

County Meeting  
April 21, 2022, 6:00pm  
Minutes  
Union County Courthouse

The meeting was called to order by Commissioner Lamar Paris at 6:00pm. The Commissioner welcomed everyone to the meeting. The invocation was then given by David Dyer, EMA Director/Fire Chief, and the Pledge of Allegiance was led by Bill Walker.

Commissioner Paris proclaimed April 26, 2022 as Confederate Memorial Day in Union County. The United Daughters of the Confederacy is an organization whose purposes include honoring the memory of its confederate ancestors and honoring the service of veterans from all wars as well as active military personnel. Smith's Legion Chapter #2699 was chartered in January of 2014 to carry out the organization's purposes in Union County and the surrounding area. The Commissioner encouraged all citizens to participate in activities under the leadership of Smith's Legion Chapter #2699 that commemorate and honor our shared history and cultural inheritance.

The Commissioner then conducted the first reading of revisions to Chapter 10, Article III of the Union County Code of Ordinances generally referred to as the Union County Alcohol Ordinance. During a first reading, the entire ordinance is not read, but all attendees were provided a copy of the proposed changes. Commissioner Paris asked Attorney William Mercer to provide a summary of the proposed changes.

Commissioner Paris then approved the minutes from the March 29, 2022 County Meeting as presented.

William Mercer then summarized the proposed changes to the Alcohol Ordinance. He stated that all the proposed changes had been discussed and voted on by the Alcohol Board and were approved by the Commissioner prior to being presented. The first change was regarding Section 10-76(e) which pertains to the types of leases people can and cannot have in order to be issued an Alcohol License. As the Ordinance reads now, percentage leases are not allowed. A percentage lease is a type of lease where a percentage of sales are provided as the lease payment. Lease payments should not be based off of the sale of alcohol. Some businesses who were applying for an Alcohol License were only getting offered percentage leases by the landlord. By changing the Ordinance to read that "No percentage leases of buildings or realty shall be permitted if that percentage lease includes the sale of alcohol," this will better accommodate Union County businesses. Mr. Mercer asked for questions, and there were none.

Section 10-81(h) states "There shall be no coin operated amusement machines, no casino style video gambling or gaming devices, no gambling, betting, games of chance, slot machines or the operation of any scheme for hazarding money or any other thing of value, excluding arcade games, except those licensed and approved by The Georgia Lottery Commission, in any place of business licensed under this article, or in any room adjoining same, owned, leased or controlled by a licensee, allowing also for the licensed sale of Georgia Lottery games and tickets." This section will be removed entirely, because the legislature overruled counties on this issue. A state law went into effect allowing businesses to have these types of machines making this section of the Ordinance void. Mr. Mercer asked for questions, and there were none.

Section 10-82(v)(3) states that an Alcohol License or the renewal of an Alcohol License will not be approved if there are any outstanding property taxes related to the property. The issue with this becomes the Alcohol Board starts working on renewals of Alcohol Licenses prior that the date that taxes are due in the same year. Renewals are typically approved at the December Alcohol Board Meeting which falls on the second Tuesday, so they are approved prior to property taxes being due later in the month of December. The Board had to go off of the prior years taxes to see if they were paid or not. It was decided language was needed in the Ordinance to make sure taxes were paid for the current year. The proposed changes will add "...for a license under this chapter has any outstanding taxes or special assessments that are delinquent or due against his property..." which adds the words "or due". Then at the end of the section it states, "No license shall be issued or renewed until such debts are paid in full through the calendar year that the application is made." Mr. Mercer asked for questions and there were none.

Section 10-76(j)(1-12) is in regards to Alcohol Permits. Union County is one of the few counties that has required each individual who will be touching alcohol in a licensed establishment to obtain a permit through the county to serve alcohol. This includes waitresses, bartenders, cashiers, stock boys, and bus boys. The majority of Georgia counties do not require this and surrounding counties do not require this. Union County has one Alcohol Enforcement Officer and the Sheriff's Office does not enforce the Alcohol Ordinance unless it involves a crime under the criminal code, such as selling alcohol to an underage person. Mr. Mercer went on to state that there are over 1,000 permits the Alcohol Enforcement Officer has to issue every year. He stays in his office most of the time working on issuing permits which is stopping his from being out in the county actually making sure establishments are in compliance with the Alcohol Ordinance. This requirement in the Ordinance also stood in the way for some individuals to gain employment. Provisions were put in place of this removed section. Employees who are selling alcohol will be required to complete training within 14 days of the start of their employment and the employer must keep a record of this training. Each employee must also renew their training before July 30<sup>th</sup> of each year and the employer must keep a record of this also. It is being recommended in the Ordinance that employers complete a background check on all their employees, but it is not being required.

