information regarding the taxes Georgia Power paid to Rabun County in 2018, as noted in the table below (*all figures in thousands – denoted by M*):

	Lake Burton 846 lots	Lake Rabun 216 lots	Lake Seed 91 lots	GA Power Property	Totals
2017	\$ 6,768 M	\$ 1,253 M	\$ 178.4 M	\$ 740.0 M	\$ 8,939 M
2018	\$ 7,057 M	\$ 1,306 M	\$ 186.0 M	\$ 820.0 M	\$ 9,370 M
Increase	4.3%	4.3%	4.3%	10.8%	4.8%

The total tax digest for the County is approximately \$28 million per year, and the numbers listed above for lake properties are only the taxes on land values -- they do not include the values of houses or personal property, which are assessed directly to homeowners and don’t go through Georgia Power. Approximate estimates of composition are that, in 2018, total Georgia Power properties represent roughly one third of property tax collections, and land-only portion of rental lake properties represents 30.5% of total tax collections. We don’t have specific numbers, but we are advised that, if home and personal property taxes paid by residents renting properties from Georgia Power were included, total taxes on rental properties would be well over 50% of total tax revenues.

Also, as we have reported previously, millage rates were raised by the County by 11.6% for 2019, a major increase.

## COUNTY PAVILION NEARING COMPLETION

*We are providing information that was gleaned from an article that originally appeared in The Clayton Tribune.*

Following the commencement of construction in July of [last] year, a new pavilion is nearing completion, recently estimated by County Administrator Darrin Giles to be about 90% complete, and work was expected to be finished about the time this article was under development. Pictures of the pavilion are included in this issue. Mr. Giles indicated that the complex will be used for County events and celebrations, and will be rented to local organizations to host events. The pavilion is located behind the Rabun County Civic Center in Clayton. Additional space is available in the area where the pavilion was constructed for other facilities, including the possibility of one or more Farmers Market buildings.

## FIRE DEPARTMENT

2018 was a busy year for Rabun County Fire Services. As I am compiling our end of the year statistics, I thought the readers might want to know about some of the main ones.

We responded to 1879 calls during 2018. Of these, 91 were multi-station calls and 53 were structure fires. As a rule, around 60% of our calls are medical related ran in conjunction with our EMS. Our firefighters logged in 13,385 hours of training for the year!

We gave out 44 smoke alarms and were one of 6 departments in the state to be chosen to receive a grant from the 2018 Chesney Fallen Firefighters Memorial Grant by the Georgia State Firefighters Burn Foundation in the amount of \$2,875.20. The funds were used to purchase additional smoke alarms to be given out. Fire Safety Education is an important part of our job and we made 2,072 contacts through school visits and other fire safety events held throughout the County.

We are happy to say that Fire Station #10 (Lakes) was rebuilt in a different location and opened its doors in June. Fire Station #3 (Tallulah-Persimmon) was a work in progress all year and was put in service a couple of weeks ago. We couldn’t provide the services that we do without the continued support of our Board of Commissioners and citizens alike. As always, please don’t hesitate to reach out to me about anything to do regarding the Fire Department at [jupchurch@rabuncounty.ga.gov](mailto:jupchurch@rabuncounty.ga.gov). Here’s hoping for a safe 2019! *Justin Upchurch, Assistant Fire Chief*

## SHERIFF’S REPORT

Once again, the Rabun County Sheriff’s Office had a busy and productive year for 2018. The Patrol Division, which is our most visible division, responded to a total of 8,244 calls that were dispatched through Rabun County 911. Sheriff’s deputies completed 1,326 incident reports, 289 accident reports, and issued 646 citations along with 1,050 warnings. Deputies provided an array of services, including 449 vehicle unlocks, 803 business checks, and responded to 398 business/residential alarms. To proactively prevent crime, deputies patrolled 235,854 miles throughout the year.

As a result of vigilant drug and dealer interdiction, deputies increased our department’s total drug arrests for 2018 to 180. The largest methamphetamine seizure in Rabun County history, approximately five pounds, resulted from a motorcycle pursuit. The K-9 Unit was deployed 97 times to assist in searching for drugs and missing/wanted people. Our Criminal Investigation’s Division had a busy year with 239 assigned cases; 175 cases were ultimately resolved resulting in a 73% case resolution for 2018.

We have enjoyed working outside the realm of the Sheriff’s Office in several collaborative efforts this past year. Our deputies and investigators partnered with neighboring counties in Operation JAW-



## Rabun County Alliance

*formerly West Rabun Property Owners*

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*The most recent addition to Rabun County's collection of multi-use facilities is a pair of large pavilions that have been constructed behind the Rabun County Civic Center, on the old football field.*



breaker, dismantling a drug distribution organization that was operating in North Georgia and the Western North Carolina area. During Operation Watchful Eye III, we participated in a statewide sex offender registration initiative. The Sheriff's Office also partnered with the Board of Education to employ three additional School Resource Deputies, which equips our schools with five assigned deputies that protect and serve our youngest residents on a daily basis.

A total of 1,611 people were processed through the Rabun County Detention Center in 2018. An average daily population of 94 inmates were housed in the jail. Detention officers transported 505 inmates to court and 61 people to various mental health facilities across the state.

We are extremely proud of our efforts towards our "incarceration, education, and rehabilitation" goal as we offered powerful courses to inmates that are designed to equip them with skills to make better life choices once they are released. The "Prime for Life" drug treatment course was conducted with three groups of inmates, and multiple groups of inmates participated in the "STEP-Up" parenting course, which was facilitated by our community partner, Fight Abuse in The Home (FAITH).

The Courthouse Security Division maintained the security of the courthouse during business and after hours. These deputies provided security for 256 sessions of court and 23 Commissioners' and/or Planning and Zoning Meetings. A total of 44,337 people visited the courthouse in 2018. In addition, a total of 1,043 civil papers were served. The Training Division not only conducted in house trainings but coordinated trainings through other agencies as well; deputies and detention staff received a total of 5,352 training hours during 2018.

The Sheriff's Office continued participating in various

community events, such as Rabun County Government Day, the Teen Maze Program at RCHS, and volunteering for Special Olympics. For the first time, we joined the Jackson County Sheriff's Office in their annual Jeep ride that raises money for the Georgia Sheriff's Youth Homes. Several educational events were offered at no cost to the community, including the Citizens' Firearms Classes, the Citizens' Law Enforcement Academy, and the Citizen's Response to Active Shooter Events (CRASE) classes, which was also conducted for school system employees on a planning day. As an extension of those courses, Rabun County law enforcement officers attended the Advanced Law Enforcement Rapid Response Training to learn how to respond efficiently to an active shooter event. Other community services included conducting church threat assessments and security trainings to church security teams.

Finally, I was chosen and honored to attend the National Sheriff's Association's "National Sheriff's Institute" in Aurora, Colorado. Exclusively for first term Sheriffs, this executive development course, travel, lodging, and meals was free of cost to selected participants. As your sheriff, I want to THANK YOU for allowing me to serve you. I look forward to the future of Rabun County and our Sheriff's Office. Please join me in congratulating and appreciating the men and women of the Sheriff's Office for the challenging, difficult, and dedicated work they do each day in order to serve our citizens effectively and in representing the Office of the Sheriff.

As we embark on a new year, we invite you to follow our upcoming activities and accomplishments by liking our page, Rabun County Sheriff's Office, on Facebook. Valuable information can also be found on our website at [www.rabunsheriff.org](http://www.rabunsheriff.org). Sheriff  
*Chad Nichols*