

# Rabun County Alliance

formerly West Rabun Property Owners ~ Est. 2001



## Spring 2018 Newsletter

*“Seeking Leadership and Accountability in Government”*

### COUNTY ELECTIONS

Results of the elections for the County’s Boards of Commissioner and Education came in just as the newsletter was being readied for print. The winning candidates are:

<u>Commissioner</u>	<u>Board of Education</u>
Post 4: Kent Woerner	Post 1: Curtis Haban
Post 5: Scott Crane	Post 2: Mark Beck

We truly hope that you were able to vote in the recent primary election in Rabun County, if you were registered to vote there. If you are not registered to vote in Rabun County, have you thought about doing so? There are just under 11 thousand “active” voters in the County (eliminating those registered but who haven’t voted in several election cycles), and the average number that actually vote each cycle is higher than in many of the state’s counties. Yet in many other places where our members vote, the average number of voters each cycle is much bigger. Your vote is important, but for many of our members, in Rabun County it would be much more important!

### 2019 SPLOST: WHAT MIGHT VOTERS EXPECT?

Special Purpose Local Option Sales Tax programs (SPLOSTs) have been offered to and approved by Rabun County voters for many years (six in total, the most recent one lasting six years). Over the years, Rabun County Alliance officials have educated themselves regarding SPLOST legal requirements, as a result of learning of several inappropriate actions that have been taken in past SPLOSTs. Our Winter newsletter described specific concerns regarding problems we believe were inherent in project titles and descriptions in past SPLOST development, as well as several administrative issues that we believe to have been troublesome in the past. Accordingly, we chose not to quietly await the development of the upcoming SPLOST 7 to see if those problems had been addressed. Instead,

we wrote to County officials to offer to meet with them and discuss SPLOST development which we believed would be compliant with the spirit and the letter of SPLOST regulations.

Unfortunately, our first response from the County did not result in a meeting opportunity. At the same time, we do not know whether they will go down the same road as past administrations or seek to develop a different approach to SPLOST 7. We remain willing to meet, but if that doesn’t happen, we will simply await the public communication from the County regarding the composition of the proposed SPLOST offering and decide whether it has measurably improved, in which case we would communicate our support. If it follows the historical track, we would widely communicate that information as well. Following are brief summaries of problematic past administration.

**Projects must be adequately defined.** According to a ruling by the state’s Attorney General, SPLOST definitions and purposes “...must be only so specific as to place the electorate on fair notice of the projects to which the tax will be devoted.”

Rabun County rarely names projects in its SPLOST descriptions. Instead, it lists categories, such as Roads, Streets and Bridges, Fire Department, Health Department and Courthouse, plus no purpose has been provided. It is very difficult to define “Fire Department” as giving “fair notice” of the “project’s” nature of and purpose for which money will be spent. Or when it will be completed.

By way of contrast, here are examples of projects described in SPLOSTs from other counties:

- White County: Upgrade or replace HVAC system in County Jail, Update Courthouse security entrance to better serve flow of public, replace or upgrade surveillance system, security scanner for jail courtroom tasers, patrol car computers, walk-in freezer

**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, 7:45–9:00am (706-947-3740 or 706-782-7425 for more info)

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J. P. Miles  
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#### V.P. Fire Protection

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Stacye Morgan  
**Website**  
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- Fannin County: Fire Station construction on Windy Ridge Road, increase public water lines throughout County, two projects to free up 72 spaces of street parking
- Hall County: Fire apparatus & vehicle replacement, Right-of-way purchase Spout Springs Road, Hubert Stephens Bridge Replacement @ Wahoo Creek, Intersections improvements Hog Mount Road at Cash Road
- Gordon County: Courthouse & annex modernization and renovation, Peters Street improvements, New fire hydrant installation, Senior Citizens Center Expansion

Per SPLOST law, transfers of funds cannot be made unless the transferring project is completed with funds remaining. Well over halfway through SPLOST 5, cumulative spending in the Roads Streets and Bridges “project” was less than 5% of the budgeted amount. We asked why so little had been spent that far into the SPLOST period and were told by a County official (no longer there) that it was hard to estimate what the true costs of “projects” would be, so “extra” funds needed to be “stashed” somewhere to cover shortfalls. We have not tracked other transfers which might have been made. Nonetheless, shortly thereafter an amount well above a million dollars was reported to have been transferred out of the Roads Street and Bridges “project” in SPLOST 5 to cover a drastic overspending in the Multipurpose Arena “project.”