Question: Before the license was issued, did everyone have to have a background check?

Mercer: Yes, for permits. Licenses are for Longhorns.

Question: You said all the employees had to have a background check.

Mercer: Yes, and the licensee.

Question: They were issued a permit to go work there, but they didn't have a background check.

Mercer: The county was doing a background check and training to issue a permit.

Mercer continued with Section 10-80(A)(6) Temporary Special Event Licenses. Anyone who serves alcohol at a Temporary Special Event, under the current Ordinance, has to have a permit. People could come get a permit without being employed somewhere, they just had to get a background check and provide proof they did the training. Since the county is proposing to get rid of permits, this requirement in the Ordinance will have to be changed as well. Mr. Mercer then read the ordinance with the proposed change. "At every temporary special event any person who serves alcohol must have completed an approved alcohol training program within one year of the event. Within seven days of any temporary special event the license holder or their agent must send a list of anyone who will be serving alcohol at the event and proof that they have

completed an approved alcohol training program within one year of the event. The licensee will be held responsible for any criminal and/or civil sanctions by a Court of Law and/or the Union County Alcohol Board for violation of this provision.”

Question: Are you saying it has to just be done once? It doesn't have to renew.

Mercer: Let's just say a concert is coming to town. They are going to serve beer and they have to get a Temporary Special Event License to do so. The servers have to have a training within a year of the event. So, if the event was held once each year, they would have to renew the training, but if there were three events in a six-month period they would not have to renew the training.

Mr. Mercer went on to summarize the changes to Section 10-81(1)(2). There was language related to permits and since permits were no longer going to be required this language needed to be removed. This section says no person licensed or issued a permit can sell powdered alcohol. It is proposed to be changed to read, “No person licensed, their agents, or their employees pursuant to this ordinance shall use powdered alcohol as an alcoholic beverage or use powdered alcohol to create an alcoholic beverage.”

Question: What is powdered alcohol?

Mercer: It is similar to Koolaid, just the powder is alcohol.

The final section summarized was Section 10-81(1)(5) refers to prohibited activities. Language related to permits, since they were not longer going to be required, was removed. It was replaced with “... person licensed, their agents, or their employees...”. Mr. Mercer asked for questions and there were none. Public hearing is on Tuesday May 17 at 530 in courthouse. Second reading will be at the May 19<sup>th</sup> county meeting.

The Commissioner said the one thing the county did was try and keep alcohol regulations tight and we have had very nominal problems related to alcohol. Alcohol board is appreciated for the work they do.

Mercer forgot.

Commissioner Paris adopted the Local Emergency Operations Plan to provide a comprehensive framework for county-wide emergency management. This plan supersedes the Union County Emergency Operation Plan dated February 19, 2018 and is valid for a period of four years from the date signed unless a revision is required sooner. Since Chief David Dyer, EMA Director and Fire Chief and his staff have worked on drafting this plan, I am going to ask him to come up to provide attendees with a clear understanding of the Local Emergency Operations Plan. If anyone needs a copy of this plan, please let Jennifer know after the meeting.

Chief Dyer stated that all 159 counties in Georgia have an Emergency Operations Plan. This plan is the framework on what will happen in the community to get through and recover from a man made or natural disaster. This plan includes what everyone will do, the public, government, emergency management, hospital, everyone. This is the main plan that leads to a lot of subsequent plans related to specific emergencies. It says who does what and when. If there is a tornado, do this. If there is a winter storm, do this. All plans are updated as needed, but this one is required to be updated every four years.

Question 1: Where can we get a copy of that Comprehensive Plan?

Chief Dyer: Jennifer can get that for you.

Jennifer Mahan: You asked about the Comprehensive Plan, do you mean that plan or the Local Emergency Operations Plan.

Question: I mean the Local Emergency Operation Plan

Jennifer Mahan: Yes, I can get that for you.

Question 2: What would you say the biggest changes are sine 2018?

Chief Dyer: GEMA changed the format for us, and we trimmed down a lot of unnecessary language.

Commissioner Paris accepted this Agreement between Union County and Air Methods Corporation for emergency air medical transportation services for the County's citizens and their household members from June 1, 2022 to May 31, 2023. The amount of this agreement is not to exceed \$76,765.00 and the county will only be responsible for half of that amount while Union General Hospital pays for the other half. There were no increases or changes in this agreement from last year. This is the local emergency helicopter service provided to our residents whether full or part time.

Question 1: Before we moved here in 2019 we had a house here we bought in 2014. We used to get flyers requesting we sign up for a membership.

Commissioner: We had some issues with that early on, with different companies trying to get you to purchase a membership. The county and the hospital tried to make sure everyone knew which company the county had the membership with. Companies still send those out, but we always let people know to check with the county or the hospital if they have any questions.

Question 2: If I call 911, they will dispatch the helicopter that belongs to our county.

Chief Dyer: If you call 911, they put the helicopter on standby if you have a condition that might require its use. If that helicopter is not available, they will find the closest one to put on standby. When the medical crew arrives and assesses that you need the helicopter, then they will launch.

Question 2: I have been in counties where there have been helicopters competing.

Question 3: Can the patient specify the hospital they want to go to?

Chief Dyer: Depends on your health issue. If the hospital you want to go to can handle your case then yes, but if they can't you would have to be sent somewhere else. The other thing is weather. If the weather is bad in Chattanooga, you would have to be sent somewhere else.

Commissioner Paris added that if the weather is too bad you may have go by ambulance also.

Question 4: I thought I heard him imply that if our helicopter was busy another one might be called.

Chief Dyer: We have one helicopter stationed here that we consider ours.

Mercer: I think what is being asked is, if that company is busy, and a competing service has to fly them out is there reciprocity or are they stuck with the bill?

Commissioner: If another company flies you out, they have their own plans. The only way to be assured you would not have to pay for the flight would be if you were flown out with the helicopter we have a membership with.

Commissioner Paris said he had a few comments. Groundbreaking has started at the site for Aldi's at the red light.

Question 1: Did you have to give them anything to come here?

Commissioner: No.

Question 1: Are they doing anything to the community?

I am sure they will. We worked with them on purchasing a little piece of property that adjoined their lot, but as far as the county offering them an incentive to come here, no.

Work on the Convenience Center started at the Volunteer Station and Voting Precinct at Station 4. It will be much more convenient for people who live on that end of the county.

Question: When the county sells land where does the money go?

Commissioner: Back into the county budget

Question: Does that translate at all into lowering taxes?

Commissioner: If it is a situation where we can, we will. But the money comes back into the county coffers when we sell land.

Question 2: What is a convenience center?

Commissioner: A place to take bagged garbage and recyclables.

Winkler and Winkler Construction has completed the Senior Center Addition. Kathy Hill does a wonderful job working with the seniors in our community. A section has been added on to this facility containing restrooms, a meeting room and a utility room.

The county had over 600 kids involved in recreation department sports. Now baseball is starting. We are having the same issue with basketball, with having so many kids. The Sports Center is hosting a lot of exercise programs for adults. Trash to Treasures will begin on May 20<sup>th</sup> and Ramp Day will be April 30<sup>th</sup> at the Farmers Market. The Farmers Market opens on June 4<sup>th</sup> this year. Chief Dyer and the county have been working on Fire Station 13. Hidden Harbor, the development out the Murphy Highway donated a lot in front of their subdivision for Fire Station 13. The county will start on construction of that fire station very soon using APRA Funds. The county is working with the Hospital to get a roundabout at the intersection of Pat Haralson Road and Deep South Farm Road. Senator Gooch and Stan Gunter were here today to present the county with 1 million dollars to put toward that from State ARPA Funds.

There being no further business the meeting was adjourned at 6:50 pm.

Respectfully submitted by:

  
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Jennifer Mahan, County Clerk

Approved this 19<sup>th</sup> day of May, 2022

  
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Lamar Paris, Commissioner