Obviously, as there is no way of determining when the Roads Streets and Bridges “project” is finished, the County is thus free to deem it “finished” whenever it chooses.

SPLOST funds can only be used to fund capital outlay projects, defined as major projects which are of a permanent, long-lived nature...expenditures that would be properly chargeable to a capital asset account as distinguished from current expenditures and ordinary maintenance expenses. Current expenditures and maintenance expenses must be funded from the County’s operating budget. When the project is Health Department, there is no way to determine whether it is a capital outlay or spending on maintenance.

In case of a “shortfall of SPLOST funds to pay for projects, the approved projects can be scaled back, but not abandoned. The government must make up the shortfall from their general fund or other funding sources. When your “project” is Fire Department, there will never be a shortfall, since no one will ever know what its end point is.

Basically, the County has asked voters in the past to fund upwards of \$20 million of additional taxes collected for each SPLOST without telling them how or where the money will be spent. And they can move (and have moved) the money around to other projects with impunity. This is neither what the law suggests nor what voters should be asked to approve.

RCA has done all it can to encourage the County to bring its SPLOST development and administration closer to what we believe is required in the statutes. One encouraging item is that most of the officials working on this project are doing so for the first time, so past guidelines are not necessarily ironed into their thinking. We will observe what is created and made available and communicate publicly our reaction.

## COUNTY ROAD MANAGER REPORT

After a long wet winter and spring, we are starting to see some drier weather. It has been tough on us as far as motor grading and asphalt patching, but we are finally starting to catch up. With the earlier abundance of rain, we have had several slides throughout the County that the Road Department has had to repair, some minor and

some major. One repair located at the turn onto Vickers Road was approximately a 60-70 foot slide, which took out a large oak tree and a power pole with it.

This past fall and winter, the Road Department also dealt with the clean-up from Hurricane Irma, hauling 211 dump truck loads of brush and trees totaling 3,408 cubic yards of material. After stockpiling the material at the Road Department, we had to go through the Georgia Environmental Protection Department and the Georgia Forestry Commission to burn the material by digging a pit and using an Air Curtain Destructor.

Now that spring is here and everything is growing, our mowers are on the move, so please use caution when you meet them on the road. With the pretty weather, the Road Department has a lot going on with our everyday duties, from mowing, motor grading, graveling roads, ditching, cleaning culvert pipes, asphalt patching and paving.

As far as a big project, the Road Department is currently working on widening two miles of Sandy Ford Road. After clearing all the trees and grubbing this winter, we are now in the dirt moving stage. We are hoping for lots of nice weather so we can keep the project moving. In an effort to save SPLOST money, the Road Department has done all the grading and setting up of the subgrade for the new Persimmon Fire Department. Other projects going on include the final grading and clean-up of the Multi-Use Pavilions behind the Civic Center and the final grading for the Coroner’s Office and Maintenance building.  
*Scott Provance, Road Manager*

## MEDICAL REPORT: KIDNEY STONES AND WOMEN

A nurse well known to my practice was not long ago in our Emergency Room. She was passing a kidney stone. “I want to keep that stone and name it” she said after the operation. She then added, “I got to name my young’uns, and passing that stone sure hurt more than having young’uns!”

Since 1984, my last year in Medical School, stone rates in women have increased four-fold. The greatest incidence of stone increase is seen in 18- to 39-year old females. Why are we now finding and treating more stones? As technology marches forward we have more modalities, with easier interpretation, to diagnose even the smallest of kidney stones.

Computerized tomography scanning (CT) has undergone a revival, with newer spiral CT stone studies. These kidney stone-specific studies are less invasive and more diagnostic. There has been a thirty-fold increase in CT procedures, mainly in emergency rooms, with over eighty million scans done in 2016 alone.

Extra-corporeal Shock Wave Lithotripsy (ESWL) has revolutionized our treatment of kidney stones. This form of treatment removes the need for unsightly skin incisions, long hospital stays, and the drains and tubes we previously accepted as part of kidney stone treatment. Laser modalities for lower ureteral stones, easier in the wide pelvis of a female, also reduce risks, cost and inconvenience. So are we just diagnosing and treating more stones, or is the increase real?

Studies from South Carolina to Minnesota have confirmed an increase in incidence of stone problems, not only in women, but also in adolescents and men. Many relate the increase not to diagnostics, but to lifestyle. Diet plays the largest role. The incidence in stone disease is not unique, as diabetes, obesity and colon cancer have been linked to the American diet. High salt, animal proteins and sugar-sweetened foods and beverages have been linked to calcium and uric acid stones. Processed and fast foods are often guilty on all three counts.

Water intake as a preventative is huge. And there is no substitute for water (I have often said God made water before anyone made Coke, Pepsi and Mountain Dew). All caffeinated beverages ultimately can lead to dehydration, often the precursor for stone crystals to form. It typically requires 60 to 80 ounces of water per day to maintain adequate hydration to prevent stones.

Calcium supplements, global warming, the work week; all have been referenced as possible causes for the increase of kidney stones in women. The truth is that there are multiple factors. The answer is simple. You are what you eat, and you are what you drink. So eat well, drink well, and stay healthy. *Dr Guy Gober*

## **MORE ABOUT ROADS, STREETS AND BRIDGES**

We welcome Scott Provance, the County's new Roads Manager following Darrin Giles' promotion to County Manager, as a contributing editor regarding County activities in the topic area. His first article in this issue of the newsletter provides an interesting look at current activities and issues. We wish him well in his role

As long-term readers know, RCA has continuously focused on roads activities, particularly with hopes of encouraging continuing paving of the County's unusually high portion of unpaved roads. The communities around our lakes are significant contributors to the County's revenue stream, as are the visitors coming to the area to enjoy the lakes. Periodic scraping of the unpaved roads adjacent to our waterway are major sources of sedimentation wash into the waterways, and contribute not only to navigation issues, but to potential long-term negative impact on property values (and thus, County revenues!).

RCA has continuously been following spending in the Roads, Streets and Bridges category (RSB) in the 2008 SPLOST program, the fifth one offered by the County, and offers this somewhat troubling update. The original budget for the category (defined in SPLOST 5 as a project) was \$7,541,850, and this SPLOST covers 5 years (in Rabun County, each year begins in September). SPLOST 5 ended in 2013, but as of June 30, 2017, there remained an unspent \$237 thousand in the RSB "project," as reported in the Clayton Tribune in December, 2017. Following is a table showing the reported spending history (in thousands):

	<u>Reported Fiscal Year Spending</u>	<u>Calculated Ending Balance</u>
<b>RSB Budget at outset of SPLOST 5 (9/2007):</b>		\$ 7,542
As of: 6/30/2012	\$ 166	\$ 7,376
6/30/2013	1,482	5,894
6/30/2014	1,380	4,514
6/30/2015	1,442	3,072
6/30/2016	270	2,802
6/30/2017	1,272	1,530

Astute readers will note a rather large discrepancy between the preceding paragraph's citation of the Clayton Tribune report of \$237 thousand as the funds remaining in the RSB account as of June 30, 2017, and our calculated ending balance of the same date of \$1.530 million, which was determined by subtracting reported annual spending from the initial budget amount. This means that \$1.293 million more funds than reported as spent have disappeared. What is the difference?

Annual fiscal year spending for SPLOST programs is reported by the County in the Clayton Tribune each year. But the County does not report the remaining account balance in the Tribune. Somewhere,

nearly \$1.3 million disappeared. To where? The Multipurpose Arena was budgeted to cost \$1.5 million. The final price tag was \$2.962 million when it was completed in 2013, an excess of \$1.462 million. And there is no evidence in the published financial statements of the funds used to cover the excess spending coming from general operating funds (where they would come from if they couldn't be transferred from a SPLOST project that would have excess funds remaining). This discrepancy seems to document the allegation of an improper transfer of funds of nearly \$1.3 million out of the RSB project when less than half of the RSB budget had been spent, as was reported earlier in the SPLOST article in this newsletter.

And, there is one more inconsistency we need to report. The ending fiscal year numbers reported in the Clayton Tribune for cumulative SPLOST spending for RSB were \$1.648 million in 2013, and were \$3.366 million in 2014. That would indicate that RSB spending in fiscal year 2014 was \$1.718 million. In actuality, the County reported the fiscal year spending in 2014 (erroneously labeled as 2013) was \$1.38 million, a difference of \$338 thousand. So, which number was wrong: the fiscal year spending amount or the year end cumulative amount? RCA can't answer that, but a correction of the conflicting amounts was never offered to rectify the erroneous number (whichever it was) in the paper. Under any circumstance, the County continued to report the higher cumulative spending number, whether annual fiscal year spending was \$338 thousand higher than reported or not. If annual spending for each fiscal year was reported accurately, and cumulative spending was overstated, that means the transfer out of the RSB project could have been as much as \$1.631 million, a good bit more than the overspending in the Multipurpose Arena.

As noted in the earlier article on SPLOSTs, most individuals on the County team developing the upcoming SPLOST were not directly involved in the administration and reporting of the past one, and RCA is encouraged that this group will be better equipped to manage the process.

## **RECYCLING REPORT**

The Director of the County's recycling efforts, Alan English, reports that the Community Clean-up Day for Rabun County held on April 7th was a resounding success. About 130 people came by to bring their trash and almost 50 tons were collected. This kind of effort has a positive impact on the appearance and image of the County, and all involved are to be congratulated.

Please do your part by recycling all materials you can as you enjoy nature's beauty (and help to keep it clean!).

## **FIRE DEPARTMENT REPORT**

Rabun County Fire Services has responded to 670 calls as of May 13th, 2018, which is already proving to be a busy year. We have already made numerous fire safety education contacts. These include our Meals on Wheels route in partnership with EMS, Firewise education at the Clayton Ingles with USFS and GFC, Government Day at the courthouse for the 5th grade, Family Day at Camp Rainey Mountain, and Career Week at RCPS. If you have any fire safety education needs or would like someone to just come and talk to your group or association about our department, please contact me.

Lake Rabun's new fireboat was delivered at the end of April and will bring enhanced fire and rescue capabilities to the lake. Fire Station 10 (Lakes) is nearing completion and will be opening in the near future. Ground has been broken for the new Station 3 (Tallulah-Persimmon) and work on building it will hopefully begin



## Rabun County Alliance

*formerly West Rabun Property Owners*

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*Spring is in full swing, and Mother Nature has been showing off this year thanks to no late freezes and plenty of rain so far.*

soon, weather-permitting. As always, please contact us if you have any questions or concerns. My contact information is [jupchurch@rabuncounty.ga.gov](mailto:jupchurch@rabuncounty.ga.gov), 706-782-2751. Here's hoping for a safe summer!  
*Assistant Chief Justin Upchurch*

### **SHERIFF'S REPORT**

The Rabun County Sheriff's Office was pleased to partner with the Georgia Emergency Management and Homeland Security Agency in March to bring two presentations of the Civilian Response to Active Shooter Events (CRASE) training free to the public. With the current climate of the nation and world, Sheriff Nichols made it a priority to have this free public training offered to citizens. The training was designed and built on the Avoid, Deny, Defend strategy developed by the Advanced Law Enforcement Rapid Response Training (ALERRT). The CRASE program is designed as an awareness tool that will strengthen the ability to survive and instill confidence to civilians of all ages and abilities, helping them understand that what you do matters in an active shooter event. The training was very well attended, and Sheriff Nichols and another staff member will be attending training to be able to teach this class to any interested groups in our County. More information will be available once the instructor training has been completed.

The Sheriff's Office also played a role in Operation JAWbreaker, which was a multi-state and multi-agency drug operation that was comprised of our Sheriff's Office, Macon County (NC) Sheriff's Office, Jackson County (NC) Sheriff's Office, Franklin Police Department, and the North Carolina

State Bureau of Investigations. During this operation, the Rabun County Sheriff's Office made nine arrests and seized approximately 1.4 pounds of methamphetamine, 3.5 ounces of heroin, 5 grams of cocaine, various equipment, and substances used to manufacture methamphetamine and heroin. Sheriff Nichols and the other two Sheriffs recognize that the US Highway 441 corridor allows these illegal drugs to be brought in to our communities. We will continue our interdiction and investigative teamwork to rid our communities of this poison. Sheriff Nichols would like to thank the patrol deputies, K-9 deputies, and investigators for their hard work and dedication in Operation JAWbreaker. Because of the tireless work put in by all the agencies involved, three counties are safer.

Sheriff Nichols was also proud to offer a family and rehabilitation course to inmates incarcerated at the detention center. The Sheriff's Office partnered with FAITH (Fight Abuse in the Home) to offer STEP parenting courses at the detention center. This great partnership, in its early stages, has had one session with female inmates. The course provides inmates with a support system once released from the detention center. A male class is scheduled in the near future. A substance abuse and treatment course, Prime for Life, was recently provided for interested inmates. The course, which was very well received by male inmates, proved to be extremely encouraging; a female class will be scheduled in the future. Sheriff Nichols sees this as a positive step towards preparing inmates to function in society so that they will be a better person for themselves, their families, and our community! *Sheriff Chad Nichols*